



CITY COUNCIL PLANNING RETREAT DAY #2 JANUARY 22, 2024

TRILITH GUESTHOUSE HOTEL
THE STUDIO AND LAKEVIEW TERRACE ROOMS
350 TRILITH PARKWAY
FAYETTEVILLE, GEORGIA 30214
8:30 AM

1. CALL TO ORDER

2. ROLL CALL

3. CITY COUNCIL DISCUSSION, VISIONING, AND PRIORITY SETTING

- A.** *The following topics were identified and submitted by Mayor and City Council prior to the retreat. There is a significant likelihood that other priorities of the Mayor and Council will be discussed as they are identified during the retreat.*

TOPICS OF DISCUSSION MAY INCLUDE THE FOLLOWING ITEMS:

1. 2025 Election Season
2. Alpha Loop Phasing Priorities
3. Charter Modifications
4. City of Alpharetta Priorities Matching Community Improvement District Priorities
5. Downtown Events / Concerts on the Town Green
6. Downtown Parking
7. Fire Station Renovation Project
8. Image for GA 400 and GA 9
9. Park Bond Update
10. Prioritization of North Point Redevelopment
11. Tech Alpharetta
12. Next Year's Priorities

4. TRILITH STUDIO TOUR WITH TRILITH CEO, ROB PARKER

- A.** Mayor and City Council and City Staff will begin a tour of Trilith Studios with CEO, Rob Parker, at 10:30 a.m. with lunch to follow.

5. PLANNING RETREAT DAY #2 ADJOURNMENT

2023 MUNICIPAL ELECTIONS COMBINED COSTS

One Voting Location

Overall Election Costs	\$60,077.00
General Costs Per Voting Location	\$15,130.03
Poll Worker Costs Per Voting Location	\$51,364.00
Contingency Costs (15%)	\$18,985.65
TOTAL ESTIMATED COSTS:	\$145,556.65

Two Voting Locations

Overall Election Costs	\$60,077.00
General Costs for 2 Voting Locations	\$30,260.06
Poll Worker Costs for 2 Voting Locations	\$102,728.00
Contingency Costs (15%)	\$28,959.76
TOTAL ESTIMATED COSTS:	\$222,024.86

Three Voting Locations

Overall Election Costs	\$60,077.00
General Costs for 3 Voting Locations	\$45,390.09
Poll Worker Costs for 3 Voting Locations	\$154,092.00
Contingency Costs (15%)	\$38,933.86
TOTAL ESTIMATED COSTS:	\$298,532.96



OVERALL ELECTION COSTS

GENERAL SUPPLIES	Quantity	Cost	Description
Elections Consultant	1	\$ 30,000	
Based on splitting cost with Milton		\$ -	
Ballots		\$ -	
Ballot Setup	1	\$ 250	One Time Cost
Ballot Printing	12,500	\$ 4,625	\$0.37 per ballot
Test Deck from Printing Company	6	\$ 2	.37 per sheet x polling places
Delivery	1	\$ 50	One Time Cost
Postage for Absentee Ballots	250	\$ 300	\$0.60 per stamp
Printing Costs		\$ 2,500	Notices, Signage, etc.
Election Advertising		\$ 3,500	
- Calling of Election		\$ -	
- Notice of Computation & Canvassing		\$ -	
- Cancellation of Election		\$ -	
- Logic & Accuracy Testing		\$ -	
- Early Tabulation		\$ -	
Training Materials		\$ 1,000	
General Supplies		\$ 2,000	
Alpharetta Votes Stickers	15,000	\$ 500	
Future Voter Stickers	2,000	\$ 250	
Equipment Moving Costs from Fulton Co.		TBD	
Easy Vote Check-in Software	1	\$ 2,500	\$1,500 yearly renewal
Dominion Services		\$ -	
- Programming Election	1	\$ 3,800	
- L&A Testing + Training	1	\$ 2,200	
- On Site Vendor for First Day of Early Voting	1	\$ 2,200	
- On Site Vendor for Last Day of Early Voting	1	\$ 2,200	
- On Site Vendor for Election Day	1	\$ 2,200	

Total Overall Election Costs: \$60,077

GENERAL COSTS FOR EACH VOTING LOCATION

GENERAL SUPPLIES	Quantity	Cost	Description	Vendor
Bag for Absentee Ballot Secure Transfers	1	\$ 17.00	One time cost	ElectionSource
Bag for Provisional Ballots	1	\$ 19.00	One time cost	ElectionSource
Bag for Challenge Ballots	1	\$ 17.00	One time cost	ElectionSource
Bag for Memory Sticks + Thermal Tape	4	\$ 8.00		ElectionSource
Test Bag	1	\$ 17.00	One time cost	ElectionSource
Voting Booths	10	\$ 1,950.00	\$195.00 each / one time cost	ElectionSource
Voting Booths - ADA Accessible	1	\$ 210.00	One time cost	ElectionSource
Voting Booth Light	13	\$ 273.00	\$21.00 each / one time cost	ElectionSource
Large Ballot Drop Box	1	\$ 1,580.00	One time cost	American Security Cabinets
Locked Ballot Transfer Bag	1	\$ 414.00	One time cost	American Security Cabinets
Large Locking Ballot Transfer Cart	1	\$ 1,249.00	One time cost	American Security Cabinets
Poll Manager Rolling Crate	1	\$ 39.99	One time cost	Office Depot
Election Supplies Tote	3	\$ 35.67	\$11.89 each / One time cost	Costco
Weather Radio	1	\$ 34.88	One time cost	Amazon
Dominion Supplies	—	\$ -		—
- 16 Memory Cards for Each Ballot Scanner	32	\$ 1,478.40	\$46.20 each	Dominion
- Test Deck	1	\$ 17.50	\$17.50 each	Dominion
- Ballot Scanner Security Button Key	2	\$ 55.00	\$27.50 each	Dominion
- Thermal Rolls for Scanner Printing	3	\$ 8.25	\$2.75 each - 3 total	Dominion
Black Pens	6	\$ 68.34	\$11.39 for 108 pens	Costco
Seals	3	\$ 27.00	\$9.00 for a set of 25	ElectionSource
Seal Cutter	2	\$ 4.00	One time cost	ElectionSource
Election Day Catering		\$ 1,000.00		
Chick Fil A - Breakfast	\$ 250	\$ -		
Great Harvest - Boxed Lunch	\$ 350	\$ -		
Savory Gourmet - Pasta, Salad, Bread	\$ 400	\$ -		
				SUBTOTAL: \$8,523.03

TECHNOLOGY	Quantity	Cost	Description
Cell Phone + Services for 2 Months	3	\$ 1,007.00	
Network Costs for City Facilities	1	\$ 1,000.00	** High estimate, current network capabilities may be sufficient
Laptop + Scanner + Printer	2	\$ 3,800.00	** May not need, based on Fulton County Equipment
Ink + Paper Supplies	1	\$ 800.00	** High estimate
			SUBTOTAL: \$6,607.00

Total General Costs for Each Voting Location: \$15,130.03

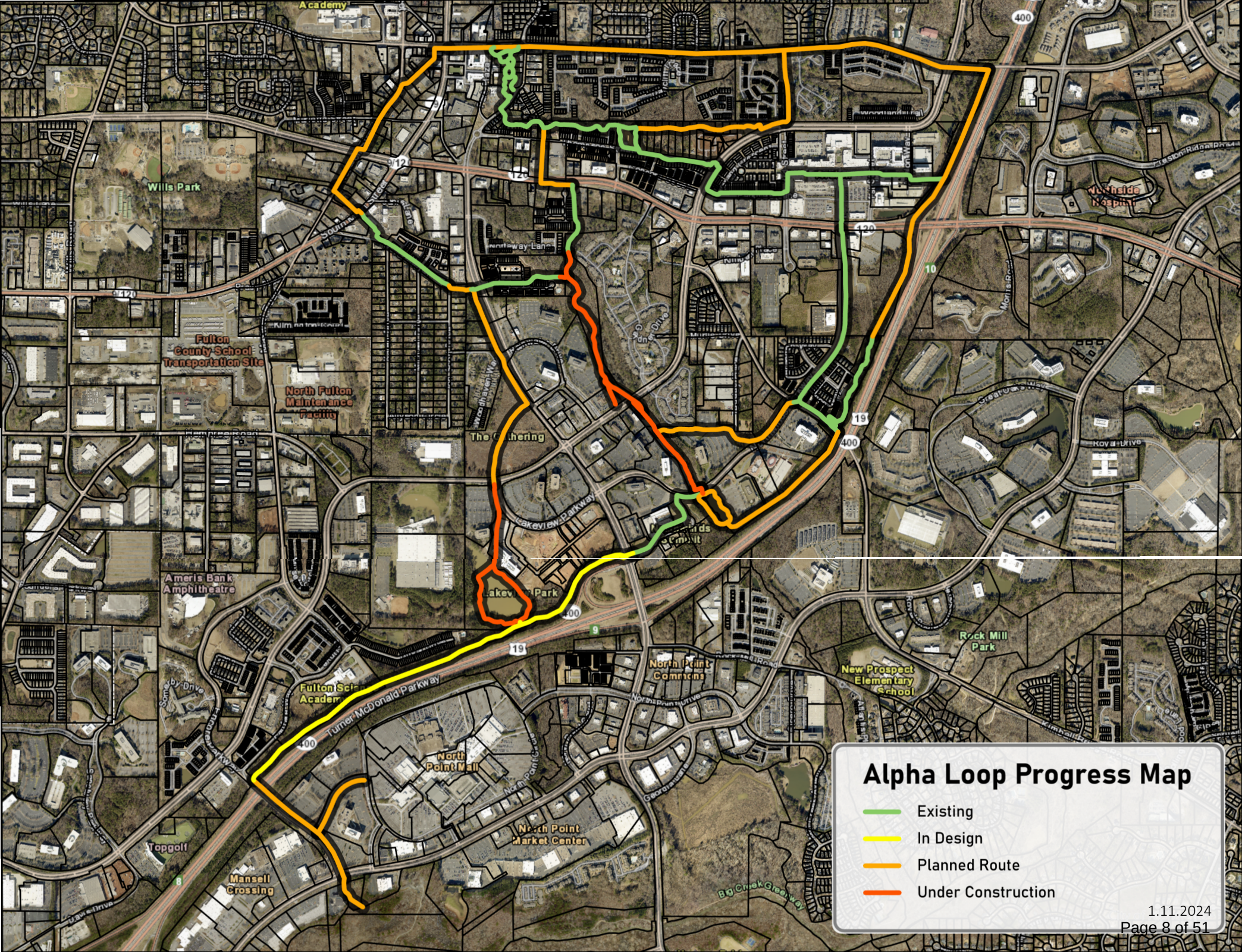
POLL WORKER COSTS FOR EACH VOTING LOCATION

	Hourly Rate	Training 12 hours	Absentee by Mail Ballot Prep 8 hours	Early Voting Shift: 7 AM - 7 PM 12 hours a day x 17 days	Election Day Shift: 6 AM - 12 AM 18 hours	Drug Testing per person	Uniform Nametag	TOTAL
Poll Manager	\$30	\$360	\$240	\$6,120	\$540	\$61	\$115	\$7,436
Assistant Poll Manager	\$25	\$300	\$200	\$5,100	\$450	\$61	\$115	\$6,226
Assistant Poll Manager	\$25	\$300	\$200	\$5,100	\$450	\$61	\$115	\$6,226
Poll Clerks								
Ballot Box Watcher	\$20	\$240	\$0	\$4,080	\$360	\$61	\$115	\$4,856
Line Monitor	\$20	\$240	\$0	\$4,080	\$360	\$61	\$115	\$4,856
Check-In	\$20	\$240	\$0	\$4,080	\$360	\$61	\$115	\$4,856
Check-In	\$20	\$240	\$0	\$4,080	\$360	\$61	\$115	\$4,856
Monitor / Staff	\$20	\$240	\$0	\$4,080	\$360	\$61	\$115	\$4,856
Monitor / Staff	\$20	\$240	\$0	\$4,080	\$360	\$61	\$115	\$4,856
SUBTOTAL								\$ 49,024.00
	Hourly Rate	Training 2 hours	Absentee by Mail Ballot Prep 8 hours	Early Voting Shift: 7 AM - 7 PM 12 hours a day x 2 days	Election Day Shift: 6:30 AM - 8:30 PM 14 hours	Drug Testing per person	Uniform Nametag	TOTAL
Police Officer	\$60	\$120	\$0	\$1,440	\$840	\$0	\$0	\$2,400
SUBTOTAL								\$2,400.00

Total Estimated Poll Worker Costs for Each Location: \$51,424.00

ELECTION STATISTICS

MUNICIPAL ELECTIONS	Total Voters	Total Registered Voters	Absentee By Mail	# of Voting Locations	Fulton County Cost	Election Type
November 7, 2023 Municipal Election	TBD	49,561	TBD	TBD	\$379,408.77	Mayor, Posts 4, 5 & 6
November 2, 2021 Municipal Election	6,777	46,656	165	13	\$138,102.00	Posts 1, 2 & 3 + Parks Bond
November 5, 2019 Municipal Election	3,671	41,885	118	11	\$120,267.76	Mayor, Posts 4, 5 & 6 + Homestead Exemptions



Alpha Loop Progress Map

- Existing
- In Design
- Planned Route
- Under Construction

PART I

CHARTER AND RELATED LAWS¹

Subpart A CHARTER

ARTICLE I. CREATION, INCORPORATION, [AND] POWERS

Sec. 1.10. Name.

