



City Council Meeting & Public Hearing

JULY 29, 2024

OFFICIAL MINUTES

Office of the City Clerk

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

OFFICIAL MINUTES

The public is advised that the following minutes are not a verbatim transcription of business presented at the Council Meeting of the date shown; but are a synopsis of pertinent information. The public is further advised that the video recording for said meeting is a matter of public record and is available to be viewed at the City Clerk's office during normal business hours or viewed online at <https://www.youtube.com/user/alpharettagov>.

1. CALL TO ORDER

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

2. ROLL CALL

• Council Members

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

• Absent

- Fergal M. Brady

• Staff

- Chris Lagerbloom, City Administrator
- Molly Esswein, City Attorney
- Lauren Shapiro, City Clerk
- James Drinkard, Assistant City Administrator
- Adam Montgomery, Director of Information Technology
- Brooke Lappin, Director of Courts
- 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
- Michael Woodman, Planning and Development Services Manager
- Bret Schroeder, Code Enforcement Manager
- Lance Morsell, Economic Development Manager

3. PLEDGE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

A. Wacky World Sponsorship Recognition

- Mayor Gilvin recognized The Bostic Family for their contribution and support of the rebuild of Wacky World Playground.

5. CONSENT AGENDA

A. Special Called City Council Minutes (Meeting of 6/24/2024)

Consideration of approval of the City Council meeting minutes from the meeting of June 24, 2024 at 6:30pm.

B. Conflict Waiver: Jarrard and Davis for an Intergovernmental Agreement Amendment for Joint Use of Municipal Court Facilities

Consideration of approval of a Waiver of Conflict between the City of Milton and the City of Alpharetta, Georgia for the purposes of an amendment to the Intergovernmental Agreement for joint use of Municipal Court Facilities and Services and with authorization for the Mayor to execute all necessary documents.

C. Conflict Waiver: Jarrard and Davis for the Local Jobs Creation Grant

Consideration of approval of a Conflict Waiver regarding Jarrard and Davis, LLP joint representation of the City of Alpharetta and the Development Authority of Alpharetta related to an arrangement for the extension of the Alpharetta Jobs Creation Grant and with authorization for the Mayor to execute all necessary documents.

D. Council Ratification of New National Opioids Settlement: Kroger

Consideration of City Council ratification of the execution of the Subdivision Participation and Release Form and the State of Georgia and Local Governments: Memorandum of Understanding Concerning National Settlement with The Kroger Co. and with authorization for the Mayor to execute all necessary documents.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Mitchell offered a motion to approve the Consent Agenda.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

6. WORK SESSION

A. Proposed Text Amendments: Alcohol Ordinance

Review and Council discussion of amendments to the City's alcohol ordinance as it relates to fees and the application approval process.

- City Clerk, Lauren Shapiro, came forward to present this item.
- The Work Session presentation is attached hereto as "Exhibit A."
- Chapter 4 of the Code of the City of Alpharetta details regulations regarding alcoholic beverages. This work session is to discuss proposed text amendments as it relates to the approval and review process of alcoholic beverage license applications and the setting of fees.

CITY COUNCIL DISCUSSION:

- Council Member Hipes asked about public noticing.
- Council Member Will asked about the background check and approval process.

7. PUBLIC HEARING

A. MP-24-05/CU-24-08 Sixers Cricket Academy/Windward MP Pod 14

Consideration of a master plan amendment and conditional use to allow Sixers Cricket Academy to occupy approximately 10,000 square feet in an existing building. A master plan amendment is requested to the Windward Master Plan Pod 14 to add 'Recreation Facilities, Indoor' as a conditional use and a conditional use is requested to allow 'Recreation Facilities, Indoor' for Sixers Cricket Academy. The property is located at 2855 Marconi Drive and is legally described as being located in Land Lots 1114 & 1175, 2nd District, 1st Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- The applicant, Purush Raja, is requesting a master plan amendment and conditional use to allow 'Recreation Facilities, Indoor' for Sixers Cricket Academy in a 10,000 square foot suite in the Marconi Forest 300 Building. Sixers Cricket Academy is an indoor cricket training facility with accessory retail sales. A master plan amendment is requested to add 'Recreation Facilities, Indoor' to Windward Master Plan Pod 14 and a conditional use is requested to allow 'Recreation Facilities, Indoor' for Sixers Cricket Academy. The subject property is located at 2855 Marconi Drive, Suite 310 on the west side of Marconi Drive and south of Windward Parkway.
- This item was considered at the July 11, 2024 Planning Commission meeting. There were no public comments. After discussion, Planning Commission recommended approval subject to staff's recommended conditions (vote 7-0).

