



CITY COUNCIL MEETING & PUBLIC HEARING MARCH 4, 2024

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
6:30 PM

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE TO THE FLAG**
4. **PRESENTATIONS & PROCLAMATIONS**
 - A. **Wacky World Playground Donor Recognition**
5. **WORK SESSION ITEMS**
 - A. **Alpha Loop Priorities**
Staff presentation and City Council Discussion of priority areas of the Alpha Loop construction.
 - B. **Shopping Cart Containment Ordinance**
City Attorney presentation and City Council discussion of a potential shopping cart containment ordinance.
6. **CONSENT AGENDA**
 - A. **City Council Meeting Minutes (Meeting of 2/19/2024)**
Approval of the City Council meeting minutes from the meeting of February 19, 2024.
 - B. **City Council Meeting Minutes (Meeting of 2/26/2024)**
Consideration of approval of the City Council meeting minutes from the meeting of February 26, 2024.
 - C. **Alcoholic Beverage License Application**
Consideration of approval of the following alcoholic beverage license application:
 1. **PH-24-AB-02 Jalomane, LLC d/b/a Zazza Restaurant and Lounge**
124 Devore Road, Alpharetta, GA 30009

Eating Establishment
Consumption on Premises
Distilled Spirits, Beer, Wine & Sunday Sales
Owner: Jalomane, LLC
Registered Agent: Vania Mane
7. **PUBLIC HEARING**
 - A. **Ordinance - Text Amendment Code of Alpharetta**
First Reading
Consideration of adoption of an Ordinance to amend Chapter 32, Parks and Recreation, of the Code of the City of Alpharetta, Georgia to amend rules and regulations for parks owned and operated by the City; to provide for effective dates; to repeal all ordinances in conflict herewith; and for other purposes.
8. **NEW BUSINESS**
 - A. **Resolution: Fiscal Year 2025 City Council Priorities and Annual Action Plan**
Consideration of adoption of a resolution adopting the Fiscal Year 2025 City Council Priorities and Annual Action Plan.

9. PUBLIC COMMENT
10. REPORTS
11. EXECUTIVE SESSION (IF NECESSARY)
12. ADJOURNMENT



STAFF REPORT

Department: Public Works
Submitted By:
Meeting Date: March 4, 2024

AGENDA ITEM:

Alpha Loop Priorities

Staff presentation and City Council Discussion of priority areas of the Alpha Loop construction.

STAFF RECOMMENDATION:

Provide direction to staff on what section(s) of the Alpha Loop to focus on next for design and construction.

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:

The Alpha Loop from Chelsea Walk to Northwinds is wrapping up. The anticipated opening is Q2 2024. Currently, the City has funds within the Parks Bond Account in the amount of \$7.5M dedicated to constructing a tunnel under Haynes Bridge Road to extend the Alpha Loop from Northwinds Summit to the future Alpha Link. The CID and the City partnered on the project. CID hired a design team and the City would allocate dollars towards construction. Unfortunately, the cost of the tunnel far exceeded available funds, and the CID is aware of this. The City has a decision where to allocate the \$7.5M from the Parks Bond Referendum. Attached to the report is an exhibit depicting various phases of the Alpha Loop: planned, under design, under construction, and existing. The \$7.5M can go towards various portions of the Alpha Loop. Staff recommends moving forward with the first 5 locations described below. Refer to Alpha Loop Progress Exhibit to see how these 5 areas expand the Alpha Loop.

1. Extend an 8' wide sidewalk down Westside from Village Tavern to HBR
 - a. This will provide a connection along Westside and ultimately to Encore Parkway.
 - b. Gathering Developer responsible for the 8' sidewalk fronting their development and the signalization/pedestrian equipment at the intersection of Lakeview and Morrison/Westside
2. Roswell Street – OMP to Old Roswell Street (east side)
 - a. Park of the Alpha Loop Downtown Study
 - b. Improvements include intersection improvement at Marietta Street and Roswell Street.
3. Roswell Street – Devore Road to OMP (west side)
 - a. Park of the Alpha Loop Downtown Study
4. Devore Road – End of Maxwell Development to HBR
 - a. Park of the Alpha Loop Downtown Study
5. Crossing at Grade of OMP (Chelsea Walk to Thompson Street)
 - a. Will require Georgia Department of Transportation (GDOT) Permit
6. Circular connection from Village Tavern/Northwinds Office Parking Lot to the Alpha Loop under construction.

- a. More than likely, we will receive approval from the office complex to allocate parking spaces for visitors of the Alpha Loop.
- 7. Fund the design to complete the Alpha Link
 - a. Trail from Haynes Bridge Road to Encore Parkway, within the GA 400 Buffer.
 - b. Currently, only the concept plan/report through the Federal Process is funded.

ALTERNATIVES:

ATTACHMENTS:

- 1. OMP - Alpha Loop
- 2. Devore Road-Alpha Loop
- 3. Village Tavern Conenction - Alpha Loop
- 4. Roswell Street - Alpha Loop
- 5. Alpha Loop Progress

KINGRY LANE BETWEEN OLD MILTON AND THOMPSON
OPTIONS FOR TRAIL ALIGNMENT



KEY CONSIDERATIONS

Initial study:

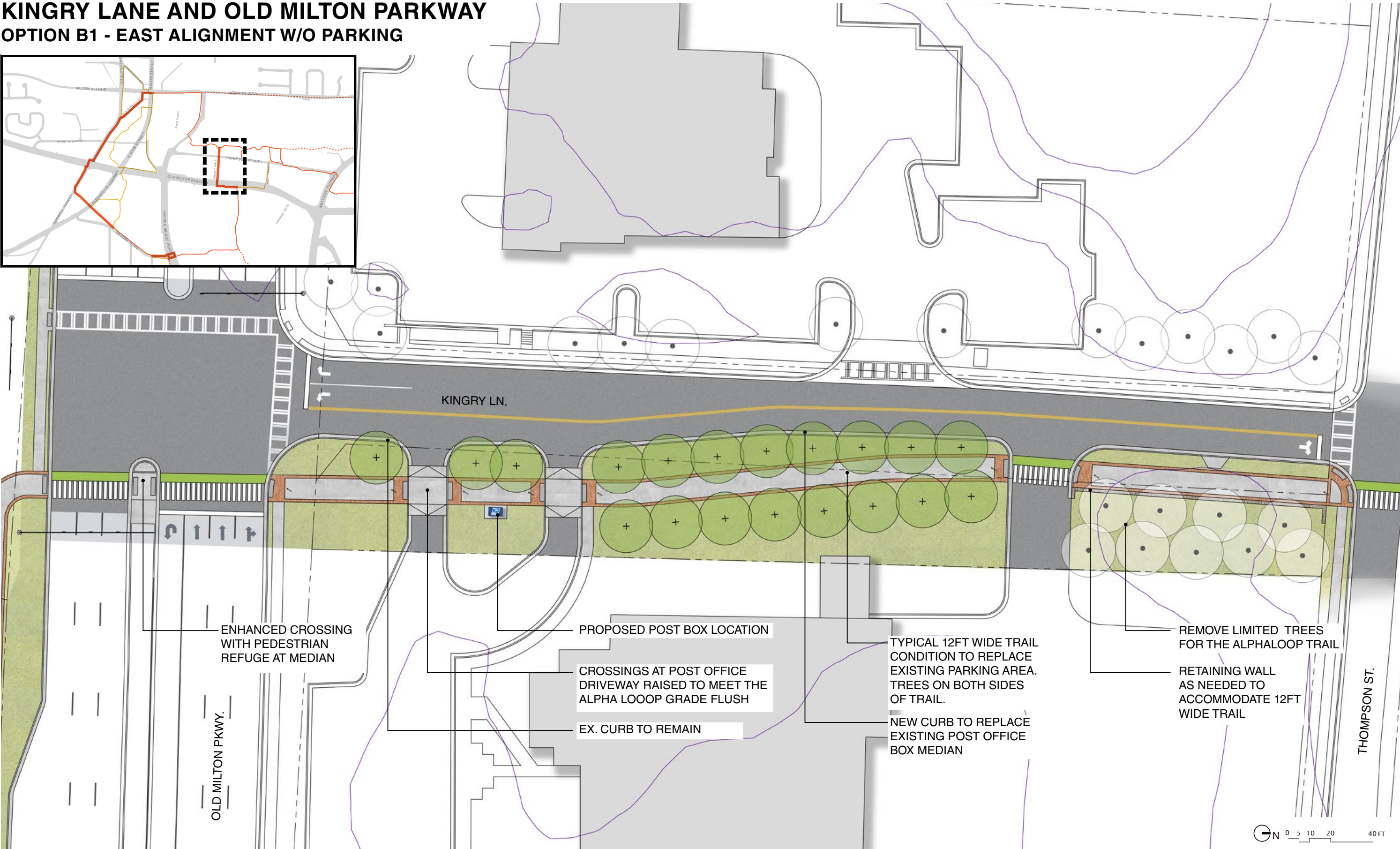
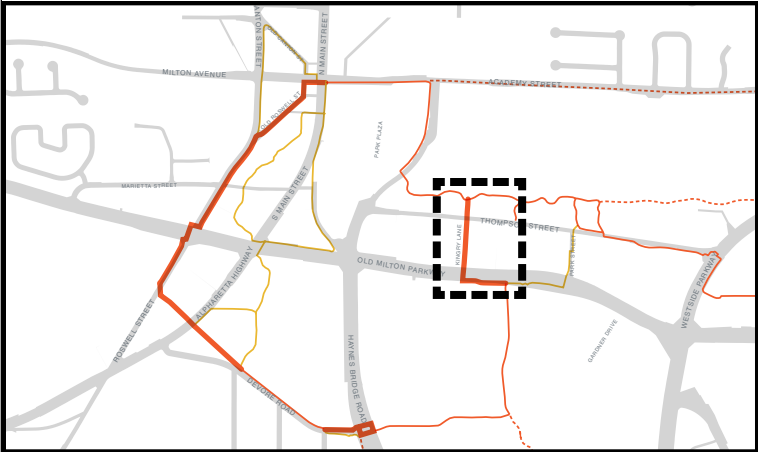
- Evaluate potential crossings at Park Street and Kingry Lane and assess connections to existing AlphaLoop north of Thompson along each street. *Kingry Lane was identified as the preferred crossing location.
- Perform traffic studies to make data-driven decisions regarding pedestrian safety enhancements.
- Provide trail alignment alternatives along Kingry given the right-of-way constraints on the west and the post office on the east.
- Explore a reconfiguration of the property adjacent to the Post Office to facilitate an enhanced pedestrian realm.
- Determine the best connection from Kingry Lane to AlphaLoop Phase 1 north of Thompson Street.