This city and the inhabitants thereof, are hereby constituted and declared a body politic and corporate under the name and style of City of Alpharetta, Georgia, and by that name shall have perpetual succession.

Sec. 1.11. Corporate boundaries.

- (a) The boundaries of this city shall be those existing on the effective date of the adoption of this Charter with such alterations as may be made from time to time in the manner provided by law. The boundaries of this city at all times shall be shown on a map, a written description or any combination thereof, to be retained permanently in the office of [the] city clerk and to be designated, as the case may be: "Official Map (or Description) of the Corporate Limits of the City of Alpharetta, Georgia." Photographic, typed, or other copies of such map or description certified by the city clerk shall be admitted as evidence in all courts and shall have the same force and effect as with the original map or description. A copy of the "Official Map" of the city is hereto attached and made a part hereof as if specifically described.

Editor's note(s)—The official map is not included herein. It is attached to the Charter on file in the city clerk's office.

- (b) The city council may provide for the redrawing of any such map by ordinance to reflect lawful changes in the corporate boundaries. A redrawn map shall supersede for all purposes the earlier map or maps which it is designated to replace.

¹Editor's note(s)—Printed herein is the Charter of the city, as adopted by 1981 Ga. Laws (Act No. 704), page 4609. Amendments are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original. Any provisions regarding the title, enactment date, severability, repealer, transitional language, ratification date, publication date or effective date of the ordinance have been omitted. Obvious misspellings and punctuation errors have been corrected without notation. The style used for headings and catchlines has been made uniform and consistent with those appearing in the Code. The same system of capitalization and expression of numbers in text has been used as it appears in the Code of Ordinances. Additions made for clarity, such as consistent state statute citations and catchline modifications are indicated by brackets.

State law reference(s)—Home rule for municipalities, Ga. Const. art. IX, § II, ¶ II; Home Rule Act of 1965, O.C.G.A. § 36-35-1 et seq.

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- (c) Notwithstanding the provisions of subsection (a) of this section, the following described property is hereby removed from the corporate limits of the City of Alpharetta, and said corporate limits shall not include the following described property:

All that tract or parcel of land lying and being in Land Lots 522 and 543 of the First District, Second Section of Fulton County, Georgia along the north right-of-way line of the New Mansell Road, a public road in Fulton County, Georgia having an 80-foot right-of-way, and being more particularly described as follows:

Beginning in the northeast corner of Land Lot 543, said district and section, the same being the common corner of Land Lots 543, 544, 559 and 560; thence running in the direction of north 87 degrees 44 minutes 12 seconds west as measured along the north line of Land Lot 543, the same being the south line of Land Lot 544, a distance of 73 feet more or less to a point located at the intersection of the said north line of Land Lot 543 with the former northeast right-of-way line of Old Mansell Road, said Old Mansell Road, having been abandoned following the construction of the New Mansell Road; thence running in the direction of north 84 degrees 44 minutes 12 seconds west a distance of 55.03 feet to a point located along the former center line of Old Mansell Road; thence running along the following courses and distances as measured along the former center line of Old Mansell Road, now abandoned, and following the curvature thereof, to-wit: thence running in the direction of north 87 degrees 48 minutes 27 seconds west a distance of 298.77 feet to a point; thence running in the direction of north 89 degrees 42 minutes 38 seconds west a distance of 238.21 feet to a point; thence running in the direction of north 86 degrees 56 minutes 16 seconds west a distance of 175.69 feet to a point; thence running in the direction of south 89 degrees 52 minutes 6 seconds west a distance of 89.37 feet to a point; thence running in the direction of north 85 degrees 57 minutes 8 seconds west a distance of 94.15 feet to a point; thence running in the direction of north 85 degrees 52 minutes 37 seconds west a distance of 92.26 feet to a point; thence running in the direction of north 86 degrees 32 minutes 23 seconds west a distance of 435.96 feet to a point located in Land Lot 522; thence running in the direction of north 86 degrees 54 minutes 50 seconds west a distance of 27.27 feet to a point where the said former center line of Old Mansell Road intersects the present north right-of-way line of the New Mansell Road; thence running along the following courses and distances as measured along the north right-of-way line of New Mansell Road having an 80-foot right-of-way and following the curvature thereof, to-wit: south 83 degrees 15 minutes 57 seconds east a distance of 43.07 feet to a point; thence running south 83 degrees 17 minutes 53 seconds east a distance of 69.41 feet to a point; thence running south 83 degrees 51 minutes 3 seconds east a distance of 68.14 feet to a point; thence running south 83 degrees 57 minutes 0 seconds east a distance of 73.55 feet to a point located in Land Lot 543; thence running south 84 degrees 7 minutes 33 seconds east a distance of 45.52 feet to a point; thence running in the direction of south 84 degrees 30 minutes 58 seconds east a distance of 53.79 feet to a point; thence running south 84 degrees 20 minutes 27 seconds east a distance of 53.87 feet to a point; thence running in the direction of south 85 degrees 7 minutes 23 seconds east a distance of 51.80 feet to a point; thence running south 85 degrees 56 minutes 20 seconds east a distance of 51.64 feet to a point; thence running south 85 degrees 55 minutes 5 seconds east a distance of 51.83 feet to a point; thence running south 85 degrees 41 minutes 57 seconds east a distance of 48.95 feet to a point; thence running south 86 degrees 21 minutes 30 seconds east a distance of 887.62 feet to a point; thence running south 84 degrees 35 minutes 58 seconds east a distance of 14.33 feet to a point; thence running in the direction of south 84 degrees 35 minutes 58 seconds east a distance of 32.32 feet to a point; thence running south 84 degrees 35 minutes 58 seconds east a distance of 9.91 feet to a point; thence running in the direction of south 84 degrees 7 minutes 2 seconds east a distance of 15 feet more or less to a point, said point being the intersection of the north right-of-way line of the New Mansell Road with the east line of Land Lot 543; thence running in a northerly direction as measured along the east line of Land Lot 543, the same being the west line of Land Lot 560, a distance of 56.1 feet to a point located in the northeast corner of Land Lot 543, the same being the point of beginning.

The above described tract being according to a plat of survey as prepared by Travis N. Pruitt, Sr., R.L.S. 1729, dated April 16, 1981, revised April 24, 1981.

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- (d) In addition to the area now embraced within the corporate limits of the City of Alpharetta, the following described tract of land shall be included within said corporate limits:

All that tract or parcel of land lying and being in Land Lots 906, 967, and 968 of the 2nd district, 2nd section of Fulton County, Georgia, and being more particularly described as follows:

Beginning at an iron pin found located at the common corner of Land Lots 907, 906, 967, and 966; running thence north 89 degrees 48 minutes east a distance of 490.0 feet to an iron pin set; running thence north 0 degrees 33 minutes west a distance of 1307.5 feet to an iron pin set; running north 89 degrees 46 minutes east a distance of 843.0 feet to an iron pin found; running thence south 0 degrees 45 minutes west a distance of 724.0 feet to an iron pin found; running thence south 87 degrees 37 minutes west a distance of 210.8 feet to an iron pin found; running thence south 2 degrees 04 minutes east a distance of 576.3 feet to an iron pin found; running thence north 89 degrees 08 minutes east a distance of 1106.7 feet to an iron pin set; running thence in a southwesterly direction along the westerly right-of-way of Cogburn Road (said road having a 60-foot right-of-way) the following distances: running south 11 degrees 27 minutes west a distance of 84.84 feet to a point, running south 16 degrees 10 minutes west a distance of 98.48 feet to a point, running south 20 degrees 12 minutes west a distance of 98.66 feet to a point, running south 23 degrees 49 minutes west a distance of 98.30 feet to a point, and running south 26 degrees 08 minutes 30 seconds west a distance of 301.46 feet to an iron pin found; running thence south 89 degrees 58 minutes west a distance of 653.9 feet to an iron pin found; running thence north 89 degrees 48 minutes west a distance of 1317.2 feet to an iron bar found; running thence north 0 degrees 17 minutes west a distance of 620.1 feet to an iron pin found, which is the point of beginning.

Said property being shown on a compiled plat for the City of Alpharetta, prepared by Rodney H. Reese, Georgia-registered land surveyor No. 2072, dated December 12, 1985. Total area equaling 52.85 acres.

- (e) In addition to the area now embraced within the corporate limits of the City of Alpharetta, the following described property shall be included within said corporate limits:

All that tract or parcel of land lying and being in Land Lot 1135 of the 2nd District, 2nd Section, of Fulton County, Georgia, and being more particularly described as follows:

Beginning at an iron pin found (one inch C/T) on the southwesterly right-of-way of Broadwell Road (60-foot right-of-way) where it intersects with the land lot line that divides Land Lot 1134 and 1171; thence south 89 degrees 45 minutes 32 seconds west 180.53 feet along the land lot line that divides Land Lots 1134 and 1171, to an iron pin found on the land lot line (3/4 inch C/T); thence north 04 degrees 13 minutes 00 seconds west 401.95 feet to an iron pin found (3/4 inch C/T) on the southeasterly right-of-way of Crabapple Road (50-foot right-of-way) at that point; thence northeasterly along said right-of-way 72 degrees 01 minutes 30 seconds east 197.97 feet to a P/K nail set at the intersection of the southeasterly right-of-way of Crabapple Road (50-foot right-of-way) and the southwesterly right-of-way of Broadwell Road (60-foot right-of-way); thence south 02 degrees 42 minutes 14 seconds east 461.71 feet to an iron pin found at the point of beginning, said tract being 1.843 acres and the same property shown on a survey prepared for Crabapple First Baptist Church, Inc., by Brumbelow-Reese and Associates, Inc., on December 1, 1994.

- (f) In addition to the area now embraced within the corporate limits of the City of Alpharetta, the following described property shall be included within said corporate limits:

All that tract or parcel of land lying and being in Land Lot 1242, 2nd district of the 2nd section of Fulton County, Georgia totaling 7.592 acres and being located at 12270 and 12290 Broadwell Road, and being more particularly described on Exhibit "A" attached [to Ordinance 577, adopted Oct. 3, 2005] and incorporated herein by reference.

- (f)[(g)] In addition to the area now embraced within the corporate limits of the City of Alpharetta, the following described property shall be included within said corporate limits:

All of that tract or parcel of land lying and being in Land Lot 1239 of the 2nd District, 2nd Section of Fulton County, Georgia, and bounded on the south by Rucker Road, bounded on the east by the corporate limits of the City of Roswell, bounded on the west by the corporate limits of the City of Roswell, and bounded on the north by the current corporate limits of the City of Alpharetta.

(1982 Ga. Laws (Act No. 1149), page 4540, § 1; 1986 Ga. Laws (Act No. 804), page 3673, § 1; 1997 Ga. Laws (Act No. 72), page 3622, § 1; 2006 Ga. Laws (Act No. 806), § 1)

Sec. 1.12. Powers and construction.

- (a) This city shall have all powers possible for a city to have under the present or future constitution and laws of this state as fully and completely as though they were specifically enumerated in this Charter.
- (b) The powers of this city shall be construed liberally in favor of the city. The specific mention or failure to mention particular powers shall not be construed as limiting in any way the powers of this city.

Sec. 1.13. Examples of powers.