- Staff is recommending that Mayor and Council approve MP-24-05/CU-24-08 Sixers Cricket Academy/Windward Master Plan Pod 14, subject to the following conditions:
 1. 'Recreation Facilities, Indoor' shall be listed as a conditional use in Windward Master Plan Pod 14.
 2. 'Recreation Facilities, Indoor' shall be added as a conditional use at 2855 Marconi Drive, Suite 310 and limited to no more than 10,000 square feet.
 3. Conditional use approval shall be limited to Sixers Cricket Academy; no additional 'Recreation Facilities, Indoor' use or subleasing shall be permitted within the approved space.
 4. 'Recreation Facilities, Indoor' shall be limited to cricket training services and accessory retail sales.
 5. Hours of operation shall be Monday – Friday 4:00 PM – 10:00 PM and Saturday – Sunday 8:00 AM – 11:00 PM.
- The property is zoned CUP (Community Unit Plan) and is subject to the Windward Master Plan Pod 14. The property is developed with a one (1) story, 46,323 square foot office/warehouse building. Surrounding properties are zoned CUP. Marconi Forest 200 Building is located to the north, Global Payments is located to the west, The Offices at Windward is located to the south, and 3000 Marconi Building is located to the east. The comprehensive land use plan designation of the property is 'Corporate Office', which allows the applicant's proposed use.
- Marconi Forest 300 Building is located on a 4.3-acre property developed with a one (1) story, 46,323 square foot office/warehouse building with 172 parking spaces. Businesses operating in the building include Jekyll Brewing (manufacturing, office and tap room).
- The Windward Master Plan was approved in 1980 with a substantial update in 1993 (MP-92-03) for a 3,000+ acre planned community, including residential, commercial, office, industrial and recreational uses. Windward Pod 14 has a land use designation of 'Business Center', which allows office-institutional, research and development, office-professional, light industrial, and hotel/conference center. The Master Plan has been amended on a few occasions, including non-residential master plan amendments.
- Sixers Cricket Academy is an indoor cricket training facility with accessory merchandise sales. Sixers Cricket Academy is a new business. Hours of operation are Monday – Friday 4:00 PM – 10:00 PM and Saturday – Sunday 8:00 AM – 11:00 PM. The applicant anticipates approximately ten (10) employees. The applicant's business is proposed to be located in Suite 310, which is approximately 10,000 square feet. The applicant provided a conceptual floor plan depicting approximately ten percent (10%) of the space at the front to be used for merchandise

display, administrative functions, and office space. The remaining 90% of the floor area will be dedicated to open spaces for coaching, training, and other service-related activities.

- Staff calculated trips for the proposed use. It is estimated that the 10,000 square foot cricket academy would generate 22 PM Peak Hour trips.
- The Citizen Participation Report submitted by the applicant states that letters were mailed to each property owner within 500' of the subject property stating the applicant's intent. The report states that no comments were received.
- The Community Zoning Information Meeting was held on June 12, 2024. There were no public comments.
- Staff has reviewed the applicant's proposal against the review criteria for a master plan amendment and conditional use. The proposal would not adversely impact adjacent and nearby businesses and properties, which are developed with a mix of office and light industrial uses. The applicant's business hours generally do not overlap with the business hours of tenants in the same building and surrounding properties. The Windward Master Plan has been amended and conditional uses have been approved for uses such as, churches, hospital, fitness studio, and athletic facility.
- City Attorney, Molly Esswein, announced the City of Alpharetta's Public Hearing Procedures.
- The applicant, Purushothaman Raja(4545 Heatherton Lane, Cumming Georgia), came forward to speak on behalf of the application.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve MP-24-05/CU-24-08 Sixers Cricket Academy/Windward MP Pod 14, subject to the following conditions:
 1. 'Recreation Facilities, Indoor' shall be listed as a conditional use in Windward Master Plan Pod 14.
 2. 'Recreation Facilities, Indoor' shall be added as a conditional use at 2855 Marconi Drive, Suite 310 and limited to no more than 10,000 square feet.
 3. Conditional use approval shall be limited to Sixers Cricket Academy; no additional 'Recreation Facilities, Indoor' use or subleasing shall be permitted within the approved space.
 4. 'Recreation Facilities, Indoor' shall be limited to cricket training services and accessory retail sales.
 5. Hours of operation shall be Monday – Friday 4:00 PM – 10:00 PM and Saturday – Sunday 8:00 AM – 11:00 PM.