**Complete Traffic Study has been attached as an appendix to this report.*



KINGRY LANE AND OLD MILTON PARKWAY

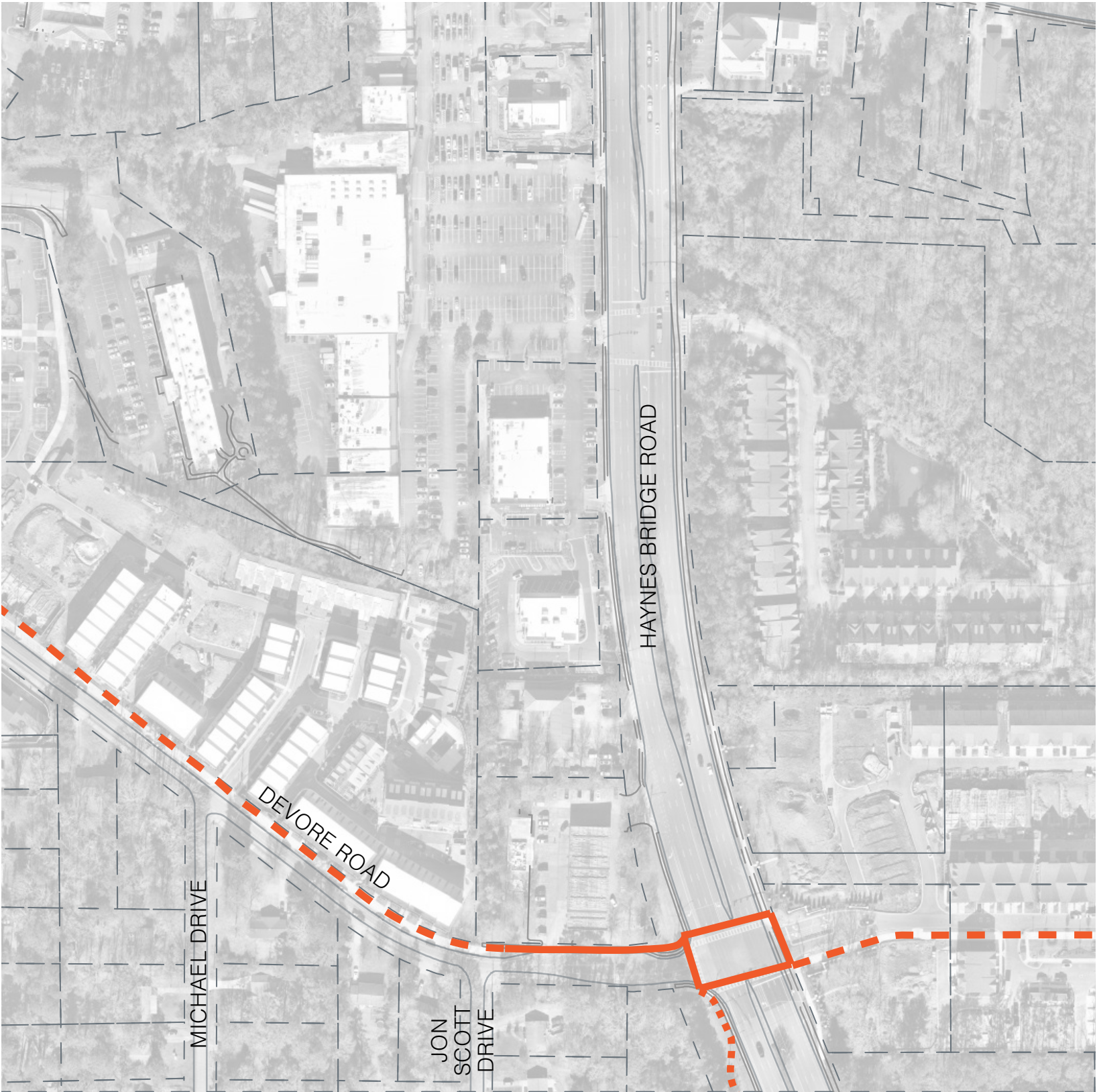
OPTION B1 - EAST ALIGNMENT W/O PARKING



KINGRY LANE AND OLD MILTON PARKWAY
OPTION B1 - EAST ALIGNMENT W/O PARKING



HAYNES BRIDGE ROAD AND DEVORE ROAD INTERSECTION ENHANCEMENT

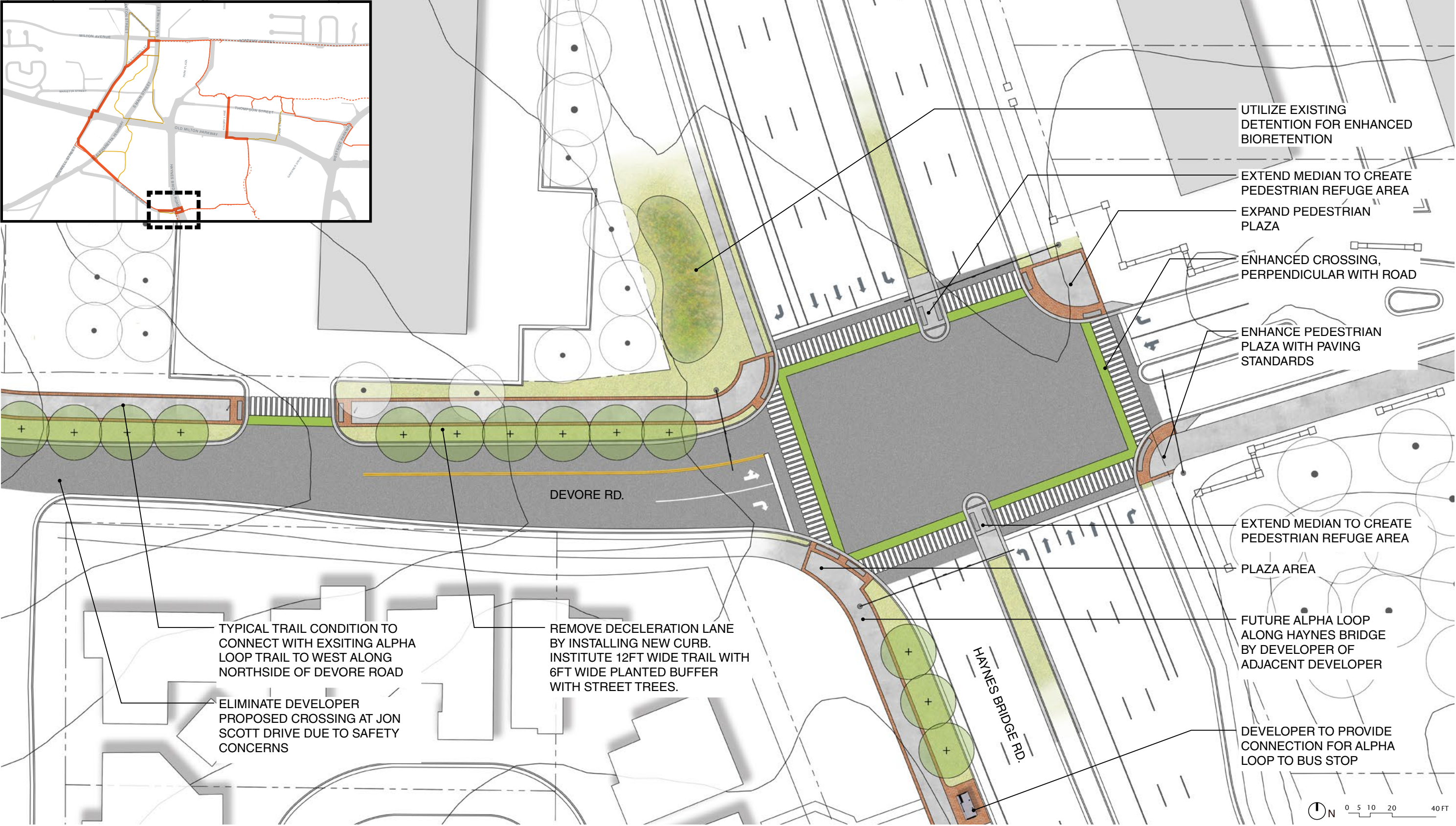


KEY CONSIDERATIONS

- Create a single, continuous and well-defined trail
- Utilize existing sidewalk along Devore Road as AlphaLoop Trail and explore how to instill the AlphaLoop experience.
- Explore modifications to the planned trail crossing at Jon Scott Drive and Devore Road, including locating the AlphaLoop within the gas station deceleration lane.
- Define trail crossing locations and types at intersection of Devore Road and Haynes Bridge Road, including the use of enhanced crosswalks to alert drivers of pedestrian and bicycle activity.



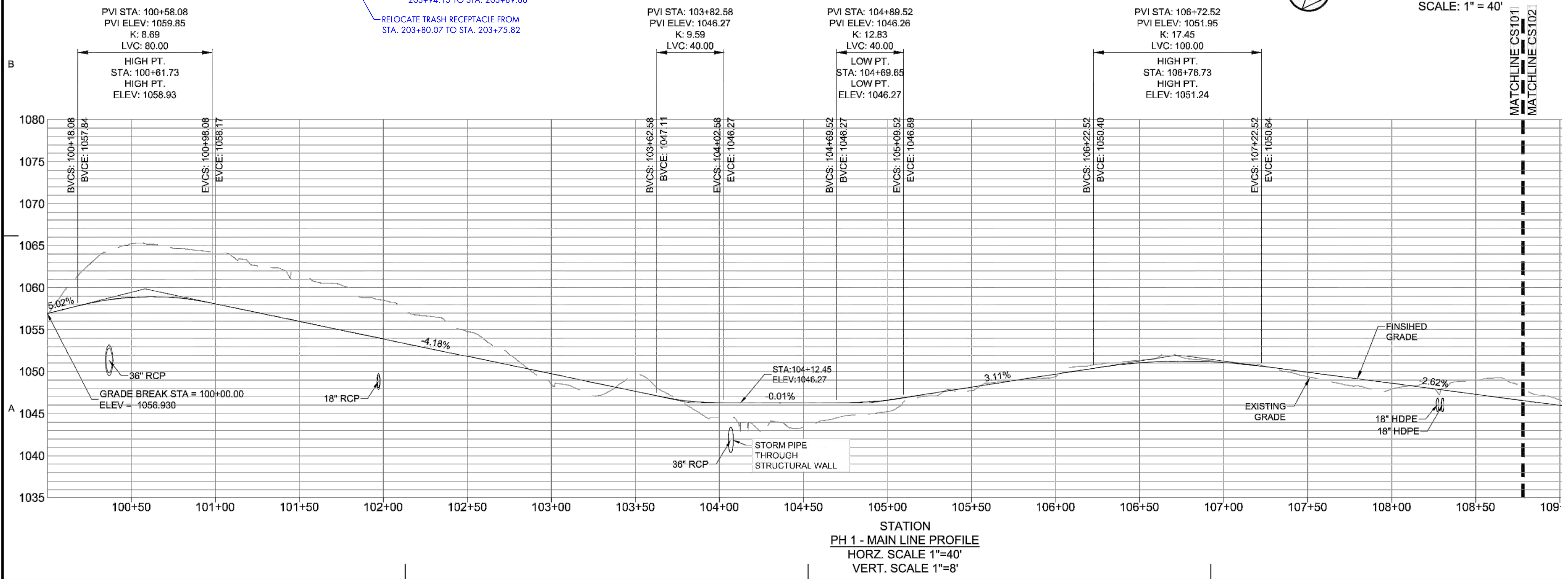
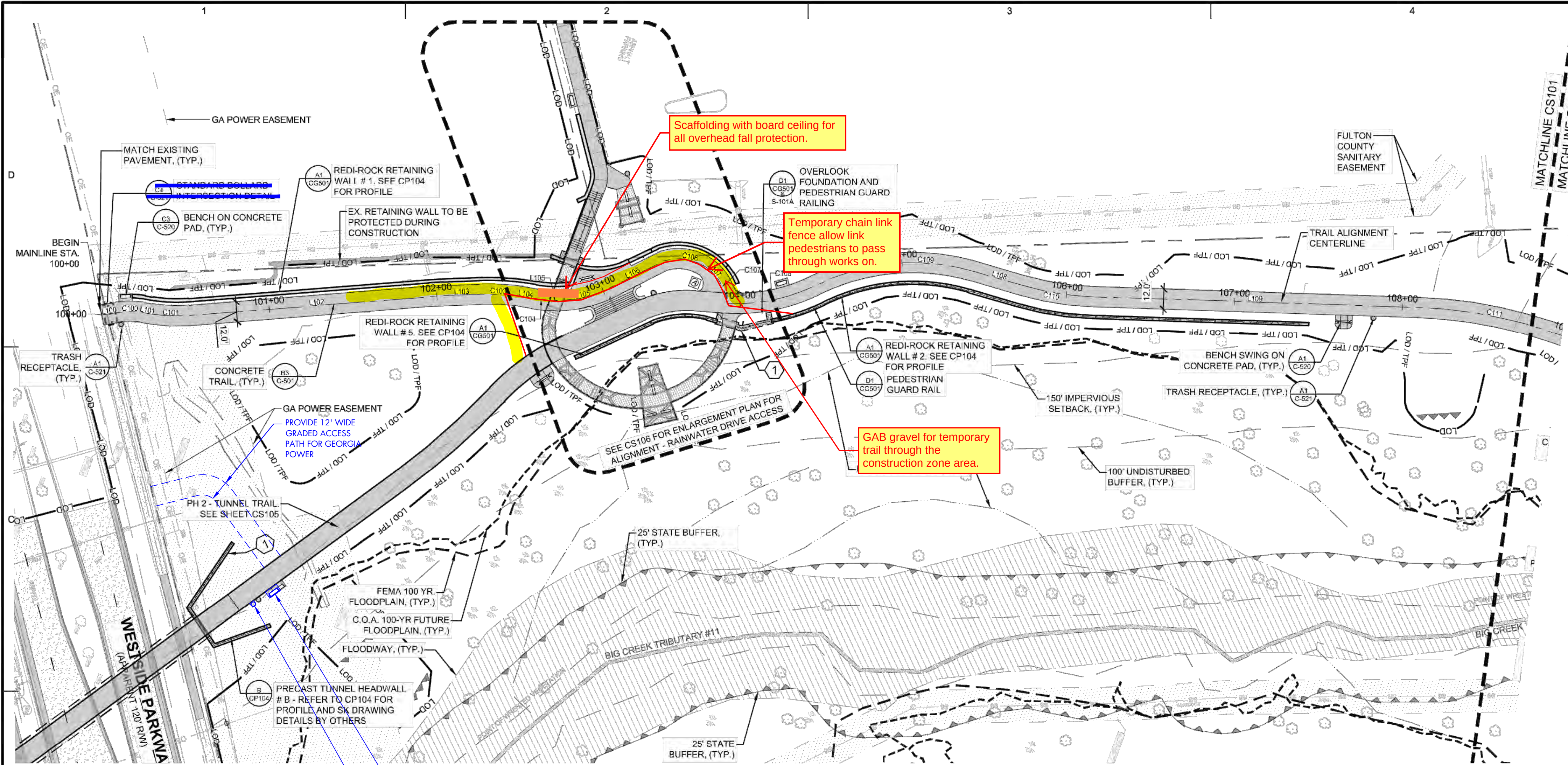
HAYNES BRIDGE ROAD AND DEVORE ROAD
INTERSECTION ENHANCEMENT



**HAYNES BRIDGE ROAD AND DEVORE ROAD
INTERSECTION ENHANCEMENT**



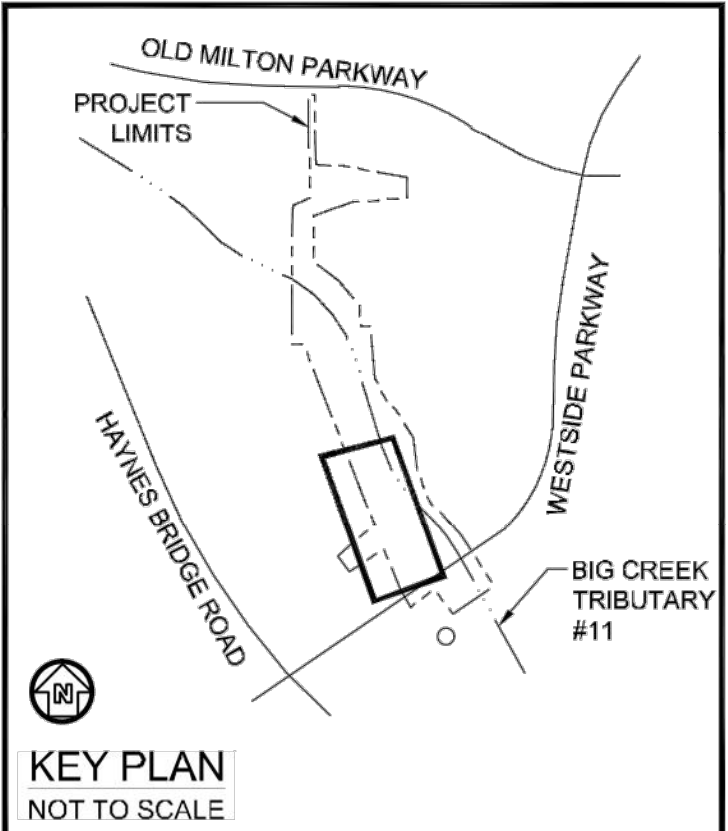
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GENERAL SHEET NOTES

- SEE C-001 & C-002 FOR ADDITIONAL NOTES, LEGEND, AND ABBREVIATIONS.
 - THIS SHEET IS PART OF A MULTI-SHEET SET OF CONSTRUCTION PLANS AND SHALL BE READ WITH THE FULL SET TO BEST ENSURE PROPER INTERPRETATION.
 - SEE CD SERIES FOR PAVEMENT DEMOLITION; SEE V SERIES FOR EXISTING CONDITIONS.
 - SEE SHEET C-501 FOR ALL TRAIL DETAILS.
 - SEE SHEET C-520 FOR FURNISHINGS STATION MATRIX.
 - GRADING OF TRAIL MEETS ADA STANDARDS AND CONTRACTOR IS RESPONSIBLE FOR INSTALLING PER DESIGN.
 - ANY REFERENCE TO "PHASES" REFER TO VARIOUS ALIGNMENTS OF THE PROJECT. THEY ARE ALL PART OF THE BID DOCUMENTS.
- SITE PLAN NOTES:
- PARKING LOTS SHALL BE MAINTAINED IN GOOD CONDITION, FREE OF POTHOLES, WEEDS, DUST, TRASH, AND DEBRIS.
 - NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE IMPROVEMENTS HAVE BEEN COMPLETED.
 - CONTRACTOR SHALL VERIFY CONDITIONS AND DIMENSIONS BEFORE PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES FOUND SHALL BE REPORTED TO LANDSCAPE ARCHITECT AT POND AND COMPANY FOR CLARIFICATION AND/OR CORRECTION BEFORE PROCEEDING WITH THE WORK. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR DISCREPANCIES WHICH ARE NOT REPORTED.
 - REFER TO DETAIL DRAWINGS FOR ACTUAL FIELD DIMENSIONS AND LAYOUT.
 - ALL DIMENSIONS ARE TO BACK OF CURBS, FACE OF WALLS, AND SET T.B.M.
 - ALL WALLS HIGHER THAN 30" REQUIRE RAILING.
 - ALL WORK SHALL COMPLY WITH APPLICABLE FEDERAL, STATE, COUNTY, AND LOCAL CODES, AND ALL NECESSARY LICENSES AND PERMITS SHALL BE OBTAINED BY CONTRACTOR.
 - CONTRACTOR SHALL PROVIDE STAMPED CONCRETE PATTERN TO MATCH REDI-ROCK LEDGESTONE PATTERN ON ALL C.I.P. STRUCTURAL WALLS AND ABUTMENTS. THE ELASTOMERIC FORMLINER WILL BE EQUIVALENT TO PATTERN #1103 RUSTIC ASHLAR (KEYED) BY CUSTOMROCK FORMLINERS. WWW.CUSTOMROCK.COM (800) 637-2447. PROVIDE SUBMITTAL TO OWNER'S REPRESENTATIVE FOR APPROVAL.
 - COAT EXPOSED FORMLINER TREATED WALLS/ABUTMENTS AFTER INSTALLATION WITH A CONCRETE STAIN EQUIVALENT TO H+C COLORTOP STAIN BY SHERWIN WILLIAMS. COLOR: HC103 CEDARWOOD BROWN. COAT SAMPLE AREA TO VERIFY COLOR APPROVAL BY OWNER'S REPRESENTATIVE BEFORE PROCEEDING.
 - SURFACES TO RECEIVE ELASTOMERIC LINER ARE INDICATED ON DRAWINGS BY THIS KEYNOTE: 1

REVISIONS IN BLUE MADE BY CITY OF ALPHARETTA DEPARTMENT OF PUBLIC WORKS ON OCTOBER 26, 2022.