The corporate powers of this city may include, but are not limited to, the following:

- (1) *Property taxes.* To levy and to provide for the assessment, valuation, revaluation, and collection of taxes on all property subject to taxation;
- (2) *Other taxes.* To levy and collect such other taxes as may be allowed now or in the future by state law;
- (3) *Business regulation and taxation.* To levy and to provide for the collection of license fees and taxes on privileges, occupations, trades and professions; to license and regulate the same; to provide for the manner and method of payment of such licenses and taxes; and to revoke such licenses after due process for failure to pay any city taxes or fees;
- (4) *Appropriations and expenditures.* To make appropriations for the support of the government of the city, to authorize the expenditure of money for any purpose authorized by this Charter and for any purpose for which a municipality is authorized by the law of the State of Georgia, and to provide for the payment of expenses of the city;
- (5) *Municipal debts.* To appropriate and borrow money for the payment of debts of the city and to issue bonds for the purpose of raising revenue to carry out any project, program or venture authorized by this Charter or the laws of the State of Georgia;
- (6) *Municipal property ownership and control.* To acquire, dispose of, lease, enter into a contract for valuable consideration for the use, operation, or management of, and hold in trust or otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or outside the property limits of the city;
- (7) *Gifts.* To accept or refuse gifts, donations, bequests or grants from any source for any purpose related to the powers and duties of the city and the general welfare of its citizens, on such terms and conditions as the donor or grantor may impose;
- (8) *Condemnation.* To condemn property, inside or outside the corporate limits of the city, for present or future use, and for any corporate purpose deemed necessary by the governing authority, under [title 22, O.C.G.A.], or under other applicable public acts as are or may be enacted;
- (9) *Municipal utilities.* To acquire, lease, construct, operate, maintain, sell and dispose of public utilities, including, but not limited to, a system of waterworks, sewers and drains, sewage disposal, gas works, electric light plants, transportation facilities, public airports, and any other public utility. To fix the

taxes, charges, rates, fares, fees, assessments, regulations and penalties and withdrawal of service for refusal or failure to pay same, and the manner in which such remedies shall be enforced;

- (10) *Public utilities and services.* To grant franchises or make contracts for public utilities and public service[s], [and] to prescribe the rates, fares, regulations and standards and conditions of service applicable to the service to be provided by the franchise grantee or contractor, insofar as not in conflict with valid regulations by the Public Service Commission;
- (11) *Roadways.* To lay out, open, extend, widen, narrow, establish or change the grade of, abandon, or close, construct, pave, curb, gutter, adorn with shade trees, otherwise improve, maintain, repair, clean, prevent erosion of, and light roads, alleys, and walkways within the corporate limits of the city; and to grant franchises and rights-of-way throughout the streets and roads, and over the bridges and viaducts, for the use of public utilities;
- (12) *Public improvements.* To provide for the acquisition, construction, building, operation and maintenance of public ways, parks and playgrounds, recreational facilities, cemeteries, markets and market houses, public buildings, libraries, public housing, airports, hospitals, terminals, docks, parking facilities, or charitable, cultural, educational, recreational, conservation, sport, curative, corrective, detentional, penal and medical institutions, agencies, and facilities; and any other public improvements, inside or outside the corporate limits of the city, and to regulate the use thereof; and for such purposes, property may be acquired by condemnation under [title 22, O.C.G.A.], or other applicable public acts as are or may be enacted;
- (13) *Building regulation.* To regulate the erection and construction of buildings and all other structures; to adopt building, housing, plumbing, electrical, gas and heating and air conditioning codes and to regulate all housing, building, and building trades; [and] to license the construction and erection of buildings and all other structures;
- (14) *Planning and zoning.* To provide such comprehensive city planning for development by zoning, subdivision regulation and the like as the city council deems necessary and reasonable to insure a safe, healthy, and aesthetically pleasing community;
- (15) *Public peace.* To provide for the prevention and punishment of drunkenness [sic. drunkenness], riots, and public disturbances;
- (16) *Special areas of public regulation.* To regulate or prohibit junk dealers, pawnshops, the manufacture, sale or transportation of intoxicating liquors, the use and sale of firearms, to regulate the transportation, storage and use of combustible, explosive and inflammable materials, the use of lighting and heating equipment, and any other business or situation which may be dangerous to persons or property; to regulate and control the conduct of peddlers, and itinerant trades, theatrical performances, exhibitions, shows of any kind whatever, by taxation or otherwise; [and] to license, tax, regulate, or prohibit professional fortune-telling, palmistry, adult bookstores, and massage parlors;
- (17) *Regulation of roadside areas.* To prohibit or regulate and control the erection, removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings and any and all other structures or obstructions upon or adjacent to the rights-of-way of streets and roads or within view thereof, within or abutting the corporate limits of the city, and to prescribe penalties and punishment for violation of such ordinances;
- (18) *Health and sanitation.* To prescribe standards of health and sanitation, and to provide for the enforcement of such standards;
- (19) *Air and water pollution.* To regulate the emission of smoke, chemical and other noxious fumes, vehicle exhaust and other air pollutants which are admitted into the air space of the city; and to regulate and control any and all chemical, trash, unclean, impure or corrupt material that may be exposed to the water flowing in, around and through the city;

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- (20) *Fire regulations.* To fix and establish fire limits, and from time to time to extend, enlarge or restrict same; to prescribe fire safety regulations not inconsistent with general law, relating to both fire prevention and detection and to firefighting; and to prescribe penalties and punishment for violation thereof;
- (21) *Public hazards, removal.* To provide for the destruction and removal of any building or other structure which is or may become dangerous or detrimental to the public;
- (22) *Solid waste disposal.* To provide for the collection and disposal of garbage, rubbish and refuse and to regulate the collection and disposal of garbage, rubbish and refuse by others; and to provide for the separate collection of glass, tin, aluminum, cardboard, paper, and other recyclable materials, and to provide for the sale of such items;
- (23) *Garbage fees.* To levy, fix, assess, and collect a garbage, refuse and trash collection and disposal and other sanitary service charge, tax or fee for such services as may be necessary in the operation of the city from all individuals, firms, and corporations residing in or doing business therein benefiting from such services; to enforce the payment of such charges, taxes or fees; and to provide for the manner and method of collecting such service charges;
- (24) *Sewer fees.* To levy a fee, charge or sewer tax as necessary to assure the acquiring, constructing, equipping, operating, maintaining and extending of a sewage disposal plant and sewerage system; and to levy on the users of sewers and the sewerage system a sewer service charge fee or sewer tax for the use of the sewers; and to provide for the manner and method of collecting such service charges; and for enforcing payment of same; to charge, impose and collect a sewer connection fee or fees; and to charge the same from time to time such fees to be levied on the users connecting with the sewerage system;
- (25) *Nuisance.* A nuisance shall be defined and abated as provided by [O.C.G.A. § 41-1-1 et seq.], as amended;
- (26) *Municipal property protection.* To provide for the preservation and protection of property and equipment of the city and the administration and use of same by the public, and to prescribe penalties and punishment for violations thereof;
- (27) *Jail sentences.* To provide that persons given jail sentences in the city's municipal court shall work out such sentence in any public works or on the streets, roads, drains and squares in the city; or to provide for commitment of such persons to any county work camp or jail by agreement with the appropriate county officials;
- (28) *Animal regulations.* To regulate and license, or prohibit the keeping or running at large of, animals and fowl, and to provide for the impoundment of same if in violation of any ordinance or lawful order; also to provide for their disposition by sale, gift, or humane destruction when not redeemed as provided by ordinance; [and] to provide punishment for violation of ordinance[s] enacted hereunder;
- (29) *Motor vehicles.* To regulate the operation of motor vehicles and exercise control over all traffic, including parking, upon or across the streets, roads, alleys and walkways of the city;
- (30) *Taxicabs.* To regulate and license vehicles operated for hire in the city; to limit the number of such vehicles; to require the operators thereof to be licensed; to require public liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to regulate and rent parking spaces in public ways for the use of such vehicles;
- (31) *Pensions.* To provide and maintain a system of pensions and retirement for members of the governing authority and employees of the city as provided by [O.C.G.A. § 36-35-4], as amended;
- (32) *Special assessments.* To levy and provide for the collection of special assessments to cover the costs for any public improvements;

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- (33) *Contracts*. The City of Alpharetta shall have the power to enter into contracts and agreements with other governmental entities and with private persons, firms and corporations.
 - (34) *City agencies and delegation of power*. To create, alter or abolish departments, boards, offices, commissions and agencies of the city, and to confer upon such agencies the necessary and appropriate authority for carrying out all the powers conferred upon or delegated to same;
 - (35) *Penalties*. To provide penalties for violations of any ordinance adopted pursuant to the authority of this Charter and the laws of the State of Georgia;
 - (36) *Police and fire protection*. To exercise the power of arrest through duly appointed policemen and to organize and operate a firefighting agency;
 - (37) *Emergencies*. To establish procedures for determining and proclaiming that an emergency situation exists within or without the city, and to make and carry out all reasonable provisions deemed necessary to deal with or meet such an emergency for the protection, safety, health or well-being of the citizens of the city;
 - (38) *Urban redevelopment*. To organize and operate an urban redevelopment program;
 - (39) *Public transportation*. To organize and operate such public transportation systems as are deemed beneficial;
 - (40) *General health, safety, and welfare*. To define, regulate and prohibit any act, practice, conduct or use of property which is detrimental to [the] health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the enforcement of such standards;
 - (41) *Other powers*. To exercise and enjoy other powers, functions, rights, privileges and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, or general welfare of the city and its inhabitants; and to exercise all implied powers necessary to carry into execution all powers granted in this Charter as fully and completely as if such powers were fully stated herein; and to exercise all powers now or in the future authorized to be exercised by other municipal governments under other laws of the State of Georgia. No listing of particular powers in this Charter shall be held to be exclusive of others, nor restrictive of general words and phrases granting powers, but shall be held to be in addition to such powers, unless expressly prohibited to municipalities under the constitution or applicable laws of the State of Georgia.

(1984 Ga. Laws (Act No. 931), page 4336, § 1; 1989 Ga. Laws, page 5256, § 1; 1998 Ga. Laws, page 4852, § 1; Ord. No. 849 , § 1, 11-28-2022)

Sec. 1.14. Exercise of powers.

All powers, functions, rights, privileges and immunities of the city, its officers, agencies or employees shall be carried into execution as provided by this Charter. If this Charter makes no provision, such shall be carried into execution as provided by ordinance or as provided by pertinent laws of the State of Georgia.

ARTICLE II. GOVERNMENT STRUCTURE

Sec. 2.10. City council creation; composition; number; election.

The legislative authority of the government of this city, except as otherwise specifically provided in this Charter, shall be vested in a city council to be composed of a mayor and six councilmembers. The mayor and councilmembers shall be elected in the manner provided by article V of this Charter.

Sec. 2.11. City council terms and qualification for office.

- (a) The mayor and the members of the city council shall serve for terms of four years and until their respective successors are elected and qualified. Terms of office shall begin on the January 2 immediately following the date of election to office for all persons elected at regular elections. No person shall be eligible to serve unless that person shall have been a resident of the city for six months prior to the date of election, shall have attained the age of 21 years prior to the date of election, shall continue to reside in the city during that member's period of service, and shall be registered and qualified to vote in municipal elections of this city.
- (b) No councilmember elected and qualified for three consecutive terms shall be eligible for the succeeding term.
- (c) No mayor elected and qualified for two consecutive terms shall be eligible for the succeeding term.

(1998 Ga. Laws, page 4853, § 4)

Sec. 2.12. Vacancy; filling of vacancies.

- (a) *Vacancies.* The office of mayor or councilmember shall become vacant upon the incumbent's death, resignation, forfeiture of office or removal from office in any manner authorized by this Charter or the general laws of the State of Georgia.
- (b) *Filling of vacancies.* A vacancy in the office of mayor or councilmember shall be filled for the remainder of the unexpired term, if any, as provided for in article V.

Sec. 2.13. Compensation and expenses.

The mayor and councilmembers shall receive compensation for their services in the following amounts:

- (1) Mayor: \$30,000.00 per annum, payable monthly; and
- (2) Council[member]: \$15,000.00 per annum, payable monthly.

The mayor and councilmembers shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties.

(1984 Ga. Laws (Act No. 865), page 4319, § 1; 1989 Ga. Laws (Act No. 321), page 5224, § 1; 2004 Ga. Laws (Act No. 828), § 1)

Sec. 2.14. Prohibitions.