- Council Member DeRito seconded the motion.
- The motion was approved unanimously (6-0).

B. Z-24-08/V-24-08 306 Thompson Street

DEFERRED: This item has been deferred by the Applicant to the September 30, 2024 City Council Meeting and Public Hearing. This item will not be heard, discussed, or considered during the meeting.

Consideration of a rezoning and variance to allow for the construction of 2 'For-Sale' single-family detached homes on 1.148 acres in the Downtown Overlay. A rezoning is requested from R-12 (Dwelling, 'For-Sale', Residential) to DT-LW (Downtown Live-Work). Variances are requested to Unified Development Code (UDC) Appendix A Subsection 2.4.6 to allow parking between the building and the street and to eliminate the requirement for a street-facing garage to be recessed at least 20' behind the front building façade, and to Appendix A Subsection 2.8.7 to allow a contemporary architectural style for the proposed homes. The property is located at 306 Thompson Street and is legally described as being located in Land Lot 802, 1st District, 2nd Section, Fulton County, Georgia.

8. OLD BUSINESS

A. Resolution: Union Hill Park 2021 Bond Referendum Funds

Consideration of adoption of a resolution regarding use of bond funds for Union Hill Park.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Union Hill Park was built in 1995 as a special use facility for roller hockey. Since then, the popularity of roller hockey faded, and the park usage was almost nonexistent. With the development of the Alpharetta Greenway from Marconi Road Park to Union Hill Park, the purpose of the park was re-imagined. The new design included the renovation of the covered roller hockey rink into a special event/music venue, a Greenway trailhead and connection to the Forsyth County Greenway, redesign of the parking lot, a new skate park, and playground area.
- The conceptual design was shown to citizens at public input meetings and was approved by the Recreation Commission and the City Council.
- Today, there are 107 parking spaces at Union Hill Park. The most recently approved design would improve traffic flow and add 11 parking spaces, for a total of 118 parking spaces. Recently, the City executed a Memorandum of Understanding (MOU) with ZKTeco (the company adjacent to Union Hill Park), and that MOU allows the City to utilize 72 additional ZKTeco parking spaces to accommodate events at Union Hill Park on Friday evenings, Saturdays, and Sundays.

- City Council discussed the possibility of adding additional parking during Work Session on April 15, 2024. City Council directed staff to review this proposed park design change with the Recreation Commission. The Recreation Commission discussed the proposed design change during a Recreation Commission Work Session on May 29, 2024. At the regular scheduled Recreation Commission on June 11, the Recreation Commission voted to deny the proposed Union Hill Park plan to allow for the 49 additional parking spaces and instead modify the original playground plans for Union Hill Park (vote 4-3).
- This item was discussed at the June 24, 2024, City Council Meeting. Mayor and City Council voted to defer this item to the July 15 City Council Meeting. Staff requested deferral, and Mayor and City Council moved this item to the regular meeting of July 29th.
- The Recreation Commission discussed this item at their July 24th Work Session. While no vote was taken, the discussion revolved around the parking lot vs playground resolution and if the playground route is taken, they would like to have input on the design of the playground and surrounding area.

PUBLIC COMMENTS:

- Martine Zurinkas (8070 Willow Tree Way, Alpharetta, GA 30005) came forward to speak in favor of a playground.
- Karla Piedrahita (1060 Gramercy Lane, Alpharetta, GA 30004) came forward to speak in favor of a playground.
- Jit Saha (12305 Clairmont Avenue, Alpharetta, GA 30009) came forward to speak in favor of a playground or ninja playground.
- ❖ Council Member Mitchell offered a motion to deny the additional parking lot and the reconfiguration and have the money from the bond go for an enhanced playground and skatepark and enhance the public use of that park.
 - Council Member DeRito seconded the motion.
 - The motion was approved (5-1; with Council Member Hipes in opposition).

9. NEW BUSINESS

A. Fiscal Year 2025 Local Maintenance and Improvement Grant

Consideration of adoption of a resolution authorizing the submittal of a Fiscal Year 2025 Local Maintenance and Improvement Grant Application to the Georgia Department of Transportation and with authorization for the Mayor to execute all necessary documents.