REGISTERED
03/31/2022
LANDSCAPE ARCHITECT
ROBERT BRADLEY JONES
SEAL

DATE	DESCRIPTION	APPR.
03/31/2022	INITIAL ISSUE	0
03/31/2022	DATE	0

DESIGNED BY:	DATE:	SUBMITTED BY:	FILE NAME:	FILE NUMBER:	DATE:	SCALE:
REJ	JANUARY 5, 2021	BMD	3500 Parkway Lane Alpharetta, Georgia 30009 Phone 678.336.7740 Fax 678.336.7744	1180077	03/31/2022	1:1

CITY OF ALPHARETTA
DEPARTMENT OF PUBLIC WORKS
1790 HEMLOCK ROAD
ALPHARETTA, GA 30009

POND
POND PROJECT No. 1180077

ALPHA LOOP
MULTI-USE TRAIL
PHASE A

MAINLINE ALIGNMENT

SHEET
IDENTIFICATION
NUMBER

CS101

ROSWELL STREET AND OLD MILTON PARKWAY INTERSECTION ENHANCEMENT



KEY CONSIDERATIONS

- East alignment along Roswell Street between Old Roswell Street and Old Milton Parkway; West alignment along Roswell Street between Old Milton Parkway and Devore Road (future)
- Coordinate trail alignment with proposed improvements to Wills Park, including the Wills Park Gateway concept from the park Master Plan.
- Evaluate the optimal crosswalk movement based on pedestrian traffic analysis, connections to open space assets, and availability of public right-of-way.
- Provide pedestrian safety improvements including enhanced crosswalks, enlarged pedestrian plazas, and pedestrian refuges across Old Milton Parkway.
- Analyze the viability of removing the dedicated right turn lane on the eastbound Old Milton Parkway to southbound Roswell Street.

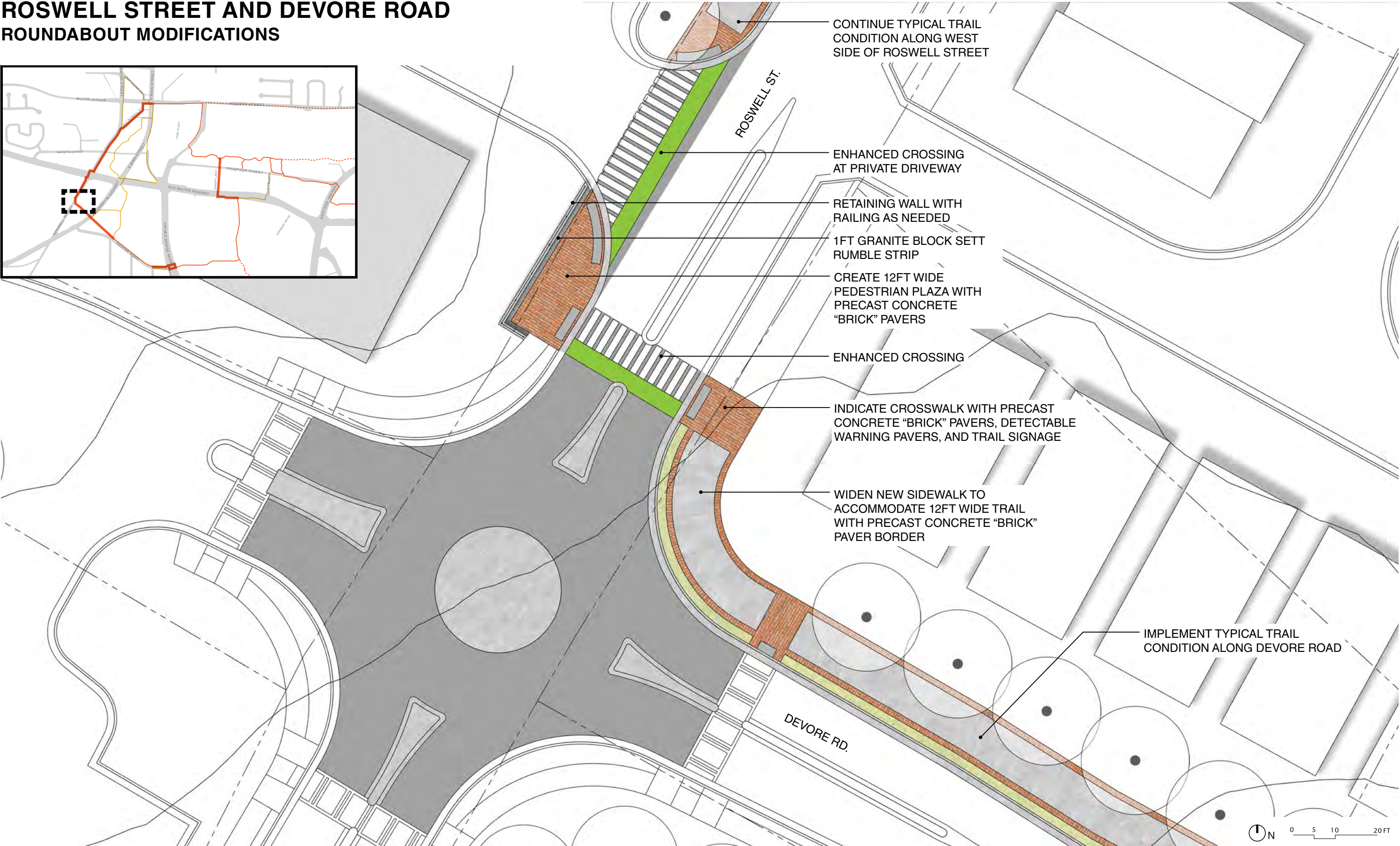
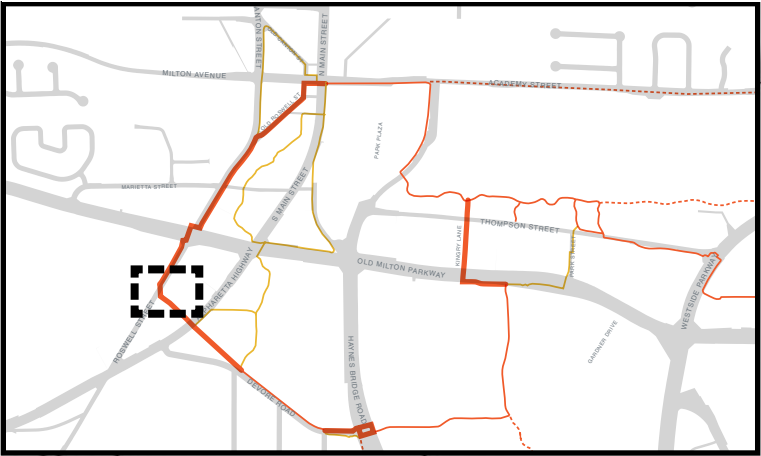
Traffic Study Findings

- Significant pedestrian and bike movement through this intersection, particularly in PM Peak
- “All red” at traffic signal would impact vehicular level of service, particularly in PM Peak
- Additional study: Assess a no-right-on-red for southbound turns from eastbound Old Milton Parkway
- Eliminating the eastbound right-turn-only lane from Old Milton Parkway to southbound Roswell Street will not have adverse impact on traffic.

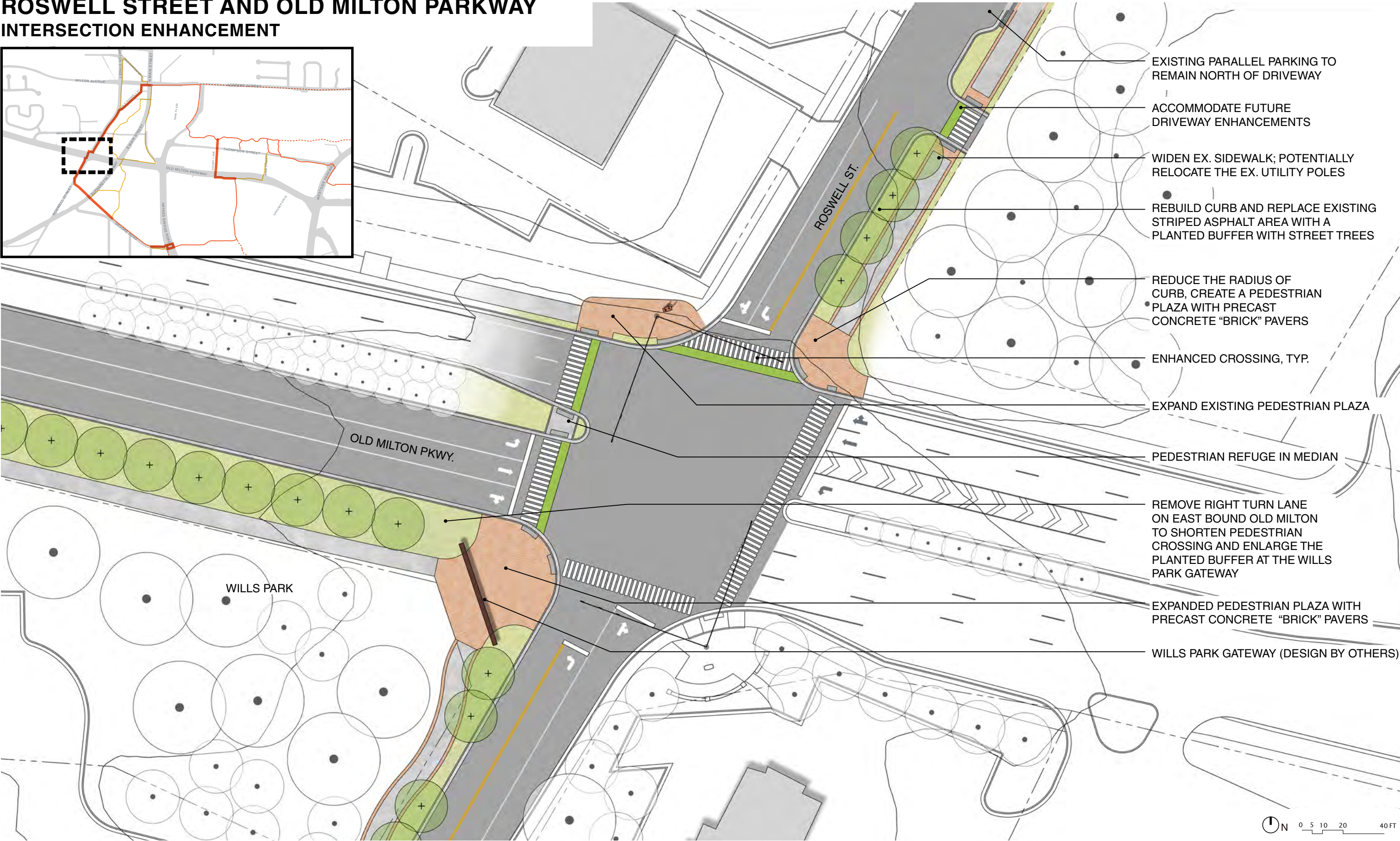
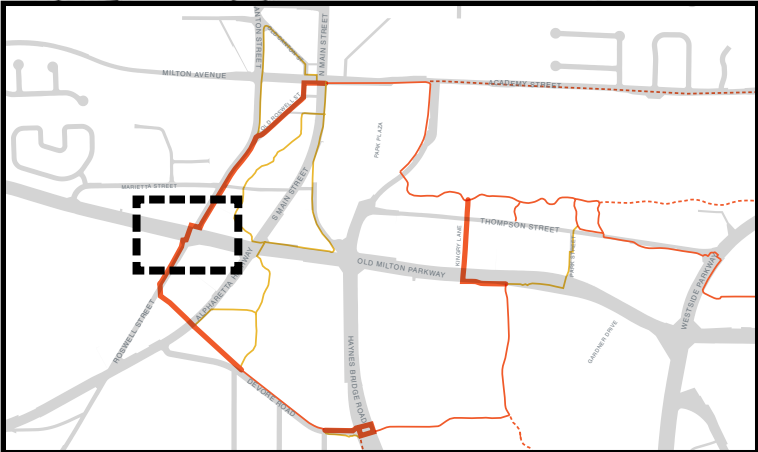
**Complete Traffic Study has been attached as an appendix to this report.*