- (a) *Conflict of interest.* No elected official, appointed officer, or employee of the city or any agency or political entity to which this Charter applies shall knowingly:
 - (1) Engage in any business or transaction or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties or which would tend to impair his independence of judgment or action in the performance of his official duties;
 - (2) Engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair the independence of his judgment or action in the performance of his official duties;

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- (3) Disclose confidential information concerning the property, government, or affairs of the governmental body by which he is engaged without proper legal authorization, or use such information to advance the financial or other private interest of himself or others;
 - (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise, from any person, firm or corporation which, to his knowledge, is interested, directly or indirectly, in any manner whatsoever in business dealings with the governmental body by which he is engaged; provided, however, that an elected official who is a candidate for public office may accept campaign contributions and services in connection with any such campaign;
 - (5) Represent other private interests in any action or proceeding against this city or any portion of its government;
 - (6) Vote or otherwise participate in the negotiation or the making of any contract with any business or entity in which he has a financial interest.
- (b) *Disclosure.* Any elected official, appointed officer, or employee who shall have any private financial interest, directly or indirectly, in any contract or matter pending before or within any department of the city shall disclose such private interest to the city council. The mayor or any councilmember who has a private interest in any matter pending before the city council shall disclose such private interest, and such disclosure shall be entered on the records of the city council, and he shall disqualify himself from participating in any decision or vote relating thereto. Any elected official, appointed officer, or employee of any agency or political entity to which this Charter applies who shall have any private financial interest, directly or indirectly, in any contract or matter pending before or within such entity shall disclose such private interest to the governing body of such agency or entity.
- (c) *Use of public property.* No elected official, appointed officer, or employee of the city or any agency or entity to which this Charter applies shall use property owned by such government for personal benefit, convenience, or profit except in accordance with policies promulgated by the city council or the governing body of such agency or entity.
- (d) *Contracts voidable and rescindable.* Any violation of this section which occurs with the knowledge, express or implied, of another party to a contract or sale shall render said contract or sale voidable as to that party, at the option of the city council.
- (e) *Ineligibility of elected officials.* Except where authorized by law, neither the mayor nor any councilmember shall hold any other elective or compensated appointive office in the city or otherwise be employed by said government or any agency thereof during the term for which he was elected.
- (f) *Political activities of certain officers and employees.* No appointive officer and no employee of the city shall continue in such employment upon qualifying as a candidate for nomination or election to any public office for the City of Alpharetta.
- (g) *Penalties for violation.*
- (1) Any city officer or employee who knowingly conceals such financial interest or knowingly violates any of the requirements of this section shall be guilty of malfeasance in office or position, and shall be deemed to have forfeited his office or position.
 - (2) Any officer or employee of the city who shall forfeit his office or position as described in [subsection (g)](1) above shall be ineligible for appointment or election to or employment in a position in the city government for a period of three years thereafter.

Sec. 2.15. Inquiries and investigation[s].

The city council may make inquiries and investigations into the affairs of the city and the conduct of any department, office, or agency thereof, and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the city council shall be punished as provided by ordinance.

Sec. 2.16. General power and authority of the city council.

Except as otherwise provided by this Charter, the city council shall be vested with all the powers of government of this city as provided by article I.

Sec. 2.17. Oath of office.

The mayor and each member of council, before entering upon the duties of office, shall take and subscribe the following oath: "I do solemnly swear (or affirm) that I will faithfully perform the duties of (mayor or councilmember, as the case may be) of this city and that I will support and defend the Charter thereof as well as the constitution and laws of the State of Georgia and [the Constitution] of the United States of America."

Sec. 2.18. Regular and special meetings.

- (a) The city council shall hold regular meetings at such times and places as prescribed by ordinance.
- (b) Special meetings of the city council may be held on call of the mayor or three members of the city council. Notice of such special meetings shall be served on all other members personally, or by telephone personally, at least 24 hours in advance of the meeting. Such notice to councilmembers shall not be required if the mayor and all councilmembers are present when the special meeting is called. Such notice of any special meeting may be waived by a councilmember in writing before or after such a meeting, and attendance at the meeting shall also constitute a waiver of notice on any business transacted in such councilmember's presence. Only the business stated in the call may be transacted at the special meeting.
- (c) All meetings of the city council at which any official action is to be taken shall be public to the extent required by [O.C.G.A. § 50-14-1 et seq.], as amended; and notice of such meetings, whether regular or special, shall be made fully as is reasonably possible at least five days prior to such meetings.

Sec. 2.19. Rules of procedure.

The city council shall adopt its rules of procedure and order of business consistent with the provisions of this Charter and shall provide for keeping a journal of its proceedings, which shall be a public record.

Sec. 2.20. Quorum; voting.

- (a) Four councilmembers shall constitute a quorum and shall be authorized to transact business of the city council. Voting on the adoption of ordinances shall be taken by voice vote and the ayes and nays shall be recorded in the journal, but any member of the city council shall have the right to request a roll call vote. The affirmative vote of a majority of the councilmembers present shall be required for the adoption of any ordinance, resolution, or motion, except as otherwise provided in this Charter.
- (b) In an emergency situation, which shall only be established by the following three types of circumstances arising, to-wit:

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- (1) Hospitalization;
 - (2) Death in the immediate family; [or]
 - (3) Ambulatory illness;

the mayor or councilmember laboring under one or more of these hardships shall have the right to vote his conviction on any motion, resolution or ordinance by absentia.

- (c) Members of the city council of the City of Alpharetta, Georgia are also authorized to participate in city council meetings via teleconference to the greatest extent permitted by state law, including, but not limited to O.C.G.A. § 50-14-1.

(Ord. No. 817 , § 1, 12-14-2020)

Sec. 2.21. Ordinance form; procedure.

- (a) Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain a subject which is not expressed in its title. The enacting clause shall be "The Council of the City of Alpharetta hereby ordains. . ." and every ordinance shall so begin.
- (b) An ordinance may be introduced by any councilmember and read at a regular or special meeting of the city council. Ordinances shall be considered and adopted or rejected by the city council in accordance with the rules which it shall establish; provided, however, an ordinance shall not be adopted the same day it is introduced, except for emergency ordinances provided in [section] 2.23. Upon introduction of any ordinance, the clerk shall, as soon as possible, distribute a copy to the mayor and to each councilmember and shall file a reasonable number of copies in the office of the clerk and at such other public places as the city council may designate.

Sec. 2.22. Action requiring an ordinance.

In addition to other acts required by general state law or by specific provisions of this Charter to be done by ordinance, acts of the city council which have the force and effect of law shall be done by ordinance.

- (a) Advertising, notice and public hearings. Shall only be required for those actions by the city having as their purpose one or more of the following:
 - (1) Changing, amending or modifying this Charter or the official zoning map of the city;
 - (2) Annexing or de-annexing property;
 - (3) Calling of a special election or the holding of a general election.

The advertising of any of the said actions shall be accomplished by publishing the notice of the proposed action in a newspaper of general circulation within the City of Alpharetta, Georgia; and the notice shall be given in writing setting forth the date, time and place of the public hearing. All other ordinances shall be submitted, approved or disapproved, as hereinafter provided.

- (b) The newspaper having general circulation within the city may be designated specifically by separate ordinance.

Sec. 2.23. Emergencies.

To meet a public emergency affecting life, health, property or public peace, the city council may convene on call of the mayor or two councilmembers and promptly adopt an emergency ordinance, but such ordinance may not levy taxes, grant, renew or extend a franchise, regulate the rate charged by any public utility for its services, or

authorize the borrowing of money, except for loans to be repaid within 30 days. An emergency ordinance shall be introduced in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of at least three councilmembers shall be required for adoption. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance shall automatically stand repealed 30 days following the date upon which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

Sec. 2.24. Codes of technical regulations.

- (a) The city council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such adopting ordinance shall be as prescribed for ordinances generally, except that: (1) the requirements of section 2.21(b) for distribution and filing of copies of the ordinance shall be construed to include copies of any code of technical regulations, as well as the adopting ordinance; and (2) a copy of each adopted code of technical regulations, as well as the adopting ordinance, shall be authenticated and recorded by the clerk pursuant to section 2.25.
- (b) Copies of all adopted code of technical regulations shall be made available by the clerk for distribution or for purchase at a reasonable price.

Sec. 2.25. Signing; authenticating; recording; codification; printing.

- (a) The clerk shall authenticate by his or her signature, and record in full in a properly indexed book kept for the purpose, all ordinances adopted by the council.
- (b) The city council may provide for the preparation of a general codification of all of the ordinances of the city having the force and effect of law. The general codification shall be adopted by the city council by ordinance and shall be published promptly, together with all amendments thereto and such codes of technical regulations and other rules and regulations as the city council may specify. This compilation shall be known and cited officially as "The Code of the City of Alpharetta, Georgia." Copies of the Code shall be furnished to all officers, departments, and agencies of the city, and made available for purchase by the public at a reasonable price as fixed by the city council.
- (c) The city council shall cause each ordinance and each amendment to this Charter to be printed promptly following its adoption, and the printed ordinances and Charter amendments shall be made available for purchase by the public at reasonable prices to be fixed by the city council. Following publication of the first Code under this Charter and at all times thereafter, the ordinances and Charter amendments shall be printed in substantially the same style as the Code currently in effect, and shall be suitable in form for incorporation therein. The city council shall make such further arrangements as deemed desirable with respect to reproduction and distribution of any current changes in or additions to codes of technical regulations and other rules and regulations included in the Code.

Sec. 2.26. Chief executive officer.

The mayor shall be the chief executive of this city. He shall possess all of the executive and administrative powers granted to the city under the constitution and laws of the State of Georgia, and all the executive and administrative powers contained in this Charter.

Sec. 2.27. Powers and duties of mayor.

As the chief executive of this city, the mayor shall:

- (a) See that all laws and ordinances of the city are faithfully executed;
- (b) Exercise supervision over all executive and administrative work of the city and provide for the coordination of administrative activities;
- (c) Submit to the city council at least once a year a statement covering the financial conditions of the city and, from time to time, such other information as the city council may request;
- (d) Recommend to the city council such measures relative to the affairs of the city, improvement of the government, and promotion of the welfare of its inhabitants as he may deem expedient;
- (e) Call special meetings of the city council as provided for in section 2.18;
- (f) Approve or disapprove ordinances as provided in section 2.28;
- (g) Examine and audit all accounts of the city;
- (h) Require any department or agency of the city to submit written reports whenever he deems it expedient;
- (i) Perform other duties as may be required by general state law, this Charter or ordinance;
- (j) Appoint councilmembers singularly or in committee to oversee and report on the functions of the various departments of the city;
- (k) Employ city personnel, with the approval of a majority of the councilmembers including the mayor;
- (l) Terminate city personnel, with the approval of a majority of the councilmembers including the mayor.

For the purposes of [subsections] (k) and (l) above, approval must be obtained at a regular, special or executive session meeting of the city council.

Sec. 2.28. Submission of ordinances to the mayor; veto power.

- (1) Every ordinance adopted by the city council shall be presented within five working days by the clerk to the mayor.
- (2) The mayor, within ten calendar days of receipt of an ordinance, shall return it to the clerk with or without his approval, or with his disapproval. If the ordinance has been approved by the mayor, or if it is neither approved nor disapproved, it shall become law upon its return to the clerk. If the mayor shall fail to return the ordinance to the clerk within ten calendar days of receipt, it shall become law at 12:00 midnight on the tenth calendar day after receipt. If the ordinance is disapproved, the mayor shall submit to the city council, through the clerk, a written statement of his reasons for his veto. The clerk shall record upon the ordinance the date of its delivery to and receipt from the mayor.
- (3) Ordinances vetoed by the mayor shall be presented by the clerk to the city council at its next meeting, and should the city council then or at its next general meeting adopt the ordinance by an affirmative vote of four or more councilmembers, it shall become law.
- (4) The mayor may disapprove or reduce any item or items of appropriation in any ordinance. The approved part or parts of any ordinance making appropriations shall become law, and the part or parts disapproved shall not become law unless subsequently passed by the city council over the mayor's veto as provided herein. The reduced part or parts shall be presented to [the] city council as though disapproved and shall not become law unless overridden by the council as in subsection (3) above.

Sec. 2.29. Mayor pro tem; selection; duties.

The city council shall elect by majority vote from among its members a mayor pro tem, who shall assume the duties and powers of the mayor upon the mayor's disability or absence, or upon a vacancy in the office of mayor.

ARTICLE III. ADMINISTRATIVE AFFAIRS**Sec. 3.10. Administrative and service departments.**

- (a) Except as otherwise provided in this Charter, the city council, by ordinance, shall prescribe the functions or duties and establish, abolish, or alter all non-elective offices, positions of employment, departments and agencies of the city, as necessary for the proper administration of the affairs and government of this city.
- (b) Except as otherwise provided by this Charter or general state law, the directors of departments and other appointed officers of this city shall be appointed solely on the basis of their respective administrative and professional qualifications.
- (c) All appointive officers and directors of departments shall receive such compensation as [is] prescribed by ordinance.