- City Attorney, Molly Esswein, read the resolution title aloud.
- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- The LMIG budget for FY 2025 is based on the collection of motor fuel taxes from FY 2024. The amount of each local government's allocation is based on the total

centerline road miles for your local road system and the total population of your city/ county as compared with the total statewide centerline road miles and total statewide population. LMIG funds can be escrowed by the local government for a maximum of three fiscal years for the construction of larger projects, but GDOT expects the vast majority of the projects to be completed within the fiscal year of the grant. All LMIG projects must be completed as soon as possible, but substantially complete within three years from the date of the LMIG application.

- The City of Alpharetta was allocated \$693,743.25 through the fiscal year 2025 Local Maintenance and Improvement Grant (LMIG) program. There is a match requirement of 30% for this grant. The City must add \$208,122.98 of funding towards this project, for a total of \$901,866.23. This match is currently budgeted in the Public Works capital budget under milling and resurfacing.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to adopt a resolution authorizing the submittal of a Fiscal Year 2025 Local Maintenance and Improvement Grant Application to the Georgia Department of Transportation and to authorize the Mayor to execute all necessary documents.
 - o Mayor Pro Tem Merkel seconded the motion.
 - o The motion passed unanimously (6-0).

B. Request for Proposals 24-122: Stormwater Repair Unit Price Contract

Consideration of award of RFP 24-122 Stormwater Repair Unit Price Contract to CSTE, Inc. and corresponding contract, to complete multiple stormwater infrastructure maintenance repairs.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- The award of this bid is for on-call storm structure and drainage repairs throughout the City. During routine inspections of the City's stormwater infrastructure, maintenance needed to any structure, ditch line, curbing, or any other stormwater management infrastructure maintained by the City is noted and entered into the Public Works Asset Management System for repairs.
- Due to aging infrastructure, a backlog of work orders has accumulated. There are currently over 250 work orders in the system pertaining to stormwater structures and 484 pipe repair and replacement work orders. These repairs include, but are not limited to, regular grouting maintenance of manholes, structure replacement, invert installations, pipe repairs/ replacement, catch basin top and throat replacement, curb and gutter replacement, and sidewalk replacement.

- It is the intent to award this as a one-year contract with the option of four one-year extensions and assign work order tasks throughout the year as projects present themselves. The City received a total of five proposals on June 6th, 2024.
- The high scoring firm, CSTE, Inc, has completed many projects for the City of Alpharetta, including Wills Drive sidewalk and curb and gutter replacements and Westside Parkway sidewalk and ADA ramp replacements. Staff from Public Works reached out to listed references and received positive feedback relating to CSTE's communication, quality of work and cost. Staff recommends awarding RFP 24-122 Stormwater Repair Unit Price Contract to CSTE, Inc.
- The work will be assigned on a task order basis, meaning not all the work will be authorized at once. In addition, all task order proposals will be reviewed by staff to ensure unit prices and quantities are correct. The contractor will be paid based on the unit price in the contract.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to award RFP 24-122 Stormwater Repair Unit Price Contract to CSTE, Inc. and corresponding contract, to complete multiple stormwater infrastructure maintenance repairs and to authorize the Mayor to execute all necessary documents.
 - o Mayor Pro Tem Merkel seconded the motion.
 - o The motion passed unanimously (6-0).

C. Invitation to Bid 24-020: Windward Parkway Pedestrian Bridges Construction

Consideration of approval of an award of a contract for ITB 24-020 to Vertical Earth, Inc. for the construction of four pedestrian bridges along Windward Parkway for an amount not to exceed \$2,800,000.00; and approval of Atkin's proposal for an amount not to exceed \$177,125.00 for construction inspection of pedestrian bridges and with and authorization for the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to speak on this item.
- This is to award construction of four pedestrian bridges along Windward Parkway over Big Creek and Big Creek tributary just east of Clubhouse Drive.
- This is part of tier 1 of the TSPLOST 2 projects, and it would increase pedestrian access to the Greenway. Currently, there is no sidewalk along Windward Parkway over Big Creek and the Big Creek tributary. With the construction of the four pedestrian bridges, there will be a continuous path for pedestrians and cyclists to use and access the Greenway.
- These bridges will be substantially similar in style to the recent bridges constructed as part of the Big Creek Greenway extension from Marconi Drive to Union Hill Park. It

will provide a concrete trail surface and metal handrails atop a steel-truss frame. The new bridges will provide a minimum of 8' clear width.