ROSWELL STREET AND DEVORE ROAD
ROUNDBABOUT MODIFICATIONS



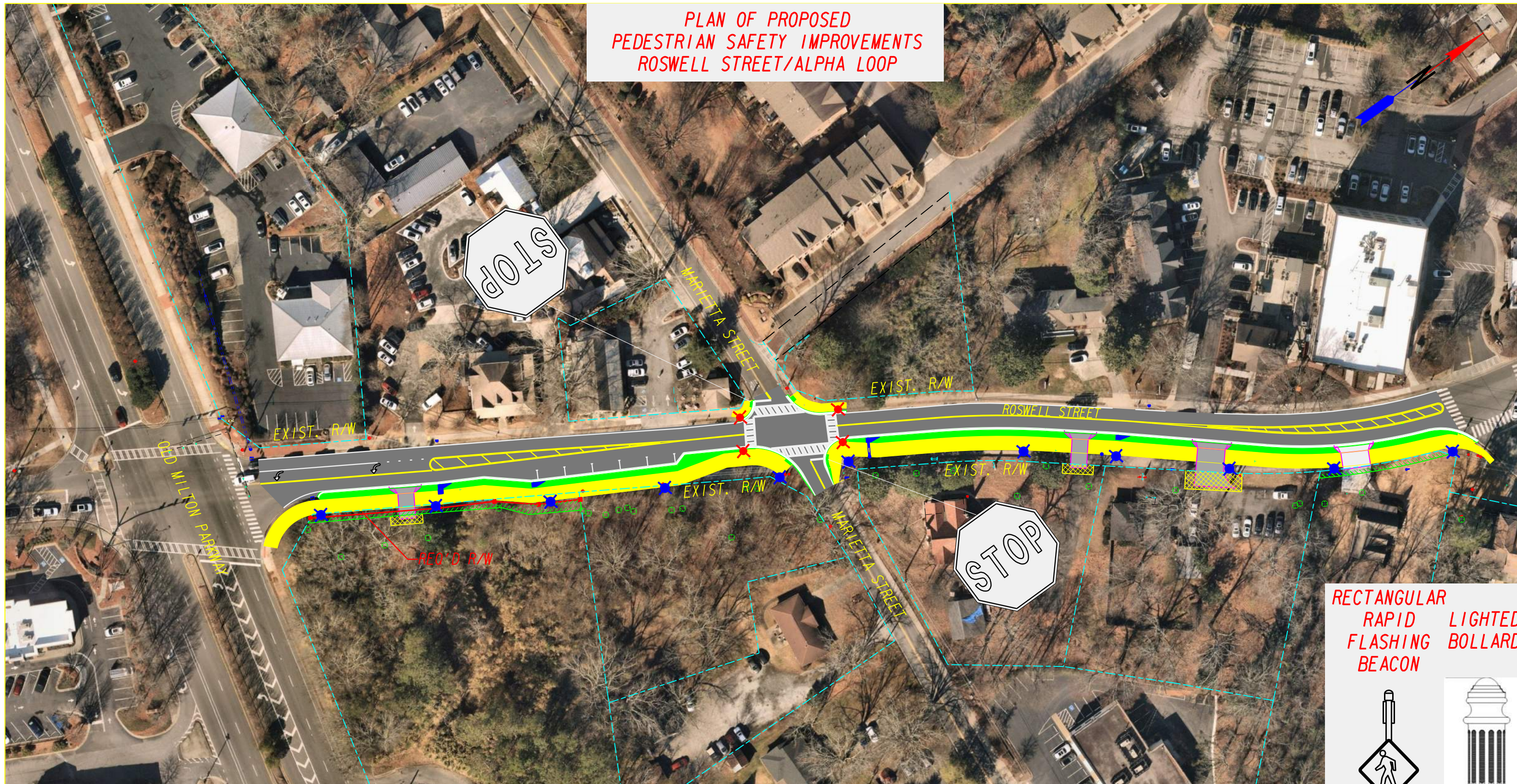
ROSWELL STREET AND OLD MILTON PARKWAY INTERSECTION ENHANCEMENT



ROSWELL STREET AND OLD MILTON PARKWAY
INTERSECTION ENHANCEMENT



PLAN OF PROPOSED PEDESTRIAN SAFETY IMPROVEMENTS ROSWELL STREET/ALPHA LOOP

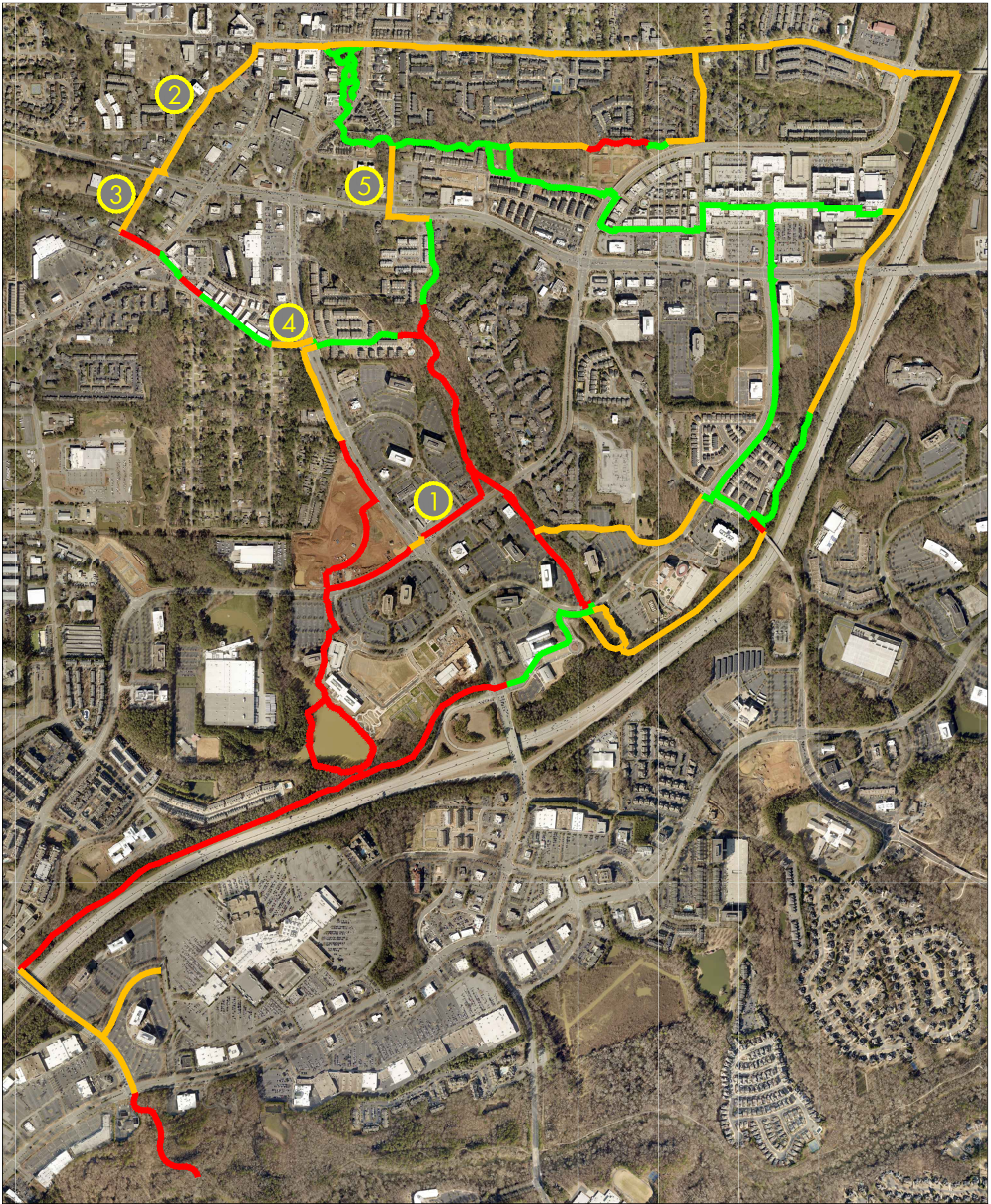


LEGEND

- PAVEMENT
- 12 FT CONCRETE MULTI-USE PATH
- 5 FT LANDSCAPE BUFFER
- PROPERTY LINE
- TEMPORARY EASEMENT
- DRIVEWAY EASEMENT
- LIGHTED BOLLARD
- RECTANGULAR RAPID FLASHING BEACON

RECTANGULAR
RAPID
FLASHING
BEACON







STAFF REPORT

Department: Legal
Submitted By: Molly Esswein, James Drinkard
Meeting Date: March 4, 2024

AGENDA ITEM:

Shopping Cart Containment Ordinance

City Attorney presentation and City Council discussion of a potential shopping cart containment ordinance.

STAFF RECOMMENDATION:

This item is being presented for information and discussion purposes only. No formal action is being requested at this time.

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: THERE IS NOT FISCAL
IMPACT ASSOCIATED WITH THIS WORKSHOP
DISCUSSION.

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:

There has been an increasing trend of shopping carts being taken from store properties and later abandoned at locations throughout Alpharetta, often along sidewalks, near bus stops, in public parks, and on undeveloped private properties. Abandoned shopping carts are a visual blight as well as potential hazards for pedestrian and vehicular traffic on streets, sidewalks, pathways, flood control property, and private property.

The issue is not unique to Alpharetta. According to retail industry research, in the United States, a shopping cart is stolen, damaged, or destroyed every ninety (90) seconds, costing retailers approximately \$180 million annually. The issue also challenges cities across Georgia and throughout the United States, and a variety of local ordinances have been adopted in an attempt to reduce the ability for individuals to remove shopping carts from the owners' premises and hold shopping cart owners accountable for implementing simple measures to mitigate the nuisance.

During this workshop, the City Attorney will discuss the draft of a shopping cart containment ordinance and seek feedback from the Mayor and City Council. The intent is to determine if the Mayor and City Council have an interest in pursuing adoption of such an ordinance and if so, if any changes to the draft ordinance are desired prior to beginning the public hearing process.

ALTERNATIVES:

This item is being presented for information and discussion purposes to determine if it is a desirable option for addressing abandoned shopping carts.

ATTACHMENTS:

1. DRAFT - Shopping Cart Containment Ordinance

AN ORDINANCE TO AMEND CHAPTER 26, NUISANCES, OF THE
CODE OF THE CITY OF ALPHARETTA, GEORGIA TO DEFINE AND PROVIDE FOR
REGULATION OF SHOPPING CARTS; TO PROVIDE FOR EFFECTIVE DATES; TO
REPEAL ALL ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES

WHEREAS, retail businesses provide shopping carts for the convenience of customers shopping on the premises of those businesses; and

WHEREAS, abandoned, lost, and/or stolen shopping carts on public or private property contribute to conditions of blight in the community and reduce property values; and

WHEREAS, such shopping carts on public or private property can obstruct free access to sidewalks, streets, and other rights-of-way, interfere with pedestrian and vehicular traffic on pathways, driveways, public and private streets, and impede emergency service vehicles and personnel; and

WHEREAS, the Official Code of Georgia Annotated (O.C.G.A.) § 16-8-21 establishes the theft of a shopping cart as a misdemeanor; and

WHEREAS, the Mayor and City Council desire to modify and amend the Code of Ordinances so as to regulate the management of shopping carts by retail businesses and improve the regulation of abandoned, lost, and/or stolen shopping carts in the City in order to benefit the public health, safety, and welfare;

NOW, THEREFORE, it is hereby ordained by the Mayor and City Council of the City of Alpharetta as follows:

Section 1. That the Code of Ordinances of the City of Alpharetta is hereby amended by adding a new Article VII to Chapter 26 as provided in Exhibit A.

Section 2. Severability

It is hereby declared to be the intention of the Mayor and City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section hereof shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the Mayor and Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 3. Effective Date

This Ordinance shall be effective sixty (60) days following adoption.

Section 4. Repealer

All ordinances or parts of ordinances found to be in conflict herewith are hereby repealed.

ADOPTED AND APPROVED this _____ day of _____, 2024.

CITY OF ALPHARETTA, GEORGIA

Jim Gilvin, Mayor

COUNCIL MEMBERS

Mayor Pro Tem Merkel

Council Member Donald F. Mitchel

Council Member Brian Will

Council Member Douglas J. DeRito

Council Member John Hipes

Council Member Fergal Brady

(SEAL)

Attest:

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Molly Esswein, City Attorney

Exhibit A

ARTICLE VII. SHOPPING CART CONTAINMENT

Section 26-200. Purpose

The purpose of this article is to promote the health, safety, and general welfare of the citizens of Alpharetta, Georgia by providing for the prompt retrieval of abandoned, lost, and/or stolen shopping carts; to require the owners and operators of businesses providing shopping carts to use the means available to them to deter, prevent, or mitigate the removal of shopping carts from their business premises; and to prevent the illegal removal of shopping carts from business premises.

Section 26-201. Definitions

For the purposes of this article, the following terms shall apply:

- (a) "Shopping cart" shall mean a basket mounted on wheels or a similar device which is generally used in a retail establishment by a customer for the purpose of transportation of goods of any kind.
- (b) "Abandoned" shall mean a shopping cart that is left unattended or discarded upon public or private property other than the premises of the retail establishment from which the shopping cart was removed, regardless of whether such shopping cart was removed from the premises with the permission of the owner. For purposes of this article, any shopping cart left unattended or discarded on any public property shall be presumed abandoned, and any shopping cart left unattended or discarded on any private property shall be presumed abandoned unless the owner or occupant of the private property is: (i) the owner, employee, or authorized agent of the owner, entitled to possession of said shopping cart, (ii) an officer, employee, or agent of a cart retrieval service hired by the owner to retrieve shopping carts, or (iii) is enforcement personnel retrieving, storing or disposing of a shopping cart pursuant to the provisions of this article.
- (c) "Preventative measures" shall mean a description of the specific measures that a business owner will implement to prevent removal of any shopping cart from the business premises. Such measures shall include electronic or other disabling devices on any shopping cart so they cannot be removed from the business premises.

Section 26-202. Registration required.

- (a) No business, store, or retail establishment with ten (10) or more shopping carts shall provide any shopping cart for customer use without first obtaining a registration certificate under this article.
- (b) An owner of a business, store, or retail establishment required to obtain a registration certificate under this article, or their designated representative, shall submit an application to the Community Development Department for a registration certificate on a form provided by the City, on an annual basis, accompanied by a non-refundable registration fee of \$50.00. Such application shall include:
 - 1. The name, address, e-mail address, and telephone number of the applicant;

-
2. Ownership information, including the name, address, e-mail address, and telephone number of each person or entity with an ownership interest in the business, store, or retail establishment;
 3. The complete street address of the premises where shopping carts are to be offered to customers for use;
 4. A copy of the Shopping Cart Containment and Retrieval Plan required by Section 26-205;
 5. Acknowledgement that the owner or applicant has or will post, at the premises, the notice required in Section 26-203;
 6. Acknowledgement that the owner or applicant has or will affix the required identification to all shopping carts of the business as required in Section 26-204; and
 7. Acknowledgment that the applicant has read and understands all regulations of this article.
- (c) Within 10 business days of the filing of the completed application, the Community Development Director, or his or her designee, shall issue a registration certificate to the applicant, or shall issue a written notice of denial. A registration certificate shall be issued to an applicant unless the application does not meet the minimum requirements of this article.
- (d) All certificates granted under this article shall expire on December 31 of each year.

Section 26-203. Required Posting Of Signage By Businesses

The owner of each business, store, or retail establishment with ten (10) or more shopping carts is required to post at each exit from the establishment signage, with a minimum of three-inch red or black lettering on a white background, advising that the unauthorized removal of shopping carts from the premises is a misdemeanor.

Section 26-204. Required Identification Affixed To Shopping Carts

- (a) Each business, store, or retail establishment with ten (10) or more shopping carts shall affix and permanently maintain on each shopping cart made available for use by customers signage, with a minimum of one-inch lettering, containing the following information:
1. The identity of owner, or owner's business establishment, or both;
 2. The address of the owner of the business establishment for shopping cart return and a working phone number at which a person may contact the owner to retrieve the shopping cart; and
 3. Notification to the public that the unauthorized removal of the shopping cart from the premises is a misdemeanor.
- (b) It shall be a violation of this article for any person to detach the sign or deface the name or address marked on a sign, which is properly marked on a shopping cart in conformity with this section.

Section 26-205. Shopping Cart Containment And Retrieval Plan

Each business, store or retail establishment with ten (10) or more shopping carts shall prepare, submit, implement, and comply with the terms of a specific plan to contain its shopping carts on its premises, to prevent the unauthorized removal of any shopping cart from the premises, and to provide for the retrieval of shopping carts if found removed from the premises. Plans must be provided to the City as part of the annual application for a registration certificate as provided in Section 26-202, as well as within twenty-four (24) hours upon request by the City. The plan shall include:

- (a) Owner/point of contact information. The name of the owner/manager; the physical address where the retail establishment is conducted; and the name, address, and telephone number(s) of the owner/manager and any point of contact to call and report an abandoned cart, including any changes of such persons.
- (b) Acknowledgement that every shopping cart shall have a sign permanently affixed to it fully compliant with the requirements of Section 26-204 of this article.
- (c) Acknowledgement that signs shall be placed and maintained on the premises, as required by Section 26-203.
- (d) Preventative measures. The plan must list all preventative measures the business, store or retail establishment will use and maintain to shopping carts on its premises.
 - 1. At a minimum, these measures shall include:
 - a. Electronic or other disabling devices on any cart so they cannot be removed from the business premises.
 - b. Providing personnel for the purposes of the retrieval of lost, stolen or abandoned shopping carts. Such personnel may be either employees of the business or one or more independent contractors hired by the owner to provide shopping cart retrieval services, or a combination of both.
 - 2. Additional preventative measures may include, but are not limited to:
 - a. Installing bollards and chains around business entrances/exits to prevent cart removal;
 - b. Providing carts for rental or sale that can be temporarily or permanently used for the purpose of transporting purchases;
 - c. Use of courtesy clerks to accompany customers to their vehicles and return carts to the inside of the business premises;
 - d. Education provided to customers regarding criminal penalties associated with the unauthorized removal of shopping carts from the premises; or
 - e. Other demonstrably effective measures likely to prevent removal of carts from the business premises.

At any time, each business, store or retail establishment may modify its plan to address a change in circumstances, address an unanticipated physical or economic impact of the plan, or modify an inadequate or ineffective plan. Any such modification shall be transmitted to the City within two weeks of modification.

Section 26-206. New Development Requirements

New developments and/or business establishments of 10,000 square feet or more in building area and having ten (10) or more shopping carts shall be required to provide, upon request, a Shopping Cart Containment and Retrieval Plan prior to the issuance of a business license.

Section 26-207. Employee Training

The owner of each business, store, or retail establishment with ten (10) or more shopping carts shall communicate the Shopping Cart Containment and Retrieval Plan to new and existing store managers designed to educate such employees concerning the requirements of the plan and the provisions of state law prohibiting the unauthorized removal of shopping carts from the premises of the business, store, or retail establishment.

Section 26-208. Impoundment Of Abandoned Shopping Carts

The City may immediately impound an abandoned or lost shopping cart found on private land within the City with the consent of the party in possession of the land and may immediately impound an abandoned or lost shopping cart on public land within the City. However, nothing in this code section shall prevent the City from contacting the owner of a shopping cart to provide for the prompt removal of an abandoned or lost shopping cart as an alternative to impoundment.

Section 26-209. Operation Of Shopping Cart On Public Right-Of-Way

In addition to any criminal penalties that may be applicable under state law for theft of a shopping cart, a person found in possession of or operating a shopping cart on any public right-of-way within the City is guilty of a violation of this article.

Section 26-210. Enforcement

The provisions of this article shall be enforced by City police or City code enforcement officers, who may exercise good faith discretion in the implementation and enforcement of the provisions of this article. Nothing in this article shall in any way preclude the City from taking any other civil action authorized by law in furtherance of enforcing the requirements of this article.

Section 26-211. Civil Penalties

- (a) Any violation of this article shall be a civil violation and shall not constitute a misdemeanor or infraction, and shall result in the imposition of the following progressive civil penalties and actions:
1. The first violation within a consecutive 12-month period shall result in a civil penalty not to exceed \$250.00 and a written warning notice of violation.
 2. The second violation within a consecutive 12-month period shall result in a civil penalty not to exceed \$500.00 and a certificate suspension for a period of not less than thirty (30) days nor more than ninety (90) days.
 3. The third or any subsequent violation within a consecutive 12-month period shall result in a civil penalty not to exceed \$1,000.00 and the revocation of the registration certificate, and neither the owner nor the retail establishment shall be eligible to reapply for a certificate under this article for a period of six (6) months from the date of revocation.

-
- (b) Nothing contained in this subsection shall be construed to preclude the City Council from suspending or revoking a certificate for a period exceeding those periods identified in sections 26-211(a)(2) or (3) or from revoking the certificate if the City Council determines in its discretion that such action is necessary and in the best interest of the public health, safety, and welfare of the City.
 - (c) In all cases, the mandatory suspension period may be mitigated by the City Council upon presentation of evidence that the retail establishment has established practices and procedures to prevent the violation from occurring.