Sec. 3.11. Boards, commissions and agencies.

- (a) The city council shall create by ordinance such boards, commissions and agencies to fulfill any investigative, quasi-judicial or quasi-legislative function the city council deems necessary, and shall, by ordinance, establish the composition, period of existence, duties and powers thereof.
- (b) All members of boards, commissions and agencies of the city shall be appointed by the city council for such terms of office and in such manner as shall be provided by ordinance, except where other appointing authority, term of office or manner of appointment is prescribed by this Charter or general state law.
- (c) The city council, by ordinance, may provide for the compensation and reimbursement for actual and necessary expenses of the members of any board, commission or agency.
- (d) No member of any board, commission or agency shall hold any elective office in the city.
- (e) Any vacancy on a board, commission, or agency of the city shall be filled for the unexpired term in the manner prescribed herein for original appointment, except as otherwise provided by this Charter or general state law.
- (f) No member of a board, commission or agency shall assume office until he has executed and filed with the clerk of the city an oath obligating himself to faithfully and impartially perform the duties of this office, such oath to be prescribed by ordinance and administered by the mayor.
- (g) Any member of a board, commission or agency may be removed from office for cause by a vote of four members of the city council.
- (h) Except as otherwise provided by this Charter or by general state law, each board, commission or agency of the city shall elect one of its members as chairman and one member as vice chairman and may elect as its secretary one of its own members or may appoint as secretary an employee of the city. The mayor and city council may, by resolution or ordinance, establish such bylaws, rules and regulations, not inconsistent with this Charter, or general state law, governing the conduct of affairs of each board, commission or agency within the city.

(1992 Ga. Laws (Act No. 808), page 5591, § 1)

Sec. 3.12. City attorney.

The city council may appoint a city attorney, together with such assistant city attorneys as may be authorized, and shall provide for the payment of such attorney or attorneys for services rendered to the city. The city attorney shall be responsible for representing and defending the city in all litigation in which the city is a party; shall attend the meetings of the council as directed; shall advise the city council, mayor, and other officers and employees of the city concerning legal aspects of the city's affairs; and shall perform such other duties as may be required of him by virtue of his position as city attorney.

Sec. 3.13. City clerk.

The city council may appoint a city clerk who shall not be a councilmember. The city clerk shall be [the] custodian of the official city seal; maintain city council records required by this Charter; and perform such other duties as may be required by the city council.

Sec. 3.14. Tax collector.

The city council may appoint a tax collector to collect all taxes, licenses, fees and other moneys belonging to the city subject to the provisions of this Charter and the ordinances of the city, and the tax collector shall diligently comply with and enforce all general laws of Georgia relating to the collection, sale, or foreclosure of taxes by municipalities.

Sec. 3.15. City accountant.

The city council may appoint a city accountant to perform the duties of an accountant.

Sec. 3.16. Personnel policies.

The city council may adopt rules and regulations consistent with this Charter concerning: (1) the method of employee selection and probationary periods of employment; (2) the administration of a position classification and pay plan, methods of promotion and application of service ratings thereto, and transfer of employees within the classification plan; (3) hours of work, vacation, sick leave, and other leaves of absence, overtime pay, and the order and manner in which layoff shall be effected; (4) such dismissal hearings as due process may require; and (5) such other personnel policies as may be necessary to provide for adequate and systematic handling of personnel affairs.

ARTICLE IV. JUDICIAL BRANCH

Sec. 4.10. Creation; name.

There shall be a court to be known as the municipal court of the City of Alpharetta.

Sec. 4.11. Judge.

- (a) The municipal court shall be presided over by a judge. The method of selection and term(s) of such judge shall be provided by ordinance.
- (b) The compensation of the judge shall be \$25,000.00 per year, payable monthly or biweekly. The compensation of the judge may be changed by ordinance.

(c) The judge may be removed for cause as provided in sections 5.17 and 5.18.

(d) (1) To be eligible to serve as judge of the municipal court, a person shall:

(A) Be a resident of the city; and

(B) Be a member of the State Bar of Georgia with a minimum of two years' practice as an attorney.

(2) Notwithstanding the provisions of paragraph (1) of this subsection, if no person is qualified to serve as judge or becomes a candidate for election or appointment to the office of judge, the mayor and city council may appoint a person meeting the qualifications of subparagraph (B) of paragraph (1) of this subsection who resides outside of the City of Alpharetta but within the Atlanta Judicial Circuit.

(3) The provisions of this subsection, relating to the qualifications for the office of judge, may be changed by ordinance.

(e) Before entering on duties of his office, each judge shall take an oath that he will honestly and faithfully discharge the duties of his office to the best of his ability without fear, favor, or partiality. The oath shall be entered upon the minutes of the city council journal required in section 2.17.

(1984 Ga. Laws (Act No. 932), page 4338, § 1; 1988 Ga. Laws (Act No. 828), page 3601, § 1; 1988 Ga. Laws (Act No. 828), page 361, § 1; 1989 Ga. Laws (Act No. 321), page 5225, § 2; 1998 Ga. Laws (Act No. 828), page 3600, § 1; 1994 Ga. Laws (Act No. 924), page 4271, § 1)

Sec. 4.12. Convening.

Unless otherwise provided by ordinance, the municipal court shall be convened at regular intervals as designated by the judge, subject to approval of the city council.

(1994 Ga. Laws (Act No. 924), page 4271, § 1; 2003 Ga. Laws (Act No. 331), page 4607, § 1)

Sec. 4.13. Jurisdiction; powers.

(a) The municipal court shall try and punish violations of city ordinances and such other offenses as allowed and provided by general state law.

(b) The municipal court shall have authority to punish those in its presence for contempt, provided that such punishment shall not exceed \$300.00 or 30 days in jail, or both, for any one single act of contempt.

(c) The municipal court may fix punishment for offenses within its jurisdiction not exceeding a fine of \$2,000.00 or imprisonment for 12 months, or both, or may fix punishment by fine, imprisonment, or alternative sentencing as now or hereafter provided by law, including the right to punish by forced labor on the city streets, sidewalks, squares, or other public works for a period not exceeding 120 days. The municipal court may, in addition, fix punishment for offenses committed under general law not exceeding those limits established by general law.

(d) The municipal court shall have authority to establish bail and recognizances to ensure the presence of those charged with violations before said court and shall have discretionary authority to accept cash or personal or real property as surety for the appearance of persons charged with violations. Whenever any person shall give bail for his or her appearance and shall fail to appear at the time fixed for trial, his or her bond shall be forfeited through procedures established by general law. In the event that cash or property is accepted in lieu of bond for security for the appearance of a defendant at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so deposited shall be, on order of the judge, declared forfeited to the city or the property so deposited shall have a lien against it for the value forfeited, which lien shall be enforceable in the manner provided and to the same extent as a lien for city property taxes.

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- (e) The municipal court shall have the authority to sit as a committing court, and to bind prisoners over to the appropriate court when it appears by probable cause that a state law has been violated.
 - (f) The municipal court shall have the same authority as superior courts to compel the production of evidence in the possession of any party; to enforce obedience to its orders, judgments and sentences; and to administer such oaths as are necessary.
 - (g) The municipal court may compel the presence of all parties necessary to a proper disposal of each case by the issuance of summons[es], subpoena[s] and warrants which may be served as executed by any officer as authorized by this Charter or by general state law.
 - (h) The municipal court is specifically vested with all of the jurisdiction and powers throughout the entire area of this city granted by general state laws to mayors, recorders and police courts, and particularly by such laws as authorize the abatement of nuisances and prosecution of traffic violations.

(1989 Ga. Laws (Act No. 72), page 3918, § 1; 1994 Ga. Laws (Act No. 924), page 4271, § 3)

Sec. 4.14. Appeal.

The right of appeal and any bond as may be required to secure the costs on appeal to the Superior Court of Fulton County from the municipal court shall lie in the same manner and under the same procedure as generally prescribed for appeals and appeal bonds from the probate court, provided that any person who fails to file his or her appeal within ten days of the date of conviction shall be deemed to have waived any such right.

(1994 Ga. Laws (Act No. 924), page 4271, § 4)

Sec. 4.15. Rules for court.

With the approval of the city council, the judge shall have full power and authority to make reasonable rules and regulations necessary and proper to secure the efficient and successful administration of the municipal court; provided, however, that the city council may adopt in part or in toto the rules and regulations applicable to the municipal court. The rules and regulations made or adopted shall be filed with the chief clerk, shall be available for public inspection, and, upon request, a copy shall be furnished to all defendants in municipal court proceedings at least 48 hours prior to said proceedings.

(1994 Ga. Laws (Act No. 924), page 4271, § 4; 2003 Ga. Laws (Act No. 331), page 4607, § 2)

Sec. 4.16. Absence of judge.

- (a) Subject to subsection (b) of this section, in the event that the judge is absent, recuses himself or herself, or is otherwise unavailable for court, a substitute judge shall be selected by the court clerk from a list approved by the city council. The list shall include only individuals who meet the qualifications listed in subsection (b) of this section for appointed part-time, full-time, or stand-by judges.
- (b) In addition to the judge provided for in section 4.11 of this Act, the municipal court may be presided over by such part-time, full-time, or stand-by judges as the city council, in its discretion, deems necessary to meet the needs of the court. All such judges shall have attained the age of 21 years, shall be a member of the State Bar of Georgia, and [shall] possess all qualifications required by law. Such judges need not be residents of the city. All judges shall be appointed by the city council and shall serve until a successor is appointed and qualified. Compensation of the judges shall be fixed by ordinance. Judges shall serve at will and may be removed from office at any time by the city council, unless otherwise provided by ordinance. Before assuming office, each judge shall take an oath, given by the mayor, that the judge will honestly and faithfully

discharge the duties of the office to the best of that person's ability and without fear, favor, or partiality. The oath shall be entered upon the minutes of the city council journal.

(1994 Ga. Laws (Act No. 924), page 4271, § 4; 2003 Ga. Laws (Act No. 331), page 4607, § 3)

Sec. 4.17. Vacancy; filling of vacancies.

- (a) *Vacancy.* The office of judge shall become vacant upon the incumbent's death, resignation, forfeiture of office or removal from office in any manner authorized by this Charter or the general laws of the State of Georgia.
- (b) *Filling of vacancy.* A vacancy in the office of municipal judge shall be filled for the remainder of the unexpired term, if any, as provided by ordinance.

(1988 Ga. Laws (Act No. 828), page 3600, § 2)

Sec. 4.18. Solicitor and assistant solicitors.

- (a) The municipal court shall have a solicitor and, if approved by the mayor and council, one or more assistant solicitors for the prosecution of offenses brought before the court. The mayor and city council may also appoint one or more special solicitors from the office of the city attorney to prosecute offenses arising out of the zoning ordinances, subdivision regulations, or similar land use regulations.
- (b) The solicitor and assistant solicitors shall be appointed by the mayor and city council.
- (c) The term of office for [the] solicitor and assistant solicitors shall be the same as that provided for the judge, subject to good behavior and at the discretion of the mayor and city council.
- (d) The qualifications for the office of solicitor and assistant solicitors shall be as follows:
 - (1) The appointee must be a lawyer and member in good standing with the State Bar of Georgia;
 - (2) The appointee must be of good moral character, as attested to by at least three citizens of the city; and
 - (3) The appointee must be a respected attorney among his or her colleagues in the legal profession and supply the judge with at least three statements of his or her legal reputation and proficiency as supplied by members in good standing with the State Bar of Georgia.
- (e) The solicitor and assistant solicitors of the court shall receive compensation for services as recommended by the judge, and approved by the mayor and city council by ordinance.
- (f) Before entering on the duties of office, the solicitor and assistant solicitors shall take an oath that they will honestly and faithfully discharge the duties of said office to the best of their skill, knowledge, and ability without fear, favor, or partiality to any party. The oath shall be entered upon the minutes of the court and city council journal as required in this article and in section 2.17.

(1994 Ga. Laws (Act No. 924), page 4271, § 5)

Sec. 4.19. Duties.

It shall be the duty of the solicitor and assistant solicitors to investigate, prepare, prosecute, or otherwise dispose of all violations of state criminal statutes or ordinances as may be properly brought before the court. In addition, any appeals taken by persons aggrieved with court decisions shall be defended by the solicitor or assistant solicitors.

(1994 Ga. Laws (Act No. 924), page 4271, § 5)

Sec. 4.20. Absence of solicitor.

In the solicitor's absence or disability, an assistant solicitor shall act as solicitor. If there is no assistant solicitor, then the solicitor, if able, or the court clerk shall select from a list of attorneys, approved by the mayor and city council, a substitute solicitor.