- Procurement for this project was initiated through Invitation to Bid (ITB 24-020), which was issued on April 4, 2024, with a response deadline of May 2, 2024. A total of four submittals were received in response to this invitation.
- After evaluation and verifying the submitted bids, staff from the Public Works Department met with representatives of Vertical Earth, Inc., as the low bidder, on Wednesday, June 12, 2024.
- A cost proposal, with an amount of \$177,125.00, has been received from Atkins to perform construction inspection of pedestrian bridge related items such as bridge decks, block walls, bridge piles and piers. Staff from the Public Works Department will also be onsite for daily inspection of erosion control, tree removal, construction of the sidewalk and curb leading up to the bridge, and traffic control.

PUBLIC COMMENTS:

- There were no public comments.
 - ❖ Council Member DeRito offered a motion to approve an award of a contract for ITB 24-020 to Vertical Earth, Inc. for the construction of four pedestrian bridges along Windward Parkway for an amount not to exceed \$2,800,000.00; and approval of Atkin's proposal for an amount not to exceed \$177,125.00 for construction inspection of pedestrian bridges and to authorize the Mayor to execute all necessary documents.
 - o Mayor Pro Tem Merkel seconded the motion.
 - o The motion passed unanimously (6-0).

D. Request For Proposals 24-123: Mid Broadwell Culvert Design

Consideration of approval of the award of a contract for Request For Proposals 24-123 to Moffatt & Nichol for the performance of the Mid Broadwell Road Culvert Design services in the amount not to exceed \$118,815.00 and with authorization for the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- The award of this request for proposals is for design services for the design of the Mid Broadwell culvert replacement. The culvert currently conveys a tributary of Foe Killer Creek (tributary 7.1) and is located immediately west of Jennifer Oaks Drive. The culvert is in poor condition and does not currently meet the City's desired Level of Service (LOS). Previous modeling performed shows the current culvert only providing service for a 2-year storm. Multiple repairs have been performed to the existing culvert which include lining of the existing pipe with shotcrete, multiple headwall repairs to the rubble headwall, multiple sinkholes due to infiltration, and severe scouring and

erosion on the downstream side. This culvert was listed for replacement in the City's 2021 stormwater system assessment created by Lowe Engineers.

- A scoping document was prepared by the Public Works Department and a request for proposals was issued on April 25th, 2024. A total of four submissions were received on May 23rd, 2024.
- Moffat and Nichol is an experienced firm that has worked on similar elements throughout the southeast and the City of Alpharetta, including recently completed the design for the Windward Parkway Pedestrian Bridges and Drainage Improvements projects. Staff reached out to references listed and received great feedback regarding project communication, schedule, and professionalism. Once a signed contract is received and necessary documents executed, design may begin immediately, and it is anticipated to take approximately 4 months to complete the design.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve an award of a contract for Request For Proposal 24-123 to Moffat & Nichol for the performance of the Mid Broadwell Road Culvert Design services in an amount not to exceed \$118,815.00 and to authorize the Mayor to execute all necessary documents.
 - o Mayor Pro Tem Merkel seconded the motion.
 - o The motion passed unanimously (6-0).

E. Intergovernmental Agreement: Second Amendment regarding Municipal Court Facilities and Services

Consideration of approval of a Second Amendment to the Intergovernmental Agreement between the City of Alpharetta and the City of Milton regarding Municipal Court Facilities and Services and with authorization for the Mayor to execute all necessary documents.

- City Administrator, Chris Lagerbloom, came forward to present this item.
- In 2021, the City of Alpharetta and the City of Milton entered into an Intergovernmental Agreement (IGA) regarding the joint use of a Municipal Court Facility and sharing the services of a Municipal Clerk. In 2022, both cities executed an Amendment to that IGA to also share the services of a City Solicitor.
- If approved, this IGA will expand the shared services by adding an administrative assistant position for the municipal court. This will be a new employee of the City of Alpharetta; however, 40% of the work will be dedicated to Milton Municipal Court and 60% of the work will be dedicated to Alpharetta Municipal Court. Similarly, Milton will reimburse the City of Alpharetta for 40% of the prorated cost of the employee's base salary and benefits. Additionally, Alpharetta is responsible for hiring and has the final discretion in hiring the Administrative Assistant; however, Milton will be given a substantial role in the selection and hiring process. In the event that Milton

determine it no longer needs the services of this Administrative Assistant, Milton shall provide a 60 day advance written notice to Alpharetta City Administrator (via email) and would be responsible for any unpaid reimbursements to the City of Alpharetta.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve a Second Amendment to the Intergovernmental Agreement between the City of Alpharetta and the City of Milton regarding Municipal Court Facilities and Services and to authorize the Mayor to execute all necessary documents.
 - o Council Member Hipes seconded the motion.
 - o The motion passed unanimously (6-0).