Section 26-212. Appeals of Civil Penalties

- (a) Assessments of civil penalties under Section 26-211(a)(1) of this article, or appeals of the administrative denial of a registration certificate under this article, may be appealed by filing a written notice of appeal, setting forth the reasons for the appeal, with the Community Development Director or his or her designee within fourteen (14) days after the date of notification of the assessment of civil penalties or other enforcement or administrative decision.
- (b) The failure to file a notice of appeal within this period shall constitute a waiver of the right to contest the assessment of civil penalties or other enforcement or administrative decisions.
- (c) Appeals will be considered by the Community Development Director, or a hearing officer designated by the Community Development Director. Appeal hearings shall be conducted within fourteen (14) calendar days of the filing of the appeal, unless the parties mutually agree to extend the time for such a hearing. The Community Development Director or hearing officer shall review an appeal from the assessment of civil penalties or other enforcement or administrative decisions using a preponderance of the evidence standard. Notwithstanding a determination that the preponderance of the evidence supports the assessment of civil penalties or other enforcement or administrative decision, the Community Development Director or hearing officer shall have the discretion to dismiss or reduce civil penalties or reverse any other enforcement or administrative decision upon a finding of good cause or extenuating circumstances. The Community Development Director or hearing officer shall make a decision regarding the appeal within five (5) days of the hearing, and shall provide notice of same to the appellant in writing.
- (d) The decision of the Community Development Director or designated hearing officer may be appealed to the City Council in accordance with the provisions of Section 26-214. An appeal to the City Council must be filed in writing within fourteen (14) days after the date of the notice of decision by the Community Development Director or hearing officer.

Sec. 26-213. – Suspension or Revocation of Registration Certificate

Any suspension, revocation, or forfeiture of an issued certificate shall occur only after notice and opportunity for a hearing before the City Council consistent with the procedures set forth in this article and upon the following occurrences:

1. A retail establishment is found to be in violation of this article.

-
2. An applicant furnished fraudulent or untruthful information in the application for a registration certificate, or omitted information required in the application for a registration certificate, or failed to pay all fees, taxes, or other charges imposed under the provisions of this article, in which case the City Council may immediately suspend or revoke the registration certificate.
 3. A retail establishment does not meet the qualifications set forth in this article at any time such knowledge becomes known to the City Council, in which case the City Council shall immediately suspend or revoke the registration certificate.
 4. A retail establishment has offered shopping carts to customers for use during a period of suspension of a registration certificate, in which case the City Council shall immediately revoke the registration certificate.

Sec. 26-214. – Hearing on Denial, Suspension or Revocation

- A. Upon receipt of a timely appeal (accompanied by a fee of \$250.00) of a decision of the Community Development Director or designated hearing officer as set forth in Section 26-212, upon presentation of evidence to the Community Development Director of a violation of this article as contemplated in Section 26-211(a)(2) or (3), or upon a showing of any of the other occurrences set forth in Section 26-213, the Community Development Director shall schedule a hearing before the City Council and provide written notice to the adverse party of the time, place and date of the scheduled hearing. The Community Development Director shall also state in the written notice the basis for the administrative denial or the violation or occurrence alleged that forms the basis for the denial or potential suspension or revocation. After notice of hearing, matters scheduled for hearing may only be continued by agreement of the City Attorney and the adverse party and/or counsel for the adverse party.
- B. The City Council shall have the duty of conducting hearings concerning the denial, revocation, or suspension of a certificate, as well as appeals of decisions as contemplated in Section 26-212. The standard of proof on all issues in the hearing shall be a preponderance of the evidence and a determination will be made on the basis of the evidence presented at the hearing.
- C. At the hearing, after presentation of the case against the adverse party, the adverse party will have an opportunity to present his case, to rebut the allegations made against him, and present whatever defenses he has. The adverse party shall have the right to be represented by an attorney, at the expense of the adverse party, and to present evidence and cross-examine opposing witnesses.
- D. At the conclusion of the hearing, the findings and conclusions of the City Council shall be forwarded to the Community Development Director, and it shall be the duty of the Community Development Director to provide written notification via certified mail to the adverse party of the decision of the City Council.

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- E. The decision of the City Council shall be final unless appealed to the Superior Court of Fulton County within thirty (30) days of receipt of the Community Development Director's written notification to the adverse party of the City Council's decision.
 - F. For purposes of this section, notice shall be deemed delivered when personally served or when served by certified mail postage prepaid within three days after the date of deposit in the United States Mail.



STAFF REPORT

Department: City Clerk
Submitted By: Lauren Shapiro
Meeting Date: March 4, 2024

AGENDA ITEM:

City Council Meeting Minutes (Meeting of 2/19/2024)

Approval of the City Council meeting minutes from the meeting of February 19, 2024.

STAFF RECOMMENDATION:

Approve the minutes from the February 19, 2024 City Council Meeting.

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:

City Clerk, Lauren Shapiro, prepared a synopsis of the pertinent information that occurred during the City Council Meeting on February 19, 2024.

ALTERNATIVES:

Do not approve the minutes.

ATTACHMENTS:

1. CC Meeting Minutes 2.19.2024



City Council Meeting & Public Hearing
FEBRUARY 19, 2024
UNOFFICIAL MINUTES
Office of the City Clerk

ALPHARETTA CITY HALL
COUNCIL CHAMBERS | 2 PARK PLAZA | 6:30 PM

This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. This is not an official record of the Alpharetta City Council Meeting proceedings. Meetings are recorded and available for review at <https://www.youtube.com/user/alpharettagov>.

1. CALL TO ORDER

- Mayor Gilvin called the meeting to order at 6:30 p.m.

2. ROLL CALL

• Council Members

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

• Staff

- Chris Lagerbloom, City Administrator
- Molly Esswein, City Attorney
- James Drinkard, Assistant City Administrator
- Lauren Shapiro, City Clerk
- Brooke Lappin, Director of Municipal Court
- Cris Randall, Director of Human Resources
- John Robison, Director of Public Safety
- Kathi Cook, Director of Community & Economic Development
- Morgan Rodgers, Director of Recreation, Parks & Cultural Arts Services
- Pete Sewczwicz, Director of Public Works
- Tom Harris, Director of Finance

- David Will, Municipal Court Judge
- Ryan Thomas, Municipal Project Manager
- David Cureton, Information Systems Manager

3. PLEDGE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

A. HIRE VETS Award Presentation

- Director of Human Resources, Cris Randall, and presented the HIRE Vets award that the City received to Mayor and City Council.

5. WORK SESSION ITEMS

A. Downtown Parking

Staff presentation and City Council discussion of parking options for the Downtown.

- Municipal Project Manager, Ryan Thomas, came forward to present this item.
- The Downtown Parking presentation is attached hereto as Exhibit "A."
- Council Member Will shared that he agreed with the areas of the loading zones, but was curious to know what type of implementation plan the city will have for notifying delivery companies and business owners about the changes to loading areas. He also suggested to not restrict the hours of the loading zone, and believed that a Sysco delivery truck will not fit within 2-3 parking spaces in the downtown.
 - Project Manager Thomas shared that he intends to work with a third-party management company to identify and notify vendors.
 - City Administrator, Chris Lagerbloom, added that this parking plan is not intended to be a punitive measure for downtown and is not being created as a fund generator. Also, other cities have done an RFP for parking management, and we are interested to see what might be in the market for parking and loading zone management in our downtown area.
- Council Member Hipes shared that he appreciated this study, and asked if the loading zone next to Amorance across from Alpharetta First Baptist is a loading zone for residents who are moving in and out of Amorance (there are often trucks sticking out of the loading zone and into the road at this spot). He also asked about the dates of the study data.
 - Project Manager Thomas shared that Kimley Horn gathered data for about a week.
- Council Member Mitchell asked about the location of all loading zones on the map and wanted to ensure that these loading zones would be successful for businesses, and also for residents moving in and out of the residential areas. He also shared that often times for pallet deliveries, businesses are at the mercy of the delivery

company, which affects the time and location of the delivery and the company that finally delivers the order.

- Mayor Gilvin suggested going back to Kimley Horn and consider having fewer and permanently dedicated loading zones.

6. CONSENT AGENDA

A. City Council Meeting Minutes (Meeting of 2/5/2024)

Consideration of approval of the City Council Minutes from February 5, 2024.

B. Right of Way Easement to Sawnee EMC for 3395 Kimball Bridge Road

Consideration of approval of a right-of-way easement to Sawnee Electric Management Corporation for property located at 3395 Kimball Bridge Road for utility purposes at Waters Road Park and with authorization for the Mayor to execute all necessary documents.

C. Financial Management Report (Month ending December 31, 2023)

Consideration of approval of the Financial Management Report for the month ending December 31, 2023.

PUBLIC COMMENTS:

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

7. NEW BUSINESS

A. Agreement: City of Alpharetta and TrueNorth400 for Kimball Bridge Road Gap Connection

Consideration of approval of the Agreement between the City of Alpharetta and North Community Improvement District d/b/a TrueNorth400 for design, right of way, and construction of the Kimball Bridge Road Gap Connection and with authorization for the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- The Georgia Department of Transportation (GDOT) is constructing a new 4-lane bridge over GA 400 and roadway from Northwinds Parkway to the Georgia Power Driveway. These improvements tied a 4-lane road into the existing 2-lane road just west of North Point Parkway. Upon completion of GDOT's project, there will be less than 500' where there is a 2-lane road before the 4-lane section GDOT is constructing begins. Public Works refers to this section as The Gap.
- AECOM designed the Kimball Bridge Road improvements and has finalized the construction plans for The Gap section as well. The City is required to bid the

construction of the project and work will not commence until after GDOT's contractor, CW Matthews (CWM), completes their work. The anticipated completion date of CWM's work is the end of April/beginning of May 2024. The closure of the Kimball Bridge Road Bridge over GA 400 is not ideal for the thousands of commuters and those traveling to the numerous office buildings in the vicinity of the project.

- True North 400 (North Fulton Community Improvement District) reached out to the City to see how the construction of The Gap could be expedited. The CID initiated the conversation about the CID contracting with CWM to complete The Gap within the schedule of the Bridge Replacement Project. Public Works provided plans and specifications to the CID to pass along to CWM and subsequently CWM provided a proposal not to exceed \$1,000,000.00 to construct The Gap. Anticipated completion of the roadway and opening of the bridge is May 2024. Two components are not included in CWM's scope: landscaping and lighting. These items will need to be procured through other means.
- Under the Memorandum of Agreement, the City is responsible for completing the design of the improvements and obtaining the necessary right of way. Design work has been completed, and the City is actively finalizing right of way agreements. The CID is responsible for contracting with CWM and performing construction management/inspection services. Public Works is currently overseeing numerous construction projects and the CID handling construction oversight enables City staff to maintain the same level of oversight we are currently performing on roadway, trail, and park projects throughout the City.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve the Agreement between the City of Alpharetta and North Community Improvement District d/b/a TrueNorth400 for design, right of way, and construction of the Kimball Bridge Road Gap Connection and to authorize the Mayor to execute all necessary documents.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (7-0).

B. Addendum to Employment Agreement with Municipal Court Judge, David C. Will, and Substitute Municipal Court Judge, Jamie Bendall

Consideration of approval of an addendum to the employment agreements with Municipal Court Judge David C. Will and Substitute Municipal Court Judge Jamie Bendall, and with authorization for the Mayor to execute all necessary documents.

- City Administrator, Chris Lagerbloom, came forward to present this item.

- On November 7, 2022, Mayor and City Council approved employment agreements for David C. Will and James "Jamie" Bendall to serve as the Municipal Court Judge and Substitute Municipal Court Judge, respectively.
- If approved, this Addendum would provide for additional compensation to the Judge or Substitute Judge when they are scheduled to be on-call to preside over and adjudicate pretrial, bond, arraignment or other hearings at the jail in addition to presiding over and adjudicating cases during the Municipal Court's scheduled court sessions.
- Director of Courts, Brooke Lappin, shared that we are close to being able to conduct virtual court in the jail (waiting on installation of zoom room technology).

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve the addendum to the employment agreements with Municipal Court Judge David C. Will, and Substitute Municipal Court Judge Jamie Bendall and to authorize the Mayor to execute all necessary documents.
 - Council Member Brady seconded the motion.
 - The motion was approved unanimously (7-0).

C. Resolution to Condemn – 1230 Landings Cove, Alpharetta, Georgia 30005

Consideration of a Resolution to condemn property interest in Tax Parcel #21- 5702-1232-151-5 (Parcel Owners: Pragathi Kanth Asha and Divya Varudhini) of the Douglas Road Drainage Improvements Project and with authorization for the Mayor to execute all necessary documents.

- City Attorney, Molly Esswein, came forward to present this item.
- City Attorney, Molly Esswein, read the resolution title aloud.
- The City has determined that it is necessary to condemn property of Tax Parcel # 21 -5702-1232-151-5 in furtherance of the Douglas Road Drainage Improvements Project.
- Approval of this resolution will authorize the City Attorney's Office to acquire, through the use of Eminent Domain, the necessary property rights to, in, over, under, through and across the property located at 1230 Landings Cove, Alpharetta, GA. 30005 (Tax Parcel No.: 21-5702-1232-151-5) in order to ensure the timely completion of the Douglas Road Drainage Improvements Project. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

PUBLIC COMMENTS:

- There were no public comments.

- ❖ Mayor Pro Tem Merkel offered a motion to adopt a resolution to condemn property interest in Tax Parcel #21- 5702-1232-151-5 (Parcel Owners: Pragathi Kanth Asha and Divya Varudhini) of the Douglas Road Drainage Improvements Project and to authorize the Mayor to execute all necessary documents.

- Council Member DeRito seconded the motion.
- The motion was approved unanimously (7-0).

8. PUBLIC COMMENT

- There were no public comments.

9. REPORTS

- There were no reports.

10. EXECUTIVE SESSION (IF NECESSARY)

- ❖ Council Member Hipes offered a motion to recess to executive session for the purposes of litigation and potential litigation.

- Council Member Mitchell seconded the motion.
- The motion was approved unanimously (7-0).

- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 7:29 p.m.

- ❖ Council Member Will offered a motion to reconvene the meeting.

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

- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 7:58 p.m.

11. ADJOURNMENT

- ❖ Council Member Will offered a motion to adjourn the meeting.

- Council Member Mitchell seconded the motion.
- The motion was approved unanimously (7-0).

- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 7:59 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk

EXHIBIT A

MEMORANDUM

To: Ryan Thomas, Municipal Project Manager
City of Alpharetta

From: Jeshua Pringle, AICP, CAPP
Kimley-Horn and Associates, Inc.

Date: November 29, 2023

Subject: Downtown Alpharetta On-Street Loading Zone Assessment

INTRODUCTION

The City of Alpharetta retained Kimley-Horn and Associates, Inc., to provide professional parking and curb lane management services for the Downtown Alpharetta On-Street Loading Zone Assessment. This assessment evaluated loading behaviors in Downtown Alpharetta. The study area is bounded by Park Plaza to the east, School Drive to the north, Teasley Street to the west, and Marietta Street to the south, **Figure 1**.