(1994 Ga. Laws (Act No. 924), page 4271, § 5)

Sec. 4.21. Vacancy; filling of vacancies; office of solicitor.

- (a) The office of solicitor shall become vacant upon the incumbent's death, resignation, forfeiture of office, or removal from office in any manner authorized by this Charter or the general laws of the State of Georgia.
- (b) A vacancy in the office of [the] solicitor shall be filled for the remainder of the judge's term, if any, as provided in this article.

Sec. 4.22. Chief court clerk.

- (a) The municipal court shall have a chief clerk of court and, if approved by the city council, one or more deputy clerks.
- (b) The chief clerk and deputy clerks shall be appointed by the city council.
- (c) The term of office for the chief clerk and deputy clerks shall be according to their good behavior and at the discretion of the city council.
- (d) The compensation of the chief clerk and deputy clerks shall be established by ordinance.

(2003 Ga. Laws (Act No. 331), page 4607, § 4)

Sec. 4.23. Duties of chief court clerk.

- (a) The chief court clerk shall be the custodian of the official court records, [and shall] establish and manage case calendars and dockets, collect fines imposed by the court, transmit records of all cases bound over or appealed to the state or superior courts from the municipal court, and perform such other duties as may be provided by ordinance.
- (b) The chief court clerk shall be a city employee and, unless otherwise provided by ordinance, shall serve as the city's director of municipal court services. The director of municipal court services shall provide administrative services to the municipal court, act as [a] liaison to the police department, supervise all other court personnel, and perform such other duties as may be provided by ordinance.

(2003 Ga. Laws (Act No. 331), page 4607, § 5)

Sec. 4.24. Vacancies; filling of vacancies; office of court clerk.

- (a) The office of court clerk shall become vacant upon the clerk's death, resignation, forfeiture of office, or removal from office in any manner authorized by this Charter or the general laws of the State of Georgia.
- (b) A vacancy in the office of court clerk shall be filled as provided in this article.

ARTICLE V. ELECTIONS AND REMOVAL

Sec. 5.10. Applicability of general law.

[Section 5.10 has been superseded and made obsolete by the provisions of Ga. Const. art. II, §§ I—II and the Georgia Election Code, O.C.G.A. § 21-2-1 et seq.]

Sec. 5.11. Election of the mayor and city council.

The mayor and each councilmember shall be elected for staggered terms of four years, except that the initial terms of councilmembers for Districts 1, 2, and 3 shall be five years. Effective for all municipal elections occurring in 1992 and in subsequent years, the city shall consist of six election [districts] as provided in section 5.13 of this Charter. The initial election of councilmembers for Districts 1, 2, and 3 shall be held on the third Tuesday in October, 1992. The initial election for the mayor and councilmembers for District 4, 5, and 6 shall be held on the Tuesday next following the first Monday in November, 1995. Thereafter, a municipal general election shall be held [at a time and date pursuant to state law].

(1988 Ga. Laws (Act No. 828), page 3600, § 3; 1992 Ga. Laws (Act No. 1226), page 6449, § 1)

Sec. 5.12. Special election; vacancies.

In the event that the office of mayor or councilmember shall become vacant for any cause whatsoever, the city council, or those remaining, shall order a special election within 90 days to fill the balance of the unexpired term of such office; the mayor and city council shall set their own rules governing said election; provided, however, if the office of a councilmember shall become vacant within 12 months of the expiration of the term of that office, the city council, or those remaining, shall appoint a successor for the remainder of the term for councilmember. If the office of mayor shall become vacant within 12 months of the expiration of the term of that office, the mayor pro tem shall serve the remainder of the term, and his position as councilmember shall be filled by appointment by the city council. In all other respects, the special election shall be held and conducted in accordance with state law.

(1988 Ga. Laws (Act No. 828), page 3600, § 4)

Sec. 5.13. Reserved.

Sec. 5.14. Other provisions.

Except as otherwise provided by this Charter, the city council shall, by ordinance, prescribe such rules and regulations [as] it deems appropriate to fulfill any options and duties under state law, as now or hereafter amended.

Sec. 5.15. Non-partisan elections.

Political parties shall not conduct primaries for city offices, and all names of candidates for city offices shall be listed without party labels.

Sec. 5.16. Election by plurality.

The person receiving a plurality of the votes cast for any city office shall be elected.

Sec. 5.17. Grounds for removal.

The mayor, councilmembers, or judge may be removed from office for any one or more of the following causes:

- (1) Incompetence, misfeasance or malfeasance in office;
- (2) Conviction of a crime involving moral turpitude;
- (3) Failure at any time to possess any of the qualifications of office as provided by this Charter or by law;
- (4) [Knowing violation of] any express prohibition of this Charter;
- (5) Abandonment of office or neglect to perform the duties thereof; or
- (6) Failure for any other cause to perform the duties of office as required by this Charter or by state law.

Sec. 5.18. Procedure for removal.

Removal of an above-described officer may be accomplished by one of the following methods:

- (a) By the vote of four councilmembers after an investigative hearing. In the event an elected officer or the municipal judge is sought to be removed by the action of the city council, such officer or judge shall be entitled to a written notice specifying the grounds for removal and to a public hearing which shall be held not less than ten days after the service of such written notice. Any elected officer or judge sought to be removed from office as provided in this section shall have the right of appeal from the decision of the city council to the Superior Court of Fulton County. Such appeal shall be governed by the same rules as govern appeals to the superior court from the probate court.
- (b) By information filed in the Superior Court of Fulton County, as provided by state law.

(1988 Ga. Laws (Act No. 828), page 3603, § 5)

ARTICLE VI. FINANCE

Sec. 6.10. Property tax.

The city council may assess, levy, and collect an ad valorem tax on all real and personal property within the corporate limits of the city that is subject to such taxation by the state and county. This tax is for the purpose of raising revenues to defray the costs of operating the city government; providing governmental services; for the repayment of principal and interest on general obligations; and for any other public purpose as determined by the city council in its discretion.

Sec. 6.11. Millage rate; due dates; payment methods.

The city council, by ordinance, shall establish a millage rate for the city property tax, a due date, and in what length of time these taxes must be paid. The city council, by ordinance, may provide for the payment of these taxes by installments or in one lump sum, as well as authorize the voluntary payment of taxes prior to the time when due.

Sec. 6.12. Occupation and business taxes.

The city council, by ordinance, shall have the power to levy such occupation or business taxes as are not denied by general state law. Such taxes may be levied on both individuals and corporations who transact business in this city or who practice or offer to practice any profession or calling therein, to the extent such persons have a constitutionally sufficient nexus to this city to be so taxed. The city council may classify businesses, occupations, professions or callings for the purpose of such taxation in any way which may be lawful and compel the payment of such taxes as provided in section 6.18.

Sec. 6.13. Licenses, permits, [and] fees.

The city council, by ordinance, shall have the power to require any individuals or corporations who transact business in this city or who practice or offer to practice any profession or calling therein to obtain a license or permit for such activity from the city and pay a reasonable fee for such license or permit where such activities are not now regulated by general state law in such a way as to preclude city regulation. Such fees may reflect the total cost to the city of regulating the activity and, if unpaid, shall be collected as provided in section 6.18. The city council, by ordinance, may establish reasonable requirements for obtaining or keeping such licenses as the public health, safety, and welfare necessitates.

Sec. 6.14. Franchises.

The city council shall have the power to grant franchises for the use of this city's streets and alleys for the purpose[s] of railroads, street railways, telephone companies, electric companies, cable television [companies], gas companies, transportation companies and other similar organizations. The city council shall determine the duration, provisions, terms, whether the same shall be exclusive or non-exclusive, and the consideration for such franchises; provided, however, no franchise shall be granted for a period in excess of 35 years, and no franchise shall be granted unless the city receives just and adequate compensation therefor. The city council shall provide for the registration of all franchises with the city clerk in a registration book to be kept by him. The city council may provide, by ordinance, for the registration within a reasonable time of all franchises previously granted.

Sec. 6.15. Service charges.

The city council, by ordinance, shall have the power to assess and collect fees, charges, and tools for sewer, sanitary, [and] health services, or any other services rendered within and without the corporate limits of the city, for the total cost to the city of providing such services. If unpaid, such charges shall be collected as provided in section 6.18.

Sec. 6.16. Special assessments.

The city council, by ordinance, shall have the power to assess and collect the cost of constructing, reconstructing, widening or improving any public way, street, sidewalk, curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property owners under such terms and conditions as are reasonable. If unpaid, such charges shall be collected as provided in section 6.18.

Sec. 6.17. Construction; other taxes.

This city shall be empowered to levy any other tax allowed now or hereafter by state law, and the specific mention of any right, power or authority in this article shall not be construed as limiting in any way the general powers of this city to govern its local affairs.

Sec. 6.18. Collection of delinquent taxes and fees.

The city council, by ordinance, shall provide generally for the collection of delinquent taxes, fees, or other revenue due the city under sections 6.10 through 6.17 by whatever reasonable means as are not precluded by general state law. This shall include providing for the dates when the taxes or fees are due; late penalties or interest; issuance and execution of fi. fas; creation and priority of liens; making delinquent taxes and fees personal debts of the persons required to pay the taxes or fees imposed; revoking city licenses for failure to pay any city taxes or fees, allowing exceptions for hardship; and providing for the assignment or transfer of tax executions.

Sec. 6.19. General obligation bonds.

The city council shall have the power to issue bonds for the purpose of raising revenue to carry out any project, program or venture authorized under this Charter or the general laws of the state. Such bonding authority shall be exercised in accordance with the laws governing bond issuances by municipalities in effect at the time said issue is undertaken.

Sec. 6.20. Revenue bonds.

Revenue bonds may be issued by the city council as state law now or hereafter provides. Such bonds are to be paid out of any revenue produced by the project, program or venture for which they were issued.

Sec. 6.21. Short term notes.

The city must obtain and repay any short term loans between January 1 and December 31 of each year, or as is otherwise provided by present or future state law.

Sec. 6.22. Fiscal year.

The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the budget year and the year for financial accounting and reporting of each and every office, department, agency and activity of the city government, unless otherwise provided by general state or federal law.

Sec. 6.23. Preparation of budgets.

The city council shall provide an ordinance on the procedures and requirements for the preparation and execution of any annual operating and capital improvement budget, including requirements as to the scope, content and form of such budget.

Sec. 6.24. Action by city council on budget.

- (a) The city council may amend the operating and capital improvement budget; except, that the budget, as finally amended and adopted, must provide for all expenditures required by state law or by other provisions of this Charter and for all debt service requirements for the ensuing fiscal year, and the total appropriations from any fund shall not exceed the estimated fund balance, reserves and revenues.
- (b) The city council, by ordinance, shall adopt the final operating budget for the ensuing fiscal year not later than 15 days prior to the beginning of such fiscal year. If the city council fails to adopt the budget by this date, the amounts appropriated for operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items prorated accordingly until such time as the city council adopts a budget for the ensuing fiscal year. Such adoption shall take the form of an appropriations ordinance

setting out the estimated revenues in detail by sources and making appropriations according to fund and by organizational unit, purpose or activity as set out in the budget preparation under section 6.23.

- (c) The amount set out in the adopted operating budget for each organizational unit shall constitute the annual appropriation for such, and no expenditure shall be made or encumbrance created in excess of the otherwise unencumbered balance of the appropriations or allotment thereof to which it is chargeable. The operating and capital improvements budget, the budget message, and all supporting documents shall be filed in the office of the city clerk and shall be open to public inspection.

Sec. 6.25. Tax levies.

As the next order of business following adoption of the operating budget, the city council shall levy, by ordinance, such taxes as are necessary. The taxes and tax rates set by such ordinance shall be such that reasonable estimates of revenues from such levy shall at least be sufficient, together with other anticipated revenues, fund balances and applicable reserves, to equal the total amount appropriated for each of the several funds set forth in the annual operating budget for defraying the expenses of the general government of this city.

Sec. 6.26. Changes in appropriations.

The city council, by ordinance, may make changes in the appropriations contained in the current operating budget, at any regular meeting, special [meeting] or emergency meeting called for such purpose, but any additional appropriations may be made only from an existing unappropriated surplus in the fund to which it applies or on a revised estimate of revenue.

Sec. 6.27. Independent audit.

There shall be an annual independent audit of all city accounts, funds and financial transactions by a certified public accountant selected by the city council. The audit shall be conducted according to generally accepted accounting principles. Any audit of any funds by the state [or] federal governments may be accepted as satisfying the requirements of this Charter. Copies of all audit reports shall be available at printing cost to the public.