F. Local Jobs Creation Grant Program Intergovernmental Agreement

Consideration of approval of the Sixth Amendment to the Intergovernmental Agreement for the Alpharetta Jobs Creation Grant Program for the period July 1, 2024, through June 30, 2025 and with authorization for the Mayor to execute all necessary documents.

- Economic Development Manager, Lance Morsell, came forward to present this item.
- As a means of incentivizing business location and expansion and the hiring of Alpharetta residents for jobs created through such business location and expansion, the City of Alpharetta and the Alpharetta Development Authority into an agreement to create the Alpharetta Jobs Creation Grant Program ("Program") in October of 2013. This Program is designed to compliment the State's Georgia Job Tax Credit Program and create jobs for City of Alpharetta residents. In special cases, this incentive can be used by itself as a recruitment incentive for projects that are deemed significant to the City.
- As the program is currently structured, the Alpharetta Development Authority will award an additional \$250- 500 per new job created in tandem with the state incentive. The award will be capped at a maximum of \$80,000 and will only be applied to new jobs where the newly hired employee is an Alpharetta resident. The new job created must meet the same criteria as defined in the state incentive program to be eligible. In addition, the Alpharetta resident must remain employed for a minimum of one year with the company before the incentive is paid out. Only those new employees hired within the term of the state incentive are eligible for the incentive.
- The City has provided initial funding of \$40,000 in FY2014 in one lump sum to the Authority and provided an additional \$20,000 in FY2015. Thus far two businesses have been recipients of the grants: Fiserv, Inc. was awarded \$19,500 and Primetals Technology USA LLC was awarded \$8,000. These awards were paid in FY2017 (expenses totaling \$14,000) and FY2018 (expenses totaling \$13,500). \$32,500 remains available and appropriated within the Development Authority's budget.

- The intergovernmental contract has been amended annually to extend the term of the Program and allow for the continued use by the Authority of the funding made available by the City for the Program. If approved by City Council and subsequently the Alpharetta Development Authority, the program would be extended for the period of July 29, 2024, through June 30, 2025.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the Sixth Amendment to the Intergovernmental Agreement for the Alpharetta Jobs Creation Grant Program for the period July 1, 2024, through June 30, 2025 and to authorize the Mayor to execute all necessary documents.
 - o Council Member Mitchell seconded the motion.
 - o The motion passed unanimously (6-0).

G. Contract Approval: Legal Advertising Services Agreement

Consideration of approval of a Legal Advertising Services Agreement between the City of Alpharetta and Appen Media Group and with authorization for the Mayor to execute all necessary documents.

- City Clerk, Lauren Shapiro, came forward to present this item.
- Section 2.22 of the Charter of the City of Alpharetta requires that certain acts of the City Council be advertised by publishing a legal notice in a newspaper of general circulation within the City of Alpharetta.
- Historically, the City of Alpharetta has identified and utilized the Alpharetta Roswell Herald, which is owned by Appen Media Group (hereinafter "Appen"), as its Legal Organ for the purposes of publishing its legal notices (except when required by law to be published elsewhere). The Alpharetta Roswell Herald has a general circulation of 28,000 per week. The city's previous contract with Appen has expired, and since, staff met with Appen for the purposes of negotiating new contract terms.
- For Fiscal Year 2025, the legal advertising costs could be somewhere between \$15,000 to \$20,000 depending on the number of applications the city receives, election notices, and other items the city is legally required to advertise.
- The proposed contract, if approved, outlines: Legal Advertising price per column square inch and processing fee costs (\$21.44 plus 10% processing fees to be held for five years, unless agreed to by the City in writing); term of contract is for five (5) years; publication dates, deadlines, proofs, and publisher's affidavits; and general distribution information, circulation counts, and locations where copies are available.

PUBLIC COMMENTS:

- There were no public comments.

- ❖ Mayor Pro Tem Merkel offered a motion to approve a Legal Advertising Services Agreement between the City of Alpharetta and Appen Media Group and to authorize the Mayor to execute all necessary documents.
 - o Council Member DeRito seconded the motion.
 - o The motion passed unanimously (6-0).