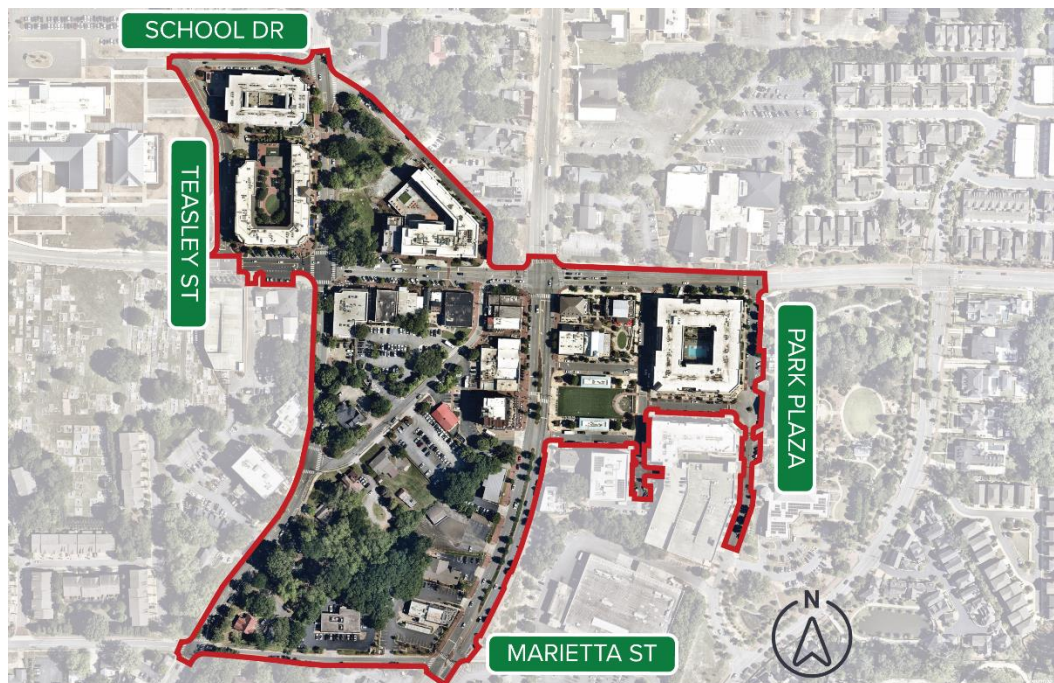


Figure 1. Downtown Alpharetta Study Area

Loading zone observations were conducted over a two-day period, from August 31, 2023, to September 1, 2023. Based on loading zone observations, a list of issues, action items, and legislative options were developed.

SUMMARY OF CONCLUSIONS

The Downtown Alpharetta loading zone network should be expanded to meet current and future loading and unloading needs. Management of the loading zone network is critical to ensuring the safe pick-up and drop-off of goods and passengers. Ensuring loading zones are preserved for active loading and unloading can help increase the efficiency of the loading zone network and prevent delivery vehicles from double parking or parking in the center turn lane. Regulations that prevent vehicles from being parked in designated loading zones are needed to encourage curb lane compliance. Additionally, permitting access to loading zones for non-commercial vehicles and flexing loading zones to passenger pick-up/drop-off zones in the evenings should be explored. Finally, management of the Downtown Alpharetta loading zone network will require personnel to oversee day-to-day operations and compliance management. System oversight will require funding for staffing, operations, and capital investments.

EXISTING CONDITIONS, OBSERVATIONS, AND IDENTIFIED ISSUES

The existing Downtown Alpharetta loading zone network consists of five (5) identified loading zones. Designated loading zones allow for the pick-up/drop-off of goods from 7:00 AM to 10:00 AM. The network of loading zones is detailed in **Table 1**. Observations of behavior at designated loading zones are detailed below.

Table 1. Existing Loading Zones

Loading Zone ID	Street	Cross Street 1	Cross Street 2
LZ_001	Roswell Street	Old Roswell Street	Milton Avenue
LZ_002	S Broad Street	Main Street	Market Street
LZ_003	School Drive	Teasley Street	Canton Street
LZ_004	Teasley Street	Milton Avenue	School Drive
LZ_005	Academy Street	Main Street	Market Street

After the loading zone period, commercial loading zones are flexed to allow on-street parking for the remainder of the day. Passenger loading zones are not currently provided in the Downtown Alpharetta loading zone network.

Traditional Loading Zones are Occupied by Parked Vehicles

After 10:00 AM, drivers are allowed to park in designated loading zone areas for up to three (3) hours. Although on-street parking signage indicates that parking in loading zones is not allowed until after 10:00 AM, vehicles were observed parked in designated loading zones after 8:00 AM, **Figure 2** and **Figure 3**. This behavior limits access to designated loading zone areas, promotes double parking by delivery vehicles, and blocks travel lanes resulting in increased congestion. Addressing vehicles parking in designated loading zones before the end of the loading zone period is essential to creating a loading environment that meets growing demands and encourages compliant loading zone behavior.



Figure 2. Vehicles Parked in the Loading Zone before 10:00 AM on School Drive



Figure 3. Vehicles Parked in the Loading Zone before 10:00 AM on Roswell Street

Loading Zones are Not Available in Key Area

Based on observations of loading behavior, delivery vehicles frequently parked in on-street parking areas that were not designated for loading and unloading. Although these parking areas were unoccupied at the time, the use of standard time-limited parking spaces to meet loading zone demand indicates that loading zones are not being provided in key areas. To address this issue, the City of Alpharetta should consider expanding its loading zone network. This can provide delivery drivers with additional loading areas and create a predictable loading zone environment that allows logistics companies to optimize delivery routing.

In addition to expanding the location of loading zones, the time in which loading areas are dedicated to the pick-up/drop-off of goods should be expanded. Goods delivery was observed from 7:00 AM to 11:00 AM, with food and produce occurring in the early hours and alcohol, uniform, and beverage delivery occurring later in the day, **Figure 4** and **Figure 5**. Expanding the time period to 11:00 AM can help to accommodate deliveries occurring later in the day without impeding access for standard vehicles.



Figure 4. Delivery Vehicles Parked in the Travel Lane After 10:00 AM on N Broad Street



Figure 5. Delivery Vehicle Parked in Travel Lane After 10:00 AM on N Broad Street

Signage Does Not Clearly State Allowed or Prohibited Vehicle Types

Current loading zone signage does not provide clear details on when parking is restricted and which user groups have access to loading zones, **Figure 6**. Clearly designating the type of vehicles that have access to the loading zone network can enhance its efficiency. By clearly stating loading zones are for commercial vehicles, the City of Alpharetta can ensure loading zone prioritization for commercial vehicles. Alternatively, by allowing access for non-commercial vehicles, the City of Alpharetta can promote equitable access to the curb and allow small businesses that do not use commercial vehicles to access the loading zone network. This is particularly relevant for passenger pick-up/drop-off areas. Rideshare vehicles that are privately owned by the driver may not be designated as commercial vehicles, and loading zone areas that are limited to commercial vehicles would exclude this user group. By providing signage that clearly states rules and regulations for commercial and non-commercial vehicles, the City of Alpharetta can enhance efficiency while also promoting equitable access.



Figure 6. Unclear Loading Zone Signage

Loading Occurs in the Center Turn Lane

Over the observation period, multiple vehicles were observed parking in the center turn lane, **Figure 7** and **Figure 8**. This behavior is particularly hazardous as it blocks the line of sight of moving vehicles. Additionally, it places delivery personnel in harm's way, by requiring them to load and unload amidst traffic. Preventing this behavior is critical to enhancing safety for pedestrians and drivers. Establishing regulatory language that prohibits loading and unloading in the center turn lane or other travel lanes can help mitigate unsafe roadway conditions.



Figure 7. Delivery Vehicle Parked in the Center Turn Lane on Milton Avenue



Figure 8. Delivery Vehicle Parked in the Center Turn Lane on Canton Street

Loading Zones are Currently Not Monetized

Access to the Downtown Alpharetta loading zone network is provided to all vehicles and users. Currently, the City of Alpharetta does not have a permitting process in place to require users to obtain a permit or pay for access to loading zones. In addition, the City does not implement smart loading zone technology such as loading zone reservations, contactless payments, or automated loading zones with monthly usage payments.

RECOMMENDED ACTION ITEMS

Based on the five identified issues, Kimley-Horn developed 11 action items, **Table 2**. These action items, combined with supporting legislation and management, can enhance the loading zone network, improve safety, and increase efficiency.

Table 2. Identified Issues and Recommended Action Items

Identified Issue	Recommended Action Items
Traditional Loading Zones are Occupied by Parked Vehicles	Establish Signage Indicating Loading Zone Times
	Establish No Parking Regulations
	Enforce No Parking Regulations
	Establish Escalating Fees for Repeat Violators
Loading Zones are Not Available in Key Areas	Expand the Loading Zone Network
	Extend the Loading Zone Time Period
Signage Does Not Clearly State Allowed or Prohibited Vehicle Types	Stipulate Maximum Stays for Commercial and Non-Commercial Vehicles
Loading Occurs in the Center Turn Lane	Make Loading from the Center Turn Lane a Violation in the Municipal Code
	Stipulate Areas for Lawful and Unlawful Loading and Unloading
Loading Zones are Currently Not Monetized	Require Loading Zone Permits (non-commercial vehicles only)
	Evaluate Opportunities for Smart Loading Zones

In addition to these recommended action items, Kimley-Horn identified expansion areas for the Downtown Alpharetta loading zone network, **Appendix A**. A listing of the recommended Downtown Alpharetta loading zone network is detailed in **Table 3**.

Table 3. Recommended Downtown Alpharetta Loading Zone Network

Loading Zone ID	Street	Cross Street 1	Cross Street 2	Category
LZ_001	Roswell Street	Old Roswell Street	Milton Avenue	Existing
LZ_002	S Broad Street	Main Street	Market Street	Existing
LZ_003	School Drive	Teasley Street	Canton Street	Existing
LZ_004	Teasley Street	Milton Avenue	School Drive	Existing
LZ_005	Academy Street	Main Street	Market Street	Existing
LZ_006	Milton Avenue	Old Roswell Street	Main Street	Proposed
LZ_007	Main Street	N Broad Street	Academy Street	Proposed
LZ_008	N Broad Street	Market Street	Main Street	Proposed
LZ_009	Market Street	Academy Street	N Broad Street	Proposed
LZ_010	Academy Street	Market Street	Park Plaza	Proposed
LZ_011	Canton Street	Lily Garden Place	School Drive	Proposed
LZ_012	Main Street	Milton Avenue	N Broad Street	Proposed

LEGISLATIVE FRAMEWORK

Developing the Downtown Alpharetta loading zone network will require a legislative framework that allows for efficient loading zone management. Based on the identified issues and recommended action items, Kimley-Horn performed a legislative review of five (5) benchmark cities. Benchmarked cities included Atlanta, GA, Greenville, SC, Omaha, NE, Pittsburgh, PA, and Seattle, WA. Legislative language that can be used to address the identified issues is provided in **Appendix B**. The City of Alpharetta coordinated with Kimley-Horn to refine the legislative framework to best meet the needs of the Downtown Alpharetta loading zone network. Based on the refined approach, the following legislation is recommended.

[Insert draft loading and unloading legislation per the City of Alpharetta review]

CONCLUSIONS

Currently, the Downtown Alpharetta loading zone network consist of five (5) designated loading zones which specifically allow loading from 7:00 AM – 10:00 AM. Although loading zone signage is provided throughout the system, signage does not specifically prohibit drivers from parking in loading zones during the loading time period. Additionally, the existing loading zone network is not sufficient to meet current and future demand. To better align with the needs of the loading zone system, the City of Alpharetta should:

- Expand the loading zone network to twelve (12) loading zones and extend the loading zone time period from 7:00 AM to 11:00 AM.
- Designated loading zones should be flexed to parking spaces from 11:00 AM to 5:00 PM and then converted to passenger loading zones after 5:00 PM.
- Signage should clearly designate loading zones as a No Parking area during loading zone periods.
- Prohibit the use of center turn lanes and travel lanes for loading and unloading.
- Explore opportunities to monetize loading zones by permitting loading zone access for non-commercial vehicles.
- Evaluate smart loading zone technology and implement a technology solution that best meets the needs of Downtown Alpharetta.

By managing the existing loading zone network and expanding the network to meet current and future loading needs, the City of Alpharetta can enhance access to the curb, increase efficiency across the loading zone network, and improve safety throughout Downtown Alpharetta.

OTHER CONSIDERATIONS

Managing the Downtown Alpharetta loading zone network will require staffing, operations, and capital expenses. The City of Alpharetta should conduct a holistic review of curb lane management needs and opportunities to charge for curb lane access. Permitting loading zones, charging for on-street parking, and establishing penalties for curb lane violations can help to increase efficiency at the curb by generating parking turnover and encouraging compliance with curb lane rules and regulations. Further evaluation is needed to determine if a paid and managed curb lane system is appropriate for Downtown Alpharetta. Additionally, the City of Alpharetta should explore the cost associated with in-house and outsourced curb lane operations to create a financially sustainable approach to curb lane management.

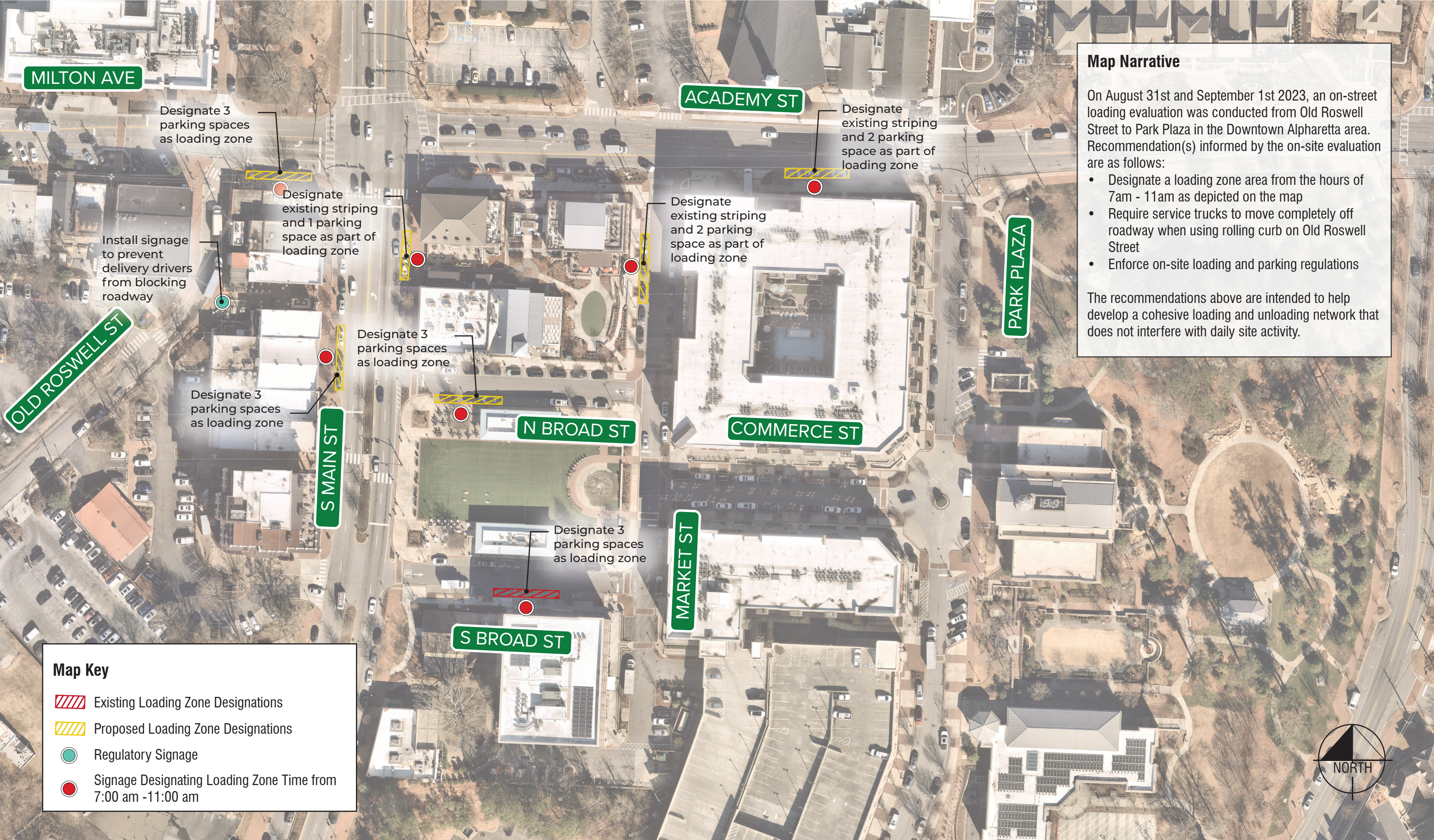


Map Narrative

On August 31st and September 1st 2023, an on-street loading evaluation was conducted from Roswell Street to North Main Street in the Downtown Alpharetta area. Recommendation(s) informed by the on-site evaluation are to designate a loading zone area from the hours of 7am - 11am as depicted on the map. Loading activity was observed being conducted by multiple distribution providers at this location. By regulating loading zone and parking activity in this location, the city can prevent disruptive commuter behavior and better serve local businesses.