Sec. 6.28. Contracting procedures.

The city council may, by ordinance, establish contracting procedures; provided, however, that no contract with the city shall be binding on the city unless:

- (1) It is in writing; and
- (2) It is drawn by or reviewed by the city attorney and as a matter of course is signed by the city attorney to indicate such drafting or review; and
- (3) It is reviewed as to substance by the city administrator or the director of the department most affected by the contract, signed by the city administrator to indicate approval as to substance, and signed by the mayor; and
- (4) If it involves the expenditure of more than \$50,000.00, it is authorized by the city council, and such approval is entered in the city council journal of proceedings pursuant to section 2.19 of this Charter.

(1998 Ga. Laws, page 4852, § 2; Ord. No. 849 , § 2, 11-28-2022)

Sec. 6.29. Centralized purchasing.

The city council shall by ordinance prescribe policies and procedures for a system of centralized procurement and purchasing for the city.

(1998 Ga. Laws (Act No. 248), page 4852; Ord. No. 395, § 3, 9-2-1997; Ord. No. 696, § 2, 11-3-2014)

Sec. 6.30. Sale and lease of property; contracts for use, operation, or management.

- (a) The city council may sell and convey, lease, or enter into a contract for valuable consideration for the use, operation, or management of any real or personal property owned or held by the city for governmental or other purposes as now or hereafter provided by law, as well as any abandoned or surplus property.
- (b) The city council may quitclaim any rights it may have in property not needed for public purposes by adoption of a resolution, finding that the property is not needed for public or other purposes, and that the interest of the city has no readily ascertainable monetary value.
- (c) Whenever in opening, extending or widening any street, alley, avenue or public place of the city, a small parcel or tract of land is cut off or separated by such work from a larger tract or boundary of land owned by the city, the city council may authorize the mayor to execute and deliver, in the name of the city, a deed conveying said cut-off or separated parcel or tract of land to an abutting or adjoining property owner or owners in exchange for rights-of-way of said street, avenue, alley or public place or in settlement of any alleged damages sustained by said abutting or adjoining property owner. All deeds and conveyances heretofore and hereafter so executed and delivered shall convey all title and interest the city has in such property, notwithstanding the fact that no public sale after advertisement was or is hereafter made.

(Ord. No. 849 , § 3, 11-28-2022)

Editor's note(s)—Ord. No. 849 , § 3, adopted Nov. 28, 2022, amended the title of § 6.30 to read as herein set out. The former § 6.30 title pertained to sale of city property.

Sec. 6.31. Insurance.

The city shall maintain sufficient casualty and liability insurance coverage on all property owned and/or operated by city personnel to adequately indemnify the city on claims of loss by injured or aggrieved parties. The amounts of insurance coverage shall be set from time to time by the city council in the form of a resolution, as the need arises.

ARTICLE VII. GENERAL PROVISIONS

Sec. 7.10. Eminent domain.

The city council is hereby empowered to acquire, construct, operate and maintain public ways, parks, public grounds, cemeteries, markets, market houses, public buildings, libraries, sewers, drains, sewage treatment, water works, electrical systems, gas systems, airports, hospitals, and charitable, educational, recreational, sport, curative, corrective, detentional, penal and medical institutions, agencies and facilities, and any other public improvements inside or outside the city, and to regulate the use thereof, and for such purposes, property may be taken under [title 22, O.C.G.A.], subject to such amendments as shall be enacted, or any other Georgia law applicable now or provided in the future.

Sec. 7.11. Official bonds.

The officers and employees of this city, both elective and appointive, shall execute such official bonds in such amounts and upon such terms and conditions as the city council shall from time to time require, by ordinance, or as may be provided by state law.

Sec. 7.12. Prior ordinances.

All ordinances, bylaws, rules and regulations now in force in the city not inconsistent with this Charter are hereby declared valid and of full effect and force until amended or repealed by the city council.

Sec. 7.13. First election under the Charter.

- (a) The first municipal election shall be the third Tuesday of October, 1982, at which time the mayor and three councilmember positions shall be filled. The councilmember post[s] to be filled at this election shall be those designated as numbers four, five and six and shall be the present councilmember positions whose terms expire in January, 1983. The position of judge of the municipal court and councilmember posts designated as numbers one, two and three shall be filled at the next regular election to be held on the third Tuesday in October in the year 1984. Councilmember posts one, two and three shall be those present councilmember positions whose terms expire in January, 1985.
- (b) The present mayor and councilmembers elected as the governing body of the City of Alpharetta under the heretofore existing Charter of the city are hereby constituted as the official governing body of the city, and shall continue to serve in their elective offices until their successors are elected as provided herein; and the effective date of this Charter shall not create any vacancy in the office of mayor or councilmember; and the city shall continue its present operation as usual.

Sec. 7.14. Pending matters.

Except as specifically provided otherwise by this Charter, all rights, claims, actions, orders, contracts and legal or administrative proceedings shall continue, and any such ongoing work or cases shall be dealt with by such city agencies, personnel or office[s] as may be provided by the city council.

Sec. 7.15. Penalties.

The violation of any provisions of this Charter for which [a] penalty is not specifically provided for herein, shall be punishable by a fine of not more than \$2,000.00 or by imprisonment not to exceed 120 days, or both, or a sentence upon conviction to labor in a city work gang or on the streets, sidewalks, squares or other public works for a period not exceeding 120 days.

(1989 Ga. Laws (Act No. 72 (H.B. 411)), § 1)

Sec. 7.16. Construction.

- (a) Section captions in this Charter are informative only and are not to be considered as a part thereof.
- (b) The word "shall" is intended to be mandatory, and the word "may" is not.
- (c) The singular shall include the plural, and the masculine [shall include] the feminine, and vice versa.

Sec. 7.17. Severability.

If any article, section, subsection, paragraph, sentence, or part thereof of this Charter shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair other parts of this Charter, unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional, it being the legislative intent in enacting this Charter that each article, section, subsection, paragraph, sentence or part thereof be enacted separately and independent of each other.

Sec. 7.18. Repealer.

An Act incorporating the City of Alpharetta in the County of Fulton, approved March 3, 1961, (Ga. L. 1961, p. 2127), is hereby repealed in its entirety, and all amendatory acts thereto are likewise repealed in their entirety. All other laws and parts of laws in conflict with this Charter are hereby repealed.

Sec. 7.19. Effective date.

This Act (Charter) shall become effective on July 1, 1981; but the heretofore existing Charter as pertains to elected officials shall not be repealed until the presently existing terms of the office[s] of mayor and councilmembers expire.

Agenda



BACKGROUND



TEAM GOALS



OUR PLAN



TIMELINE



Q&A



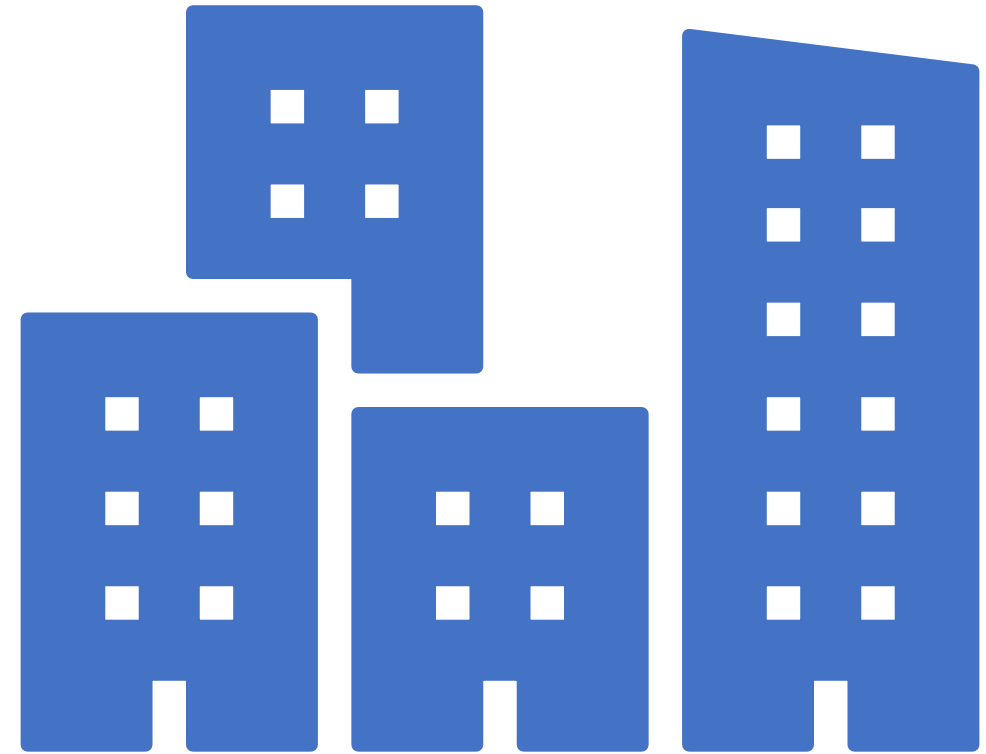
Background

- In recent years the City of Alpharetta has continued growth of the City, in terms of population and physical infrastructure which has in turn seen more individuals parking downtown and an increase in deliveries.
- A study for Loading Zones was completed in 2023 by Kimley-Horn. We have a study by Nelson-Nygarrd that was completed in December of 2017. Staff have opted not to do a further Parking Study.
- Parking Management Strategies is one of the council's top priorities.

Team Goals

Our goal is to establish a parking management system that seamlessly integrates with the fabric of the City of Alpharetta, prioritizing accessibility, sustainability, and innovation.

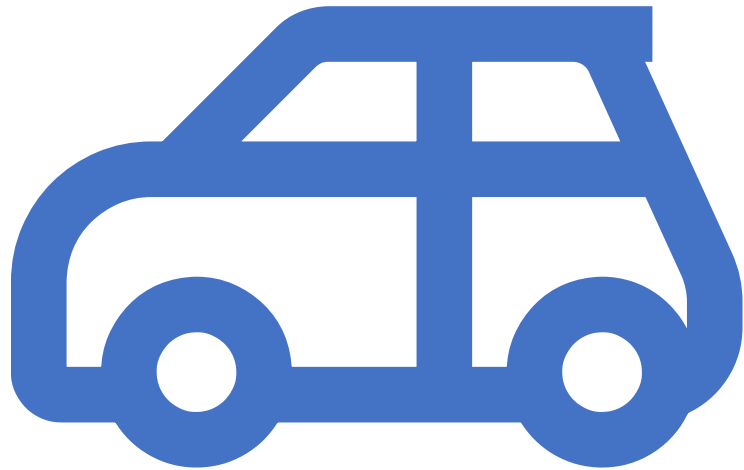
By embracing these principles, we aim to create a city where residents enjoy hassle-free parking experiences, businesses thrive, and all actively participate in its success.



Our Plan

Our plan is to Initiate an RFP to identify a qualified and innovative third-party company for our parking management needs. This RFP would allow us to explore viable options, compare proposals, and select a partner that best aligns with our city's vision and values.





Benefits of a Third-Party Parking Company

- Expertise and Innovation
- Resource Efficiency
- Cost-Effective Solutions
- Strategic Planning

Timeline



Parking Presentation
January 21st 2023



RFP goes out in late
January



Receive proposals by
late February



A committee is formed
to determine qualified
proposals



Interview
Process/Final
Selection-Early March



Staff meet w/ selected
Vendor- Late March



Questions



Park Bond Projects Update

Farmhouse Park

Project:	The 5.36-acre Farmhouse Property is the site of the original settlement that became present day Alpharetta and has been acquired by the City and proposed for a "heritage park." \$2M was dedicated under the approved 2021 Park Bond Referendum to create such a plan, complete necessary surveys and engineering assessments, and begin development of trails, paths, and other amenities.
Available Funds:	\$1,969,430 (Park Bond Account)
Completed Activities:	Survey and conceptual design of a staircase and trail from a sidewalk along Old Milton Parkway to an observation area overlooking the old mill remnants.
Current Activity:	RPCS is in communication with potential developers of 3150 Old Milton Parkway and their design consultant.
Schedule:	None currently.
Other Notes:	GDOT has recently informed City Staff of site impacts resulting from the Georgia 400 Managed Lanes Project.