H. Request for Proposals (RFP) 24-113: Webb Bridge Park Synthetic Turf Field Design-Build for City of Alpharetta

Consideration to approve the award of a contract for RFP 24-113 to Sprinturf, LLC, for the Webb Bridge Park Synthetic Turf Design-Build in an amount totaling \$1,598,280.00 and with authorization for the Mayor to execute all necessary documents.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers came forward to present this item.
- In November of 2021, the citizens of Alpharetta approved a Series 2022 Parks Bond that provides funding to resurface the Upper Soccer Field at Webb Bridge Park, replacing the existing natural grass with artificial turf. Due to wet conditions, previous soccer seasons have experienced cancelations of up to 60% of the practices and games that were scheduled on this field. In contrast, only 10% of scheduled events on the park's lower soccer field, which has artificial turf, had to be canceled.
- The Department of Recreation, Parks & Cultural Services, with guidance from the Finance Department, prepared RFP 24-113 which was issued on February 15, 2024.
- RFP 24-113 was advertised through the City's e-procurement site (Bonfire) as well as the Georgia Procurement Registry and resulted in over 2,288 vendor invites and 40 document takers. RFP 24-113 responses were received on March 14, 2024, and included proposals from 3 firms.
- This RFP delivers on the project scope approved by the City's voters as part of the Series 2022 Parks Bond.
- Cost: \$1,598,280 (Base + Alternate)
 - o Funding: The Series 2022 Parks Bond included \$1,000,000 for this project and the City appropriated an additional \$491,157 within the Capital Projects Fund to cover sewer improvements to the restroom facility. To date, the City has spent/encumbered \$539,517 (surveys, geotechnical, sewer improvements, etc.), leaving a balance of \$951,640. Funding synopsis for this request includes:
 - \$951,640 (Series 2022 Parks Bond; Project Acct)
 - \$14,100 (Ambush Soccer Club contribution)
 - \$632,540 (Series 2022 Parks Bond; Non-Allocated Acct)
- Staff recommends award of RFP 24-113 to Sprinturf, LLC as the high scoring proposal.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the award of a contract for RFP 24-113 to Sprinturf, LLC, for the Webb Bridge Park Synthetic Turf Design-Build in an amount totaling \$1,598,280.00 and to authorize the Mayor to execute all necessary documents.
 - Council Member Will seconded the motion.
 - The motion passed unanimously (6-0).

I. Resolution: City Council Agenda Policies and Procedures

Consideration of adoption of a resolution to adopt policies and procedures regarding city council agendas.

- City Attorney, Molly Esswein, read the resolution title aloud.
- City Attorney, Molly Esswein, came forward to present this item.
- The Mayor and City Council discussed, during a Work Session item within the June 3, 2024 City Council Meeting, a policy by which agenda items are added to City Council meeting agendas. At the conclusion of the work session, there was a consensus that the City Administrator, City Attorney, the Mayor, and two members of the City Council shall be permitted to add agenda items to a Council Meeting agenda.
- As such, the City Attorney's office drafted a resolution reflecting that discussion in order to create such a policy.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to adopt a resolution to adopt policies and procedures regarding city council agendas.
 - Council Member Will seconded the motion.
 - The motion passed unanimously (6-0).

J. Resolution to Condemn: 1000 Compass Pointe Crossing, Alpharetta, Georgia 30005

Consideration of approval of a resolution to condemn property interest in Tax Parcel # 21-5610-1105-028-0 (Parcel Owners: Audley Jonathan Parara and Windward Community Services Association, Inc.) of the Windward Parkway Pedestrian Bridges and Drainage Modification Project with authorization for the Mayor to execute all necessary documents.

- City Attorney, Molly Esswein, read the resolution title aloud.
- City Attorney, Molly Esswein, came forward to present this item.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Will offered a motion to adopt a resolution to condemn property interest in Tax Parcel #21-5610-1105-028-0 (Parcel Owners: Audley Jonathan Parara and Windward Community Services Association, Inc.) of the Windward Parkway Pedestrian Bridges and Drainage Modification Project to authorize the Mayor to execute all necessary documents.
 - Council Member Mitchell seconded the motion.
 - The motion passed unanimously (6-0).

10. PUBLIC COMMENT

- There were no public comments.

11. REPORTS

- There were no reports.

12. EXECUTIVE SESSION (IF NECESSARY)

- ❖ Mayor Pro Tem Merkel offered a motion to adjourn to Executive Session for the purposes of real estate and litigation.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).
- Mayor Gilvin recessed the meeting at 8:34 p.m.
- ❖ Council Member DeRito offered a motion to reconvene the meeting.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (6-0).
- Mayor Gilvin reconvened the meeting at 8:44 p.m.

13. ADJOURNMENT

- ❖ Council Member DeRito offered a motion to adjourn the meeting.
 - Mayor Pro Tem Merkel 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 8:44 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk

EXHIBIT A

ALCOHOL ORDINANCE

*TEXT AMENDMENTS
WORK SESSION
7.29.2024*

01. **ADMINISTRATIVE PROCESS**
Alpharetta Code Section 4-6

02. **FEES**
Alpharetta Code Section 4-6

**CODE
SECTIONS**

APPLICATION APPROVAL PROCESS

SEC. 4-6(D) LICENSE APPLICATIONS

“The department of community development or its designee shall review the application to determine compliance with city regulations and laws and to investigate the character and reputation of the applicant. If the director of community development or his designee determines that the application appears to meet the requirements of applicable law, the director of community development shall forward the application to the city clerk, who shall schedule and conduct a public hearing as provided in subsection (f) of this section.”

SEC. 4-6(F) LICENSE APPLICATIONS

“The city clerk shall prepare and cause to be published a notice of each pending application, which notice shall include the date the application will be considered by the city clerk, the location or street number of the premises where the applicant proposes to conduct activities permitted by this chapter, and the name of the applicant, and if a partnership, the name of the partners, and if a corporation, the names of the president, secretary and treasurer of such corporation. The applicant shall pay the publication costs. The notice shall be published in a newspaper of general circulation within the city, and shall appear once a week for two weeks immediately preceding consideration of the application by the city clerk. Each applicant for a license for consumption on the premises of alcoholic beverages shall, at such applicant's expense, post on the premises where the activities permitted by such license are to be conducted, continuously for a period of not less than ten days prior to consideration of the application by the city clerk, a notice of the pending application, meeting the following minimum specifications: this notice shall be painted or printed in black letters three inches or more in height, against a white background, on a wooden or metal sign, and having a surface of not less than 12 square feet, and shall be placed with the base of the sign not more than three feet from the ground on the most conspicuous part of the premises, facing the most frequently traveled road, street or highway abutting same, and not more than ten feet therefrom. The sign shall state clearly the nature and purpose of the application, the date and hour and place of the city clerk hearing, and the name of the person making the application. If, after conducting the public hearing, the city clerk determines that the application meets the requirements of this chapter, the city clerk shall place the application on the consent agenda of the next available city council meeting. The license shall be issued following approval of the consent agenda.”

PROPOSED AMENDMENTS

Council Consideration:

Permit alcohol license applications to be reviewed and approved administratively by staff, rather than all license applications be approved by City Council.

Current Code	Proposed Code
All alcohol license applications approved by Council, except for Temporary Special Events/Catering and Public Facility Permits	All license applications would be approved administratively by staff, except for: 1.Premises that do not have a certificate of occupancy; 2.Applications requiring a variance; 3.Large Special Event / Festivals; and 4.Any other application that warrants additional review of conditions. Any of the above types of applications would require a public hearing.
2 Legal Publications Required in Alpharetta Roswell Herald and 1 public hearing sign posted at the premises	1. Unless a public hearing is required, no legal ads would be submitted to the Alpharetta Roswell Herald 2.A notice of alcohol license application would still be published on the property for at least 21 days, regardless of whether a public hearing is required (at the applicant’s expense). 3.Additionally, staff will post the application details on the city’s website for additional notice

FEEES

SEC. 4-6(A) LICENSE APPLICATIONS

“All persons, as owners, desiring to engage in activities permitted by this chapter, shall make written application to the council for the appropriate license on forms prescribed by the director of community development, and filed with the director of community development. All applications shall be accompanied by a certified check for the full amount of the license fee, together with a separate check or cash in the amount of \$350.00 to defray investigative and administrative costs. If the application is denied, or if the applicant withdraws the application prior to its approval, the license fee (without interest) shall be refunded, but the \$350.00 investigative fee shall be retained.”

PROPOSED AMENDMENTS

Council Consideration:

Current Code	Proposed Code
\$350.00 Investigative + Administrative Costs	1.Remove specific language about cost of investigative and administrative fees 2.Add language to allow the City Administrator or his designee to set costs for investigative fees, administrative costs, renewal fees, pouring permit fees, background check fees, and license fees. Note: Approximate cost for sign and legal advertising alone is \$301.55
Certified Check	1.Change method of payment to Cash, Check, or Credit Card