Map Key

-  Existing Loading Zone Designations
-  Proposed Loading Zone Designations
-  Signage Designating Loading Zone Time from 7:00 am - 11:00 am



Map Narrative

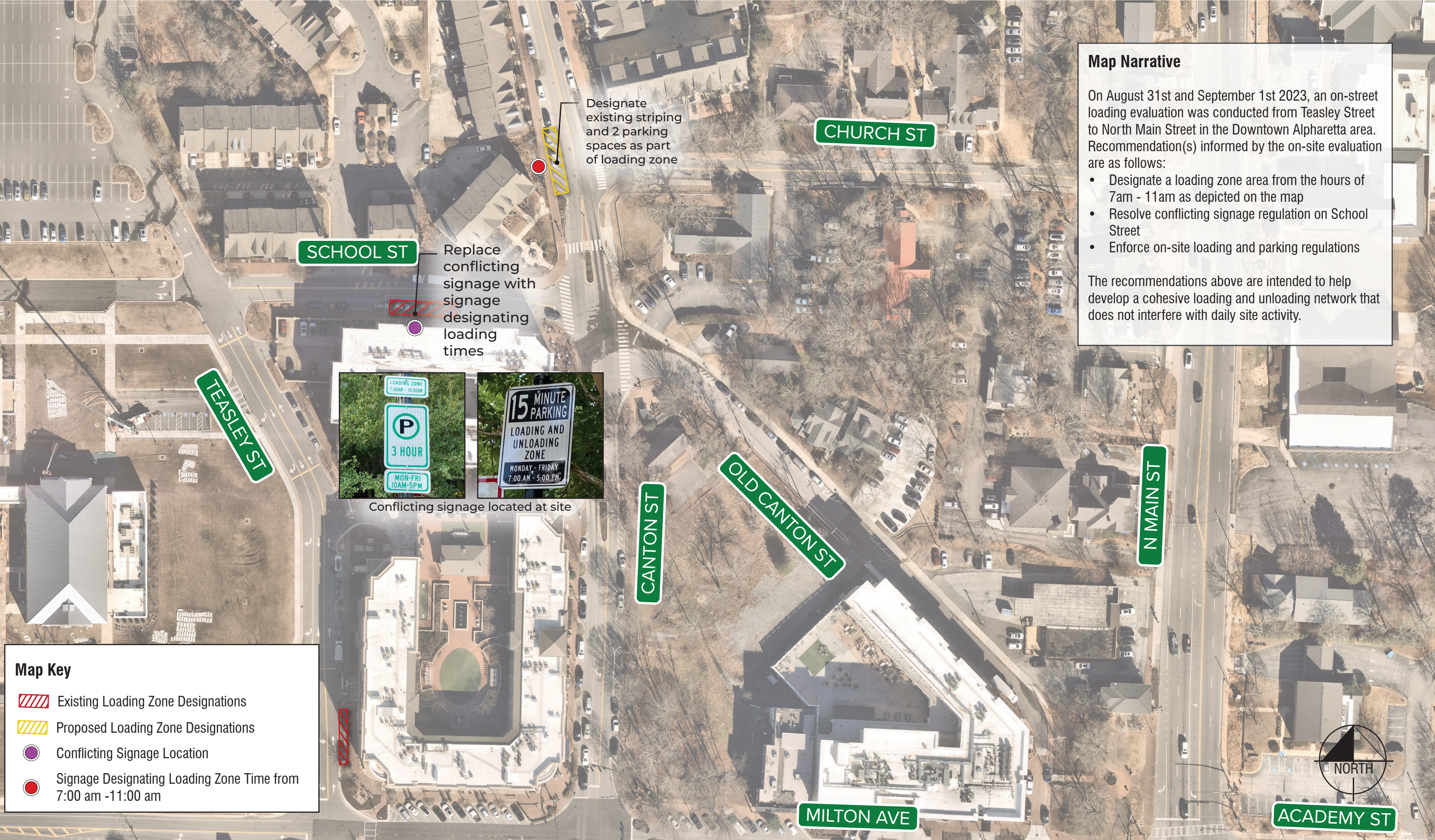
On August 31st and September 1st 2023, an on-street loading evaluation was conducted from Old Roswell Street to Park Plaza in the Downtown Alpharetta area. Recommendation(s) informed by the on-site evaluation are as follows:

- Designate a loading zone area from the hours of 7am - 11am as depicted on the map
- Require service trucks to move completely off roadway when using rolling curb on Old Roswell Street
- Enforce on-site loading and parking regulations

The recommendations above are intended to help develop a cohesive loading and unloading network that does not interfere with daily site activity.

Map Key

-  Existing Loading Zone Designations
-  Proposed Loading Zone Designations
-  Regulatory Signage
-  Signage Designating Loading Zone Time from 7:00 am - 11:00 am



Map Narrative

On August 31st and September 1st 2023, an on-street loading evaluation was conducted from Teasley Street to North Main Street in the Downtown Alpharetta area. Recommendation(s) informed by the on-site evaluation are as follows:

- Designate a loading zone area from the hours of 7am - 11am as depicted on the map
- Resolve conflicting signage regulation on School Street
- Enforce on-site loading and parking regulations

The recommendations above are intended to help develop a cohesive loading and unloading network that does not interfere with daily site activity.

Map Key

- Existing Loading Zone Designations
- Proposed Loading Zone Designations
- Conflicting Signage Location
- Signage Designating Loading Zone Time from 7:00 am - 11:00 am



STAFF REPORT

Department: City Clerk
Submitted By: Lauren Shapiro
Meeting Date: March 4, 2024

AGENDA ITEM:

City Council Meeting Minutes (Meeting of 2/26/2024)

Consideration of approval of the City Council meeting minutes from the meeting of February 26, 2024.

STAFF RECOMMENDATION:

Approve, as part of the consent agenda, the minutes from the February 26, 2024 City Council Meeting.

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>
-----------------------------	----------------------

EXTERNAL FUNDING SOURCES:

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

City Clerk, Lauren Shapiro, prepared a synopsis of the pertinent information that occurred during the City Council Meeting on February 26, 2024.

ALTERNATIVES:

Do not approve the minutes.

ATTACHMENTS:

1. CC Minutes 2.26.2024



City Council Meeting & Public Hearing

FEBRUARY 26, 2024

UNOFFICIAL MINUTES

Office of the City Clerk

ALPHARETTA CITY HALL

COUNCIL CHAMBERS | 2 PARK PLAZA | 6:30 PM

This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. This is not an official record of the Alpharetta City Council Meeting proceedings. Meetings are recorded and available for review at <https://www.youtube.com/user/alpharettagov>.

1. CALL TO ORDER

- Mayor Gilvin called the meeting to order at 6:30 p.m.

2. ROLL CALL

• Council Members

- Mayor Jim Gilvin
- Mayor Pro Tem Dan Merkel
- Donald F. Mitchell
- John Hipes
- Brian Will
- Fergal M. Brady

• Council Members Absent

- Douglas J. DeRito

• Staff

- Chris Lagerbloom, City Administrator
- Molly Esswein, City Attorney
- James Drinkard, Assistant City Administrator
- Lauren Shapiro, City Clerk
- Adam Montgomery, Director of Information Technology
- John Robison, Director of Public Safety
- Morgan Rodgers, Director of Recreation, Parks & Cultural Arts Services
- Pete Sewczwicz, Director of Public Works
- Tom Harris, Director of Finance
- Michael Woodman, Planning and Development Services Manager

3. PLEDGE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

A. Proclamation: Arbor Day 2024

- Mayor Gilvin presented a proclamation to City Arborist, David Shostak, and the Natural Resources commission in recognition of the 2024 Arbor Day.

5. PUBLIC HEARING

A. PH-24-02 The Garren/154 Kimball Bridge Road Change of Conditions

Consideration of a request to change conditions of zoning to allow for the demolition of an existing gymnasium in disrepair and construction of a new structure of similar size and design. Previous conditions of zoning required that the gymnasium be designated as historic, saved and re-used. The property is located at 154 Kimball Bridge Road and is legally described as being located in Land Lots 800, 801 & 804, 1st District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- Staff is recommending that Mayor and City Council approve PH-24-02 The Garren/154 Kimball Bridge Road Change of Conditions, subject to the following conditions related to file #PH-22-05 / V-22-06 / Kimball 154 Change of Condition and Variance:
 1. The site, consisting of approximately 4.44 acres, shall be zoned O-P (Office-Professional) and developed substantially similar to site plan, labeled ZP-01 and ZP-02, prepared by Kimley-Horn, dated 1/29/24, except for modifications required to comply with the conditions below. Uses shall be limited to professional office, research and development, and support retail uses and conditional uses listed in the O-P district regulations.

Related to file #Z-21-06/V-21-17 Kimball 154:

7. Architecture and materials of the new office building and renovation of the existing buildings shall be substantially similar to the submitted renderings and revised renderings of the gymnasium building prepared by ASD SKY, dated 2/13/24, except for modifications required to comply with these conditions, subject to final approval by DRB.
 17. Property owner shall designate the Bailey-Johnson School building as a historic property under the City's Historic Preservation Incentive Zoning ordinance prior to a Certificate of Occupancy.
- The applicant, CCD The Garren, LLC, is requesting changes to previous conditions of zoning to allow a former gymnasium building to be demolished and re-built with a

similar footprint and massing and to allow for a two (2) phase construction process. According to the applicant, the gymnasium has fallen into disrepair due to flawed construction and an extended period of deterioration. The subject property is located at 154 Kimball Bridge Road on the east side of Kimball Bridge Road and south of Kimball Place.

- The property was developed as the Bailey-Johnson School in 1950 and most recently used by Fulton County Schools as a facilities maintenance yard. A rezoning and variance were approved in 2021 to allow for the construction of a 3-story, 120,000 square foot timber-frame office building with parking deck and adaptive re-use of the Bailey-Johnson School and Gymnasium buildings. Surrounding properties are zoned O-I (Office-Institutional) to the north and east, O-P to the south and R-8A/D (Dwelling, 'For-Sale', Attached/Detached Residential – Medium Density) to the west. The property has frontage along Kimball Bridge Road, with the Parkway 400 Master Plan located to the north and east, Diamond Glass (formerly St. James United Methodist Church) to the south and Kimball Bridge Walk subdivision to the west. The property has a comprehensive land use plan designation of 'Corporate Office'.
- The proposed site plan reflects a two (2) phase approach to construction. Phase 1 includes the rehabilitation of the one (1) story, 20,000 square foot Bailey-Johnson School building, construction of the two (2) story over basement, 27,600 square foot replacement gymnasium building, and a 149-space surface parking lot. In Phase 2, the surface parking lot will be replaced with a new parking deck and three (3) story, 120,000 square foot timber-frame office building. A total of 554 parking spaces are proposed to serve the site, including 447 spaces in the five (5) level parking deck, 77 spaces of podium parking under the new office building, and 30 surface spaces. Proposed parking in both phases of development exceeds the minimum parking rate of 3.79 spaces/1,000 square feet approved for the subject property.
- The new gymnasium building is depicted with a similar footprint and massing with the overall size of the building increasing slightly from approximately 20,000 to 27,600 square feet. The proposed building height will remain the same with the replacement building depicted to be two (2) stories over basement.
- Renderings of the replacement building depict a similar appearance as viewed from Kimball Bridge Road, including a red brick exterior with large, muntined windows. Elevations of the building only visible from the interior of the site are depicted with modern accents, including grey metal panels with curtain walls of glass. The City's Downtown Consultant reviewed the applicant's proposal and was in agreement with the approach to maintain the historical character of the original building on the elevations visible from Kimball Bridge Road. Suggestions were provided to the applicant to improve the overall consistency of the new building with the historic precedent of the existing building, which included adding a terminating cornice detail and brick masonry spandrels and utilizing appropriate window sizes and

proportions. The applicant revised the building elevations to address the provided suggestions.

- The Citizen Participation Plan report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent, as well as Pat Miller with the Alpharetta & Old Milton County Historical Society and Charles Grogan with the Bailey-Johnson Alumni Association. The report states that the applicant discussed the replacement of the former gymnasium building with Pat Miller and Charles Grogan and they have earned their support. According to the applicant, the adaptive re-use of the former Bailey-Johnson School building remains the priority for the interested parties.
- A Community Zoning Information Meeting was held on February 14, 2024. There were no public comments.
- Staff has reviewed the applicant's request for changes to previous conditions of zoning. The proposal to phase construction is to be expected given the current state of the office market. In addition, the applicant has coordinated and garnered support from representatives of the Alpharetta & Old Milton County Historical Society and Bailey-Johnson Alumni Association for the replacement of the gymnasium building. Elevations of the new building visible from Kimball Bridge Road will honor the historical character of the original building.
- Danielle Katz, with ASD | Sky Architects, came forward to speak on behalf of this application.

PUBLIC COMMENTS:

- Pat Miller (13040 King Road, Roswell, GA 30075)
- Mike Buchanan (135 Pebble Trail, Alpharetta, GA 30009)
 - ❖ Mayor Pro Tem Merkel offered a motion to approve PH-24-02 The Garren/154 Kimball Bridge Road Change of Conditions.
 - Council Member Brady seconded the motion.
 - Council Member Hipes offered a friendly amendment to add a condition that states "The applicant will work in good faith to reconstruct the gymnasium and work on building 1C so that it falls back to the setback equivalent to Phase 2 and work with Community Development Department." The intention is that there is nothing binding on the applicant and would like to take the applicant for their word and sincerity on this project.
 - Mayor Pro Tem Merkel accepted the friendly amendment.
 - Council Member Brady accepted the friendly amendment.

- The motion was approved unanimously (4-2; with Mayor Gilvin and Council Member Mitchell in opposition).

B. MP-24-01/CU-24-02 The Golf Sanctuary

REMOVED: This item has been withdrawn by the applicant and will not be heard, discussed, or considered during this meeting.

Consideration of a master plan amendment and conditional use to allow a 'Restaurant' and 'Recreation Facilities', Indoor business to operate in an existing 20,450 square foot building. A master plan amendment is requested to the North Point Mall Master Plan to add 'Recreation Facilities, Indoor' and a conditional use is requested to allow 'Recreation Facilities, Indoor' for The Golf Sanctuary. The property is located at 380 North Point Circle and is legally described as being located in Land Lots 741 & 742, 1st District, 2nd Section, Fulton County, Georgia.

6. PUBLIC COMMENT

- Mike Buchanan (135 Pebble Trail, Alpharetta, GA 30009) came forward to speak about the Farmhouse Settlement Park.

7. REPORTS

- There were no reports.

8. EXECUTIVE SESSION (IF NECESSARY)

- ❖ Mayor Pro Tem Merkel offered a motion to recess for the purposes of an executive session to discuss potential litigation and land acquisition.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (6-0).
- Mayor Gilvin recessed the meeting at 7:22 p.m.
- ❖ Council Member Mitchell offered a motion to reconvene the meeting.
 - Council Member Will the motion.
 - The motion was approved unanimously (6-0).
- Mayor Gilvin reconvened the meeting at 7:41 p.m.

9. RATIFICATION OF EXECUTIVE SESSION ITEMS (IF NECESSARY)

- ❖ Mayor Pro Tem Merkel offered a motion to add the agreement for issuance of a temporary certificate of occupancy between the City of Alpharetta, a political subdivision of the State of Georgia, acting by and through its governing authority of the Mayor and City Council, and 100 North Main Street, LLC.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (6-0).

PUBLIC COMMENTS:

- There were no public comments.

A. Temporary Certificate of Occupancy for 100 North Main Street

- City Attorney, Molly Esswein, came forward to present this item.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the agreement for issuance of a temporary certificate of occupancy by and between the City of Alpharetta, a political subdivision of the State of Georgia, acting by and through its governing authority of the Mayor and City Council, and 100 North Main Street, LLC, a Georgia Limited Liability Company.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (6-0).

10. ADJOURNMENT

- ❖ Council Member Hipes offered a motion to adjourn the meeting.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (6-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 7:45 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk



STAFF REPORT

Department: City Clerk
Submitted By: Lauren Shapiro
Meeting Date: March 4, 2024

AGENDA ITEM:

Alcoholic Beverage License Application

Consideration of approval of the following alcoholic beverage license application:

1. PH-24-AB-02 Jalomane, LLC d/b/a Zazza Restaurant and Lounge

124 Devore Road, Alpharetta, GA 30009

Eating Establishment

Consumption on Premises

Distilled Spirits, Beer, Wine & Sunday Sales

Owner: Jalomane, LLC

Registered Agent: Vania Mane

STAFF RECOMMENDATION:

Approve the following alcoholic beverage license application as part of the Consent Agenda:

1. PH-24-AB-02 Jalomane, LLC, d/b/a Zazza Restaurant and Lounge, 124 Devore Road, Alpharetta, GA 30009

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:

The above referenced Alcoholic Beverage License Application was heard and considered during a virtual Alcohol License Public Hearing on February 26, 2024. There were no public comments during the hearing. At the conclusion of the hearing, City Clerk Lauren Shapiro, recommended approval and forwarded the above referenced application to City Council for final approval.

ALTERNATIVES:

Do not approve the license application

ATTACHMENTS:

1. Alcohol License Public Hearing Minutes 2-26-2024



ALCOHOL LICENSE PUBLIC HEARING FEBRUARY 26, 2024

ALPHARETTA CITY CLERK'S OFFICE
VIRTUAL MEETING VIA ZOOM

CITY CLERK: LSHAPIRO@ALPHARETTA.GA.US
ASSISTANT CITY CLERK: KVANHORN@ALPHARETTA.GA.US

2:00 PM

I. VIRTUAL MEETING ZOOM LINK

The City of Alpharetta's Alcohol License Public Hearings are a virtual meeting via Zoom. The meeting begins at 2:00 p.m. on the day of the scheduled hearing. To join the meeting, please click on this link: <https://zoom.us>

Zoom Meeting ID: 894 0417 7793

II. CALL TO ORDER

- City Clerk Lauren Shapiro called the meeting to order at 2:17 p.m.

III. ROLL CALL

- Lauren Shapiro, City Clerk
- Kiersten VanHorn, Assistant City Clerk
- Jacob O'Donnell, Code Enforcement Supervisor
- Vania Mane, owner of Jalomane, LLC

IV. PUBLIC HEARING

A. PH-24-AB-02 Jalomane, LLC
d/b/a Zazza Restaurant and Lounge
124 Devore Road
Alpharetta, GA 30009

Eating Establishment
Consumption on Premises
Distilled Spirits, Beer, Wine & Sunday Sales

Owner: Jalomane, LLC
Registered Agent: Vania Mane

- Ms. Vania Mane, owner of the business and residing at 7420 Faith Street, Fairburn, GA 30213, was on the call.
- Ms. Mane stated this business was previously known as Gourmania, but has changed the name and concept of the restaurant. Gourmania did have an alcohol license that lapsed when it was not renewed by December 31, 2023.
- Ms. Mane stated the restaurant will close temporarily for renovations. They will reopen with a new menu.

- Ms. Mane stated they currently have one employee, but anticipate having four employees. She understands employees will need a pouring permit if handling alcohol orders and sales. Ms. Mane stated she has a pouring permit.
- Officer O'Donnell confirmed that City staff has reviewed the application and that it meets all the City's requirements for an alcohol license. Ms. Shapiro recommended the application be approved and advised the applicant that a representative will need to appear in person at the Alpharetta City Council meeting on Monday, March 4, 2024, at 6:30 pm in case Mayor or Council have any questions.

V. PUBLIC COMMENT

- There were no public comments.

VI. ADJOURNMENT

- City Clerk Lauren Shapiro adjourned the hearing at 2:24 p.m.

Respectfully submitted,

Kiersten VanHorn

Kiersten VanHorn, Assistant City Clerk



STAFF REPORT

Department: Legal
Submitted By: Lauren Shapiro
Meeting Date: March 4, 2024

AGENDA ITEM:

Ordinance - Text Amendment Code of Alpharetta

First Reading

Consideration of adoption of an Ordinance to amend Chapter 32, Parks and Recreation, of the Code of the City of Alpharetta, Georgia to amend rules and regulations for parks owned and operated by the City; to provide for effective dates; to repeal all ordinances in conflict herewith; and for other purposes.

STAFF RECOMMENDATION:

Adopt an Ordinance to amend Chapter 32, Parks and Recreation, of the Code of the City of Alpharetta, Georgia to amend rules and regulations for parks owned and operated by the City; to provide for effective dates; to repeal all ordinances in conflict herewith; and for other purposes.

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:

Georgia Law allows municipalities to adopt ordinances, resolutions and regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision.

If approved, this Ordinance would amend Section 32-4(a)(1) of the Code of Ordinances of the City of Alpharetta to allow for alcoholic beverages to be served, consumed, or transported in city parks or recreation facilities only in designated event venues during city sponsored events or during an event in Union Hill Park for which a permit has been issued by the director of recreation, parks, and cultural services as contemplated by this section.

ALTERNATIVES:

Do not adopt the ordinance.

ATTACHMENTS:

1. Ordinance - Recreation and Park Rules Text Amendment



AN ORDINANCE TO AMEND CHAPTER 32, PARKS AND RECREATION, OF THE CODE OF THE CITY OF ALPHARETTA, GEORGIA TO AMEND RULES AND REGULATIONS FOR PARKS OWNED AND OPERATED BY THE CITY; TO PROVIDE FOR EFFECTIVE DATES; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES

WHEREAS, O.C.G.A. § 36-35-3(a) provides that the governing authority of each municipal corporation shall have power to adopt clearly reasonable ordinances, resolutions and regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereto; and

WHEREAS, the Code of Ordinances of the City of Alpharetta, Georgia ("City") was designed to be amended from time to time when circumstances warrant that modifications be made in order to make the Code of Ordinances more responsive to community needs; and

WHEREAS, the Mayor and City Council desires to amend Chapter 32 of the Code of Ordinances related to the rules and regulations for parks owned and operated by the City; and

WHEREAS, the Mayor and City Council find that the following amendment to the Code of Ordinances promotes the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the City;

NOW, THEREFORE, it is hereby ordained by the Mayor and City Council of the City of Alpharetta as follows:

Section 1. Article I of Chapter 32 of the Code of Ordinances of the City of Alpharetta is hereby amended by striking Section 32-4(a)(1) in its entirety and replacing it with the following:

1. No person shall serve, consume, or transport in open containers any alcoholic beverage within a city park or recreation facility except in designated event venues during city sponsored events or during an event in Union Hill Park for which a permit has been issued by the director of recreation, parks, and cultural services as contemplated by this section. For purposes of this section, the department of recreation, parks, and cultural services shall define "event venue" for each such event.

Section 2. Severability

It is hereby declared to be the intention of the Mayor and City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any

phrase, clause, sentence, paragraph, or section hereof shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the Mayor and Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 3. Effective Date

This Ordinance shall be effective immediately upon adoption.

Section 4. Repealer

All ordinances or parts of ordinances found to be in conflict herewith are hereby repealed.

ADOPTED AND APPROVED this _____ day of _____, 2024.

CITY OF ALPHARETTA

By: _____
Jim Gilvin, Mayor

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

[SIGNATURES CONTINUED FROM PRECEDING PAGE]

COUNCIL MEMBERS

Mayor Pro Tem Dan Merkel

Council Member Donald F. Mitchell

Council Member Brian Will

Council Member Douglas J. DeRito

Council Member John Hipes

Council Member Jason Binder

(SEAL)

Attest:

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Molly Esswein, City Attorney

First Reading: _____

Second Reading: _____



STAFF REPORT

Department: Administration
Submitted By: Chris Lagerbloom
Meeting Date: March 4, 2024

AGENDA ITEM:

Resolution: Fiscal Year 2025 City Council Priorities and Annual Action Plan

Consideration of adoption of a resolution adopting the Fiscal Year 2025 City Council Priorities and Annual Action Plan.

STAFF RECOMMENDATION:

Adopt a Resolution by the Mayor and Council of the City of Alpharetta, Georgia to adopt the Fiscal Year 2025 City Council Priorities and Annual Action Plan.

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:

During the 2024 Annual City Council Planning Retreat, the Mayor and City Council identified five top priorities and five priorities to help guide city staff and the Mayor and City Council as they are conducting City business during the next Fiscal Year. City staff took those priorities and developed a written plan to communicate the goals and initiatives for the City over the next fiscal year.

If adopted, this plan will serve as the Fiscal Year 2025 City Council Priorities and Annual Action Plan.

ALTERNATIVES:

ATTACHMENTS:

1. Resolution - FY 2025 City Council Priorities and Annual Action Plan
2. FY 2025 City Council Priorities and Annual Action Plan



**A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO ADOPT THE FISCAL YEAR 2025 CITY
COUNCIL PRIORITIES AND ANNUAL ACTION PLAN**

WHEREAS, the Mayor and City Council and the staff Leadership Team of the City of Alpharetta convened on January 21 and 22, 2024 for the 2024 Annual City Council Planning Retreat; and

WHEREAS, during the 2024 Annual City Council Planning Retreat, the City Council identified five top priorities and five priorities to help guide city staff and the Mayor and City Council as they are conducting business during the next Fiscal Year; and

WHEREAS, the City Council recognizes that by identifying priorities and creating an annual action plan, this plan serves as a document to drive departmental objectives, to allocate funds and resources, and to monitor progress and create accountability.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Alpharetta as follows that the Fiscal Year 2025 City Council Priorities and Annual Action Plan attached hereto as exhibit "A", is hereby adopted.

SO RESOLVED this 4th day of March 2024.

CITY OF ALPHARETTA

By: _____
Jim Gilvin, Mayor

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

[SIGNATURES CONTINUED FROM PRECEDING PAGE]

COUNCIL MEMBERS

Mayor Pro Tem Dan Merkel

Council Member Donald F. Mitchell

Council Member Brian Will

Council Member Douglas J. DeRito

Council Member John Hipes

Council Member Fergal M. Brady

(SEAL)

Attest:

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Molly Esswein, City Attorney



FISCAL YEAR 2025 CITY COUNCIL PRIORITIES AND ANNUAL ACTION PLAN

TOP PRIORITY

STRATEGIC GROWTH AND REDEVELOPMENT OF NORTH POINT

- North Point holds tremendous potential as one of the city's main redevelopment areas. To ensure that we make the most of this opportunity, we will dedicate the necessary time and attention to get it right.
- As new projects and opportunities emerge in our city, we remain committed to supporting strategic growth. We believe that our city is unique and deserves development patterns that reinforce that fact.
- To support North Point redevelopment, we dissolved the tax allocation district and will evaluate new tax opportunities.
- We will explore options to improve transportation in the area, including the connection to Encore Parkway Gateway Park.

TOP PRIORITY

SAFE AND WELCOMING COMMUNITY

- We enjoy the benefits of a safe community, and we are driven to protect everything within our borders.
- We value and support our Public Safety Department and recognize their essential role in keeping our city safe. We are committed to providing them with the necessary resources to fulfill their duties effectively.
- Our 911 dispatchers are lifelines to our community.
- We will evaluate our community paramedic program and quantify results, make changes, and look for ways to provide new services.

TOP PRIORITY

THE ALPHA LOOP AND GREENWAY

- Our city is mobile. Extending the Alpha Loop remains an important focus of our transportation network.
- We are driven to connecting the Alpha Loop to the Greenway through the design and construction of the Alpha Link.
- We will review the Alpha Loop project plan to identify and address any gaps. Project phasing will be considered if necessary.
- To ensure that we have the necessary resources to complete the Alpha Loop, we will identify additional funding sources and seek out interested private investors.



TOP PRIORITY

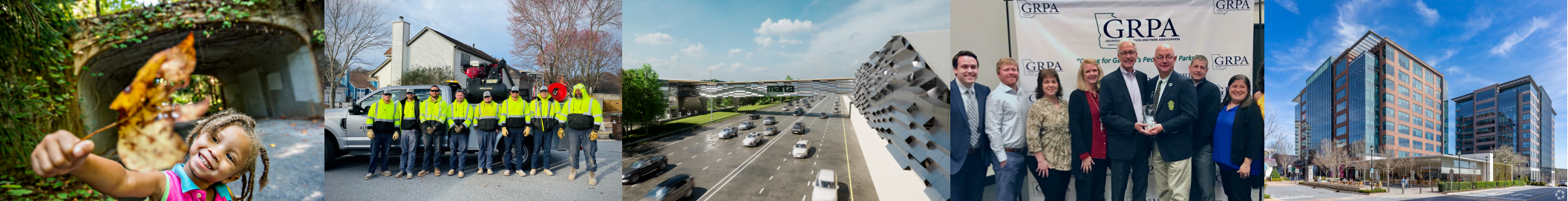
DOWNTOWN ALPHARETTA

- Safety is fundamental to a vibrant downtown. We understand the importance of our image and remain driven to provide a safe environment.
- Effective parking management is key to ensuring that everyone can enjoy downtown. We will continue to explore and implement strategies that maximize our current parking resources.
- We are dedicated to supporting our local businesses and will collaborate with the Downtown District to identify and pursue mid-term and long-term options that maintain the character, cleanliness, and desirability of downtown.
- We will create a balance by designating specific areas for activity while preserving green space for leisure.

TOP PRIORITY

COMMUNICATIONS THAT CONNECT

- Through talented communicators, we will improve communication across all areas of our organization, including internal communications, and implement an effective crisis communications plan.
- We will consider utilizing staff augmentation services to strengthen our communication strategy and create a more comprehensive approach.
- To improve community engagement, we will develop a new website featuring advanced capabilities that will enable us to communicate in real-time, providing timely and relevant information.



FISCAL YEAR 2025 CITY COUNCIL PRIORITIES AND ANNUAL ACTION PLAN

PRIORITY

RECREATION, PARKS, AND CULTURE

- Parks are valued assets in our city, and we will continue to deliver on park bond projects to ensure that our parks are well-maintained and equipped with the necessary amenities to serve our residents.
- We will pursue a new sanitary sewer connection at Webb Bridge Park's busiest public restroom, reducing future maintenance needs.
- We will continue partnering with the equestrian community to complete arena projects at Wills Park.
- Culture is an important part of our community, and we are committed to implementing efforts that celebrate it. We will continue to promote public art and the filming of oral history to showcase our shared history and traditions.

PRIORITY

INFRASTRUCTURE AND FACILITIES MAINTENANCE

- To maintain the safety and long-term functionality of our facilities, we will conduct assessments, formulate recommendations, and develop renovation plans.
- Managing stormwater is important in our city, and we will continue investing in projects with high impact areas.
- We will review our Night Sky Ordinance to regulate outdoor lighting and ensure preservation of the beauty and clarity of the night sky, while promoting sustainable and environmentally conscious practices.
- New street and directional signage will be designed and installed to improve wayfinding and enhance public spaces, making it easier for residents and visitors to navigate the city.

PRIORITY

TRANSPORTATION AND TRAFFIC

- Our city is on the move, and we recognize the importance of managing traffic and promoting ease of mobility in our city as it continues to grow and evolve.
- We support multi-modal transportation options and will explore both traditional and non-traditional solutions for surface, underground, and aerial transportation to meet the diverse needs of our community.
- Public transit is a crucial component of a well-connected community, and we will continue to support bus rapid transit in the Georgia 400 Corridor.

PRIORITY

PEOPLE FOCUSED WORKFORCE

- Our highly talented staff works tirelessly to serve our community. We're committed to recruiting, retaining, and rewarding our public servants to ensure we continue to attract and retain top talent. By investing in our staff, we can build a stronger, more effective team that provides top-quality services to our community.
- We strive to be an employer of choice that attracts and retains the best talent. Our employees are our greatest asset, and we are devoted to providing them with a rewarding work environment. We will continue to implement a market competitive compensation system that ensures employees are well-compensated and supported.

PRIORITY

ECONOMIC DEVELOPMENT

- To attract new businesses and industries to our city, we will explore innovative solutions by repurposing underutilized areas that can be transformed into thriving working models creating a vibrant and diverse economy that benefits both our residents and businesses.
- Maintaining a presence in Atlanta and Washington DC is crucial for our city, and we will utilize lobbying services to help us achieve our goals in both locations.
- We will continue to pursue grants to fund projects and initiatives that benefit our city, creating opportunities for growth and development.
- A national search is underway for an Economic Development Director who will lead efforts in promoting business growth and creating new opportunities for our city.