Mid Broadwell Park

Project:	The project involves constructing the final elements of Mid Broadwell Park including development of a playground area, trails throughout the property, a limited parking area, and other amenities. The park's development is based on a plan that was developed through a community-driven process in 2019. \$500,000 of the approved bond funds are earmarked to construct restrooms, trails/sidewalks, parking, and to outfit the park with basic amenities such as trash receptacles and benches.
Available Funds:	\$30,000 (Park Bond Account)
Completed Activities:	Survey, design, construction Phase I, and playground procurement.
Current Activity:	Park is currently under construction. Phase I which included connecting utilities to the restroom building; creating a nine-space gravel parking lot; installing a sidewalk connecting to the playground; installing the playground underdrain and base; and installing a bioretention cell have been completed. The playground has been ordered.
Schedule:	Construction completed October 2023. Playground installation to be completed in the second quarter of 2024.

Old Rucker Park

Project: Old Rucker Park is an approximately 10-acre tract of land that was once a commercial nursery and is home to a variety of species of plants and trees. The rolling topography of the property is highlighted by a small stream that runs through the park. While a small section of the site has been developed into our operating educational farm (Old Rucker Farm), approximately 7.5 acres remain to be planned and developed into a passive recreational space.

The project involves the design of the remaining 7.5 acres and the construction and installation of parking, restrooms, and other amenities necessary for the property to be a functional passive park.

Available Funds: \$2,590,180 (Park Bond Account)

Completed Activities: Survey and design.

Current Activity: 100% plans have been submitted.

Schedule: Procurement is tentatively scheduled for the second quarter of 2024 with construction starting in the third quarter. Construction is anticipated to take 12 to 18 months depending on required phasing.

Other Notes: Current engineer's estimate is \$3,860,919 which includes a 10% contingency (\$3,509,927 base). An average of \$1,255,814 (\$904,822 without a 10% contingency). Staff and the design team have been evaluating cost savings opportunities and project phasing. The Fulton County Health Department approved the septic system request which has saved over \$300,000 in construction costs.

After receiving 50% plans for the future boardwalk, RPCS made the decision to stop design work. This was based on environmental impacts and perceived minimal benefit for the estimated cost.

RPCS has expressed a desire to maintain public operations of some farm elements during construction. PW believes any accommodation beyond minimal access by City Staff will result in higher construction costs resulting from phasing and/or greater contractor liability. The current intent is to include an alternate scenario in the bid imposing no restrictions upon the contractor beyond minimal access for City Staff during construction.

Union Hill Park Improvements

Project: Union Hill Park is a roughly 11-acre park space located on Union Hill Road south of McGinnis Ferry Road. The park today is very much under-utilized and consists primarily of a covered roller hockey rink, combined restroom and concession building, and a parking lot.

Under the 2021 Parks Bond Referendum, the City dedicated \$3.25M to recreating Union Hill Park as a recreational and gathering space to better meet the needs of current and future Alpharetta residents. The process would begin with an intensive public engagement and visioning program to determine what elements the new Union Hill Park should include and how to tie those elements together into a cohesive park space. From that concept, engineering and construction plans would be created and the site redeveloped.

- Available Funds: \$2,570,667 (Park Bond Account)
- Completed Activities: Survey and covered arena renovations.
- Current Activity: The concept plan was formally approved by City Council on September 18, 2023. The design team is scheduled to submit the 40% plans in February and 100% plans in June of this year.
- Schedule: Construction could begin as early as the fourth quarter of 2024. Design is anticipated to take approximately 10 months to complete once the concept is approved.
- Other Notes: Current engineer’s estimate is \$3,493,116 which includes a 32% contingency and escalation (\$2,646,300 base). Staff will work with the design team to identify cost-saving opportunities.

Waters Road Park

- Project: Waters Road Park will be located on a 1.6-acre parcel of land located near the intersection of Waters Road and Kimball Bridge Road. The project as proposed includes the creation, with public input, of a design plan and development of the land for use as a passive park space. Such passive park areas are commonly developed to include parking, designed play areas, restrooms, trails, pavilions, and park amenities such as benches and trash receptacles as appropriate to the size of the property and character of the area in which the site is located.
- Available Funds: \$780.30 (Park Bond Account)
- Completed Activities: Survey and design.
- Current Activity: Construction began on August 28, 2023.
- Schedule: Construction is on schedule. Completion anticipated in the first quarter of 2024.

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Webb Bridge Park Upper Field Turf

- Project: This project would resurface the upper soccer field at Webb Bridge Park, replacing the existing natural grass with artificial turf. During the last soccer season 60% of the practices and games that were scheduled on this field were cancelled due to wet conditions while only 10% of scheduled events on the lower soccer field, which has artificial turf, had to be

cancelled. Converting the upper field to artificial turf would greatly improve the playability, usage, and athletic experience for the Alpharetta soccer program.

Available Funds: \$1,321,715 (Park Bond & Sewer Connection Capital Accounts)

Completed Activities: Survey.

Current Activity: Procurement preparation for sewer construction.

Schedule: Sewer design was approved in December 2024. Procurement of the sewer construction is scheduled for February 2024.

The current plan is to simultaneously bid out the construction of the sewer connection and the design/build of the turf field replacement. Construction of the sewer connection should take approximately 90 days. While the sewer connection is under construction, design of the turf field will take place. Construction of the turf field is anticipated to begin in November 2024, after the soccer season concludes, and be completed in March 2025.

Other Notes: Staff originally estimated design of the sewer connection at \$135,000 and construction at \$740,000 for a total of \$875,000. The survey and design have been acquired for \$91,615.

The design team presented two options: 1) a traditional gravity flow lift station per the concept developed by staff or 2) a low-pressure pump solution. Staff have directed the design team to move forward with the low-pressure pump solution.

- Initial construction estimate was \$705,270 for the gravity scenario and \$412,500 for the low-pressure pump scenario (both include a 20% contingency).
- Low-pressure system is also anticipated to take 8 to 10 weeks less time to construct.

As of January 2023, RPCS was provided a budget cost of \$1,300,000 for design and construction of the turf field. The budget cost included: design and permitting prep, E&S controls/restoration, excavation, geotextile, perimeter piping, concrete curbing with nailer board, turf with a 70/30 infill, two soccer fields, and four mini soccer fields. Not included in the scope were fencing, netting, and stormwater.

- Providing new fencing for the entirety of the field is estimated at \$33,600 (\$21/LF).
- Providing netting along half of the perimeter (western and southern edges) is estimated at \$180,000 (\$225/LF).

Based on current funding and budget estimates, another \$43,000 is needed for the sewer and an additional \$562,600 for the turf field (excluding stormwater) for a total of \$605,600.

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Wills Park Improvements

Project: At 120 acres, Wills Park is Alpharetta's largest single park property and includes a 60-acre equestrian show facility, 10 baseball fields, the newly renovated Wills Park Pool, three playgrounds, six tennis courts, and an 18-hole disc golf course. The park amenities have

been developed over the years, but until 2019 there was not a single vision or plan for the park and many of the park's facilities are showing their age.

In 2019 the City adopted the Wills Park Master Plan, in an effort to bring all the park elements together and make it a more cohesive place that feels special and unique. The plan's goals are to unite the various park facilities, identify key facility improvements, and strengthen connections to nearby neighborhoods.

The 2021 Parks Bond dedicated \$4M of the bond funds to implementing projects defined in the Wills Park Master Plan, including a complete renovation of the Wacky World Playground, create additional parking, improve the disc golf course, completely rebuilding the Waggy World Dog Park, and creating a family gathering spot near the pool facility.

Available Funds: \$5,211,101 (Park Bond, Impact Fees, and Hotel Motel Accounts)

Completed Activities: Survey, conceptual design, restroom architectural design, and Phase I design (Wacky World area).

Current Activity: Procurement preparation for Wacky World area construction.

Schedule: Phase I, the Wacky World area's new restroom building, and site work will be advertised for construction in February 2024. Construction is anticipated to begin in the second quarter of 2024.

Plans for Phase II which include the gateways, spine, and Waggy World Dog Park improvements are anticipated to be completed in April 2024.

Other Notes: \$250,000 has been set aside for playground equipment and surface. This is in addition to the fundraising campaign. This leaves \$4,961,101 available for the other elements of this project.

Current Cost Estimates:

- \$846,454 – Construction cost estimate for restroom building (as of June 2022).
- \$5,179,873 – Construction cost estimate for site work of all phases (spine, gateways, Waggy World improvements, Wacky World area improvements, and parking expansion). This amount includes a 20% contingency and 5% cost escalation.
 - Elimination of the parking expansion is estimated to reduce the cost by \$678,251.
 - It may be possible to offset approximately \$390,260 of the estimated cost with stormwater funds.
 - These two items would adjust the estimated total of the remaining site work to be \$4,111,362.
- Overall Total (Site + Restroom): \$6,026,327 (\$1,065,226 over)
 - Less Stormwater: \$5,636,067 (\$674,966 over)
 - Less Parking Expansion: \$5,348,076 (\$386,975 over)
 - Less Stormwater & Parking Expansion: \$4,957,816 (in budget)
- Parking expansion would add 72 spaces at approximately \$9,420 per space.

The current plan is to include the parking expansion as an add alternate in the Wacky World area procurement. If the City elects not to move forward with it as part of that

offering, it could then be included as an add alternate with the second phase procurement (Gateway, Spine, Waggy World).

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Wills Park Equestrian Center Improvements

Project: In 2019 the City adopted a master plan for the Equestrian Center as part of the larger Wills Park Master Plan. While the Wills Park Equestrian Center is older and smaller than some of its competitors, its neighborhood setting and shed row barns tucked into the trees give it an edge with a homey, boutique feeling and an in-town location. The master plan identified priority improvements that will better connect the facility to the larger Wills Park and the overall community while also better positioning the facility as a draw for regional events. These priorities include leveling rings and improving their drainage; new footing; an additional outdoor show ring; additional schooling areas at the end of show rings; new, safe barns; improved manure management; separate circulation for pedestrians, horses, and cars; and maximizing the continuity of operations during construction.

The 2021 Parks Bond Referendum would aid the City with beginning implementation of the Equestrian Center Master Plan by replacing all the existing barns on site with new horse barns for a total of 380; renovating the three existing arenas to include improved drainage and erosion control, new footings, new fencing, and new lighting; improving drainage and stormwater management; and improving access to the barns and to the arenas.

The total anticipated project cost for this phase of the project is \$10M; however, the remaining \$5M in funding would be provided by a private non-profit organization, the Wills Park Equestrian Foundation.

Available Funds: \$3,535,621 (Park Bond Account)

Completed Activities: Survey, conceptual design, renovation of Arena 3. (Construction of Arena 1 was accomplished with capital funding and was not part of the bond.)

Current Activity: The design team is working on developing plans for the Phase I design package which will focus on renovations to Arena 2 and Arena 4.

Schedule: The Phase I plan set is anticipated to be completed in October 2024. Project is anticipated to advertise for construction bids in February 2024.

Plans for the remainder of the site should be completed in July 2024.

Other Notes: Project has been broken down into 3 phases:

- Phase I: Renovations of Arena 2 and Arena 4
- Phase II: New entry drive, parking (front & rear), three new barns
- Phase III: Promenade, entry gates/enhancements, five new barns
- The viewing pavilion between Arenas 1 and 2, renovations to the existing concessions building, and renovations to the covered arena are not included in the scope of this project.

The Wills Park Equestrian Foundation has promised to provide \$5M towards the project. To date, they have contributed \$747,870 for work associated with the construction of Arena 1 and the renovation of Arena 3. This would leave a minimum remaining contribution of \$4,252,130 for a total budget (City + Equestrian Foundation) of \$7,787,751.

The existing show office will need to be abated and demolished prior to renovation of Arena 2. This work is estimated to cost \$30,000.

Current Cost Estimates:

- The design team has reached out to five barn manufacturers for estimates. They have received costs ranging from \$468,080 to \$1,494,240 per barn.
 - A total of eight barns are desired in the final build-out. Each barn provides 40 stalls.
- Using the average of all five manufacturers: \$19,719,287
- Using the lowest cost of the five manufacturers: \$14,058,189
- Approximately \$1.2M of the estimated costs may be eligible for stormwater funding.
- Construction of Phases I and II are targeted with current funding. Funding for Phase III would need to be programmed with future capital or bond funds.



STAFF REPORT

Department: City Clerk

Submitted By:

Meeting Date: January 22, 2024

AGENDA ITEM:

Tech Alpharetta

STAFF RECOMMENDATION:

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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ITEM DESCRIPTION:

ALTERNATIVES:

ATTACHMENTS:



STAFF REPORT

Department: City Clerk

Submitted By:

Meeting Date: January 22, 2024

AGENDA ITEM:

Next Year's Priorities

STAFF RECOMMENDATION:

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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ITEM DESCRIPTION:

ALTERNATIVES:

ATTACHMENTS: