



City Council Meeting and Public Hearing Summary OCTOBER 23, 2017

OFFICE OF THE CITY CLERK
678-297-6003

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PREPARED BY: COTY THIGPEN

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I. CALL TO ORDER

- *Mayor Belle Isle called the meeting to order at 6:30 P.M.*

II. ROLL CALL

Members Present:

Council Member Mike Kennedy, Jason Binder, Dan Merkel, Council Member Jim Gilvin, Council Member Chris Owens, Council Member Donald Mitchell, Mayor David Belle Isle

Members Absent:

None

Staff Present:

City Attorney Sam Thomas, Assistant City Administrator James Drinkard, City Clerk Coty Thigpen, Director of Community Development Kathi Cook, Finance Director Tom Harris, Director of Recreation and Parks Morgan Rodgers, Deputy Director of Public Safety Wes McCall, Director of Public Works Pete Sewczwicz, Senior Planner Michael Woodman, Senior Engineer Eric Graves

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 10/16/2017)

B. Alcoholic Beverage License Applications

PH-17-AB-24

Kelly Curtis Management
d/b/a Wake Me Up Wine Me Down
11775 North Fall Lane Ste. 108
Alpharetta, GA 30009

Consumption on Premises- Restaurant Beer &
Wine, Liquor- Sunday Sales
Limited Package sales- WINE ONLY- Wine by the bottle for
off-premise consumption

Owner: Kelly McCants Registered

- ♦ *Council Member Donald Mitchell offered a motion to approve the Consent Agenda*
 - *The motion was seconded by Council Member Chris Owens*
 - *Motion approved (7 - 0)*

V. PUBLIC HEARING

A. V-17-21 55 & 61 Roswell St

Consideration of variance requests to reduce parking requirements and to increase the building height to allow for the construction of a 56,000 square foot mixed-use building. The property is located at 55 & 61 Roswell Street and are legally described as being located in Land Lot 1269, 2nd District, 2nd Section, Fulton County, Georgia.

NOTE: This item was deferred at the request of the applicant and was not considered

B. CU-17-10 Halpern Equestrian Center

- Senior Planner, Michael Woodman, came forward to present this item on behalf of staff
- This item was heard at the October 5, 2017 Planning Commission meeting. One neighbor spoke against the request. After discussion, the Planning Commission recommended to approve the item, subject to staff conditions. Vote (7-0)
- Staff recommends approval of CU-17-10 Halpern Equestrian Center/1200 Rucker Road, subject to the following conditions:
 1. 'Equestrian Center' shall be added as a conditional use at 1200 Rucker Road.
 2. The conditional use to allow equine-assisted therapy shall be approved, but shall cease when the property is sold or transferred.
 3. ADA compliant restrooms shall be provided on the site, as approved by Staff.
 4. If lighting is proposed in conjunction with the equestrian center use, a photometric plan shall be provided to the City for review and approval. Spillover light shall not exceed one half (0.5) of one foot-candle when measured six feet above grade at the residential property line.
 5. Hours of operation shall be Monday through Saturday 9:00 AM to 5:00 PM.
 6. Maximum 12 square foot sign shall be permitted for the business.
- The applicant, Leslie Halpern, is requesting a conditional use permit to allow 'Equestrian Center' for an equine- assisted therapy business on a 9-acre residential property. The business includes various therapies that involve interactions with horses for individuals with and without special needs, including those with physical, cognitive and emotional issues. The subject property is located at 1200 Rucker Road on the north side of Rucker Road and east of Charlotte Drive.
- The submitted request, if approved, will permit the applicant to provide equine-assisted therapy services. The business includes various therapies that involve interactions with horses for individuals with and without special needs, including those with physical, cognitive and emotional issues. The subject property is located at 1200 Rucker Road on the north side of Rucker Road and east of Charlotte Drive.
- The property is zoned R-15 (Dwelling, 'For-Sale', Residential), which allows 'Equestrian Center' with approval of a conditional use permit. The 9-acre property is developed with a single-family home, barn and riding arena. Surrounding properties are zoned R-15 to the east and south, AG (Agriculture) to the north and south, and R-12 (Dwelling, 'For-Sale', Residential) to the west.

Laurelwood Farm subdivision is located to the west, Byers property to the north, Jennifer Oaks subdivision and 3.5-acre property with single-family home to the east, and Kingsport subdivision and single-family lot are located to the south.

- The subject property has access from Rucker Road by way of a driveway at the southwest corner of the property. The driveway is gated; however, the applicant has stated that the gate is kept open during the day and there is sufficient room within the driveway for vehicles to stack while the gate is opened. The single-family home, barn and riding arena are situated at the north end of the property. A stream runs through the property from north to south before turning to the east along the southern portion of the property. The stream separates the riding arena from Laurelwood Farm subdivision to the west. Approximately seven (7) acres of the nine (9) acre property are heavily wooded, including the southern half of the property, as well as the western side of the property. The nearest adjacent single-family home to the riding arena is approximately 200' to the west in the Laurelwood Farm subdivision. A heavily wooded area and stream are located between Laurelwood Farm subdivision and the riding arena.
- There are several properties in the general vicinity of the applicant's property with equestrian facilities, including the adjacent property to the east and several properties along Old Rucker Road and Mid Broadwell Road. However, it appears that there are no other equine-assisted therapy businesses operating in the City. Similar businesses have been identified in Johns Creek, Roswell, Milton and South Forsyth.
- According to the applicant, the equine-assisted therapy business will provide therapeutic services using horses to serve those with special needs, including but not limited to children with autism, veterans and individuals with depression/anxiety, eating disorders and physical disabilities. Hours of operation are proposed to be Monday – Friday and possibly Saturday from 9:00 AM to 5:00 PM. The applicant anticipates up to two (2) employees (therapist) at the site seeing one (1) client at a time. Therapy sessions are approximately one (1) hour.
- Staff's analysis finds that the requested conditional use is consistent with the established conditional use standards. The proposed use would not impact surrounding properties and the applicant proposes to use the existing barn and riding arena for the equine-assisted therapy business. The on-site stream and associated undisturbed buffers, as well as the lot being heavily wooded provides a natural screen between the proposed use and adjacent residential properties. If approved, conditions are recommended limiting the conditional use to the current property owner and limiting any expansion of services.
- The report submitted by the applicant states that property owners were contacted regarding the applicant's intent. The report states that no comments were received.
- Leslie Halpern came forward as the applicant to answer questions posed by Mayor and Council

Public Comment

None

♦ *Council Member Mike Kennedy offered a motion to approve CU-17-10 Halpern Equestrian Center with the conditions as outlined, but changing condition #3 to read, "Existing restrooms on site shall be sufficient to meet Code requirements as approved by Staff."*

- *The motion was seconded by Council Member Jim Gilvin*
- *Council Member Chris Owens offered a friendly amendment to strike Condition #4*
- *Amendment accepted by Kennedy and Gilvin*

- *Mayor Belle Isle offered an amendment to Condition #5 to read, "Hours of operation shall be permitted Monday through Saturday 9:00 AM to 5:00 PM."*
- *Amendment accepted by Kennedy and Gilvin*
- *Motion approved (7 - 0)*

C. CU-17-08 European Wax Center/Liberty Park Village

- Senior Planner, Michael Woodman, came forward to present this item on behalf of staff
- The item was heard at the October 5, 2017 Planning Commission meeting. No one spoke in favor or against the request. After discussion, the Planning Commission recommended to approve the item, subject to staff conditions. Vote (7-0)
- Staff recommends approval of CU-17-08 European Wax Center/Liberty Park Village, subject to the following conditions:
 1. 'Spa Services' shall be added as a conditional use at 2610 Old Milton Pkwy, Suite 120, limited to no more than 2,000 square feet.
 2. Conditional use approval shall be limited to the European Wax Center; no additional spa services businesses or subleasing shall be permitted within the approved space.
 3. No massage or nail services shall be permitted within the approved space.
 4. Window signage shall be limited to no more than 10% of the window area. Window signage shall be prohibited within windows on the east elevation of the building. No lighting window trim.
- The applicant, European Wax Center, is requesting a conditional use permit to allow 'Spa Services' for a hair removal/waxing business. The subject property is located at the northwest corner of Old Milton Parkway and Westside Parkway at 2610 Old Milton Parkway, Suite 120 (Liberty Park Village).
- The submitted request, if approved, will permit the applicant to provide hair removal and waxing services in a 1,889 square foot suite within a mixed-use development. In addition to hair removal and waxing services for women and men, the applicant's business will include the sale of associated skin and beauty retail products. The subject property is located at the northwest corner of Old Milton Parkway and Westside Parkway in the Liberty Park Village (A.K.A. Old Milton Holdings Master Plan) mixed-use development.
- The property is zoned MU (Mixed Use) and is subject to the Old Milton Holdings Master Plan, which allows 'Spa Services' with approval of a conditional use permit. The property, which is currently under construction, received comprehensive land use plan amendment, rezoning, and parking variance approval on February 23, 2015. The master plan is limited to no more than 25,000 square feet of retail use. Including the proposed European Wax Center, the total square footage of all retail uses would be 24,193 square feet. The applicant's business is proposed within a 2-tenant building in the northeast corner of the commercial area of the mixed-use development. Other businesses proposed within the commercial portion of Liberty Park Village include Burger 21, Bob Steele Salon, Verizon, Salata, Chuy's Tex Mex, SunTrust Bank and Engel & Volkers

- Hair removal and waxing services are categorized as 'Spa Services' use. Unified Development Code (UDC) Section 1.4.2 defines 'Spa Services' as follows:

"A business that provides services, which may include non-medical massage, other personal services such as skin, nail, hair treatments, and hair removal/waxing, and may have the sale of associated retail products. Such business shall be located within a retail center, shall not occupy more than 4,000 sq. ft. and shall not be closer than 2,000 ft. to a comparable business."

- In addition, Code of Ordinances Section 12-172 Massage and Spa Establishments - Location and distance requirements, states the following regulations as it relates to Spa Establishments:

"It shall be unlawful to establish a massage establishment or a spa establishment in the city, unless said establishment is located:

- (a) At least 300 feet from State Route 9;
 - (b) At least 300 feet from State Route 120; and
 - (c) At least 300 feet from any parcel occupied by a house of worship, public or private elementary or secondary school, public park, state-licensed day care facility, or any residence.
- The forgoing minimum distance requirements shall not apply to any massage establishment or spa establishment located within a mixed-use development in the MU district. For the purpose of this subsection, measurements shall be made in a straight line in all directions without regard to intervening structures or objects, from the closest point on a boundary line of the massage establishment or spa establishment parcel to the closest point on the State Route 9 or State Route 120 right-of-way or to the closest point on a boundary line of any parcel containing a house of worship, public or private elementary or secondary school, public park, or residence."
 - There are no comparable businesses within 2,000 feet of the proposed location and Suite 120 is 1,889 square feet, which is less than the 4,000 square foot maximum for the proposed use. Liberty Park Village is located on State Route 120 (Old Milton Parkway); however, the property is a mixed-use development zoned MU.
 - According to the European Wax Center website, the business has been operating for approximately ten (10) years with several locations in the Atlanta metro area, including Marietta-East Cobb, Brookhaven-N. Buckhead, Kennesaw and Atlanta-Toco Hills. Hair removal and waxing services include, Brazilian, eyebrow, bikini, legs, face and full body waxing. Hours of operation are Monday – Friday 8:00 AM – 8:00 PM, Saturday 8:00 AM – 6:00 PM and Sunday 11:00 AM – 6:00 PM. The applicant anticipates up to 12 employees at the proposed location, with all employees requiring a certification in cosmetology.
 - Staff's analysis finds that the requested conditional use is consistent with the established conditional use standards. The proposed retail service use would complement surrounding commercial uses and sufficient parking exists to support the proposed use. If approved, conditions are recommended limiting the approval to European Wax Center and limiting any expansion of services

- The report submitted by the applicant states that property owners were contacted regarding the applicant's intent. The report states that no comments were received.

Public Comment

None

- ♦ *Council Member Mike Kennedy offered a motion to approve CU-17-08 European Wax Center/Liberty Park Village with an amendment to Condition #4 to read, "Hours of operation shall be permitted Monday – Friday 8:00 AM- 8:00 PM, Saturday 8:00 AM-6:00 PM and Sunday 11:00 AM – 6:00 PM."*
- *The motion was seconded by Council Member Dan Merkel*
- *Mayor Belle Isle offered an amendment to Condition #3 to read, "No massage, nail service, or any other "spa services" shall be permitted within the approved space."*
- *Amendment accepted by Kennedy and Merkel*
- *Motion approved (7 - 0)*

D. PH-17-31 69 North Main Street/Addition to Contributing Historic Building Addition

NOTE: This item was withdrawn by the applicant and was not considered

VI. OLD BUSINESS

A. PH-17-27: Edward Andrews Homes/Detention Pond Wall

- ❖ *This item was tabled on October 2, 2017. It must be removed from the table for consideration.*
- ♦ *Council Member Mike Kennedy offered a motion to remove from the table*
 - *The motion was seconded by Council Member Donald Mitchell*
 - *Motion approved (7 - 0)*
- Director of Community Development, Kathi Cook, came forward to provide a brief overview of this item
- In order to address concerns, a meeting was held with residents, staff and Council members. A follow-up meeting was held with staff which resulted in changes to the wall panel opening. The opening was reduced to 5'x 10' from 7' x 14'. Also, since residents were concerned with interchangeable art, Staff is recommending a permanent art installation using muted colors with final approval by staff. Examples of permanent art were shown to residents.
- Staff recommends approval of PH-17-27 Edward Andrews Homes Thompson Street/Detention Pond Wall and Courtyard Material Request, subject to the following conditions:
 1. Detention pond shall be heavily landscaped and retaining walls shall be faced with brick or stone where visible from public right of way, except that 3 designated areas for public art shall be permitted on the north elevation of the detention pond wall, as depicted on the rendering prepared by Edward Andrews Homes with final approval by Staff. Design of detention facility will minimize standing water where feasible with final determination to be made by staff.

2. Developer shall record a legal document allowing for the detention pond wall to be used for public art.
 3. Public art pieces shall be permanent and require approval at a Design Review Board meeting where notification is given to adjacent property owners.
 4. Previous conditions of zoning shall remain in effect, except as modified by these conditions.
- The applicant, Edward Andrews Homes, requests a change to previous conditions of zoning on a 5.85-acre property approved for a 'For-Sale' residential subdivision. The requested changes would allow for public art on the detention pond wall and an evergreen hedge with columns to define courtyard areas for homes fronting Thompson Street. The subject property is located on the north side of Thompson Street, just west of Park Street.
 - The submitted request, if approved, will allow for changes to previous conditions of zoning related to the Thompson Street Investments (Edward Andrews Homes – Midwick) residential subdivision on Thompson Street. The proposed changes would allow courtyard areas fronting Thompson Street to be defined with a wall or evergreen hedge and to allow public art on the detention pond wall. The subject property is located on the north side of Thompson Street, just west of Park Street.

Public Comment

- Steve Stole, 2459 Claystone Lane, Alpharetta, GA, came forward to speak on this item
 - Dave Meeker, 12330 Dancliff Trace, Alpharetta, GA, came forward to speak on this item
 - Kim Yeager 2505 Millford Lane, Alpharetta, GA, came forward to speak on this item
- ♦ *Council Member Donald Mitchell offered a motion to approve the artwork for the Edward Andrews/Detention Pond wall subject to the conditions as stated and adding a 5th condition that requires the colors to be earth toned or muted for this particular artwork and a 6th condition that requires the planting of tea olives to block the view from the neighborhood.*
- *The motion was seconded by Council Member Donald Mitchell*
 - *Motion approved (7 - 0)*

VII. NEW BUSINESS

A. Fiscal Year 2017 Bond Sidewalks - Phase 4, ITB 18-002

- Director of Public Works, Pete Sewczwicz, came forward to present this item on behalf of staff
 - The award of this bid is for the construction of three sidewalk segments east of GA 400. All three projects were identified as part of the 2016 Bond.
-
- The scope of work at each location is as follows:
 - o North Point Parkway at Great Oaks Way – Construction of approximately 1,000 linear feet of sidewalk along the west side of North Point Parkway from Great Oaks Way to the south. Completion of this gap will provide contiguous sidewalk along the west side of North Point Parkway from Webb Bridge Road to Mansell Road.
 - o Morris Road at Tradewinds Parkway – Construction of approximately 725 linear feet of sidewalk along the east side of Morris Road, south of Tradewinds Parkway. Completion of this gap will

- provide contiguous sidewalk along east side of Morris Road from Webb Bridge Road to North Point Parkway.
- o Morris Road at Dryden Road – Construction of approximately 875 linear feet of sidewalk along the south side of Morris Road, from Morris Road to Dryden Road. Completion of this gap will provide contiguous sidewalk along south side of Morris Road from North Point Parkway to Dryden Road.
- The Department of Public Works prepared plans and specifications (ITB 18-002) for the sidewalk projects and advertised for competitive bids during September 2017. Bids for the project were received on September 28, 2017 and the City received a total of six bids from the following:
 - Sol Construction LLC \$379,383.50
 - A1 Contracting LLC \$428,000.00
 - Excellere Construction LLC \$438,000.00
 - Ed Castro Landscape Inc. \$523,771.51
 - Tople Construction and Engineering Inc. \$574,197.75
 - SoCo Contracting, Inc. \$798,586.50
 - Blue Ocean Inc. \$647,411.32
- The apparent low bidder, Sol Construction LLC, is an experienced contractor which has worked on several projects with similar elements in Georgia for multiple governmental agencies including DeKalb County and the City of Cumming. The contacted references stated that Sol Construction LLC provided reliable work on time and within budget and would utilize their services again.
- Staff met with representatives of Sol Construction LLC on October 9, 2017 to review the scope of work and the City's expectations. Staff questioned Sol Construction LLC in regards to their experience with sidewalk projects. Sol Construction LLC stated that while they had not been previously awarded a project solely involving sidewalk installation, the construction of sidewalks, driveways and storm drainage facilities along roadways were common tasks within their overall project scopes. Sol Construction LLC reviewed a few project locations with staff to demonstrate their capabilities with these project elements in similar settings to those in this bid. Additionally, Sol Construction LLC identified that their subcontractor who would be performing the concrete work was involved in the Webb Bridge Park Spectator Seating project and understood the City's expectations and requirements as well. Finally, Sol Construction LLC assured staff that they could complete the project for the submitted bid amount and within the allocated time frames. Thus, staff determined Sol Construction LLC to be the lowest responsive and responsible bidder.
- Once a contract with Sol Construction LLC has been finalized and executed, construction may begin immediately. The anticipated completion date for work at all locations is no more than 105 days from notice to proceed. Work along North Point Parkway shall be substantially completed within 45 calendar days of starting work at that location. Work along Morris Road at Dryden Road shall be substantially completed within 45 calendar days of starting work at that location. Work along Morris Road at Tradewinds Parkway shall be substantially completed within 15 calendar days of starting work at that location.
- The 2016 Bond Referendum included a total of 47 sidewalk segments along 36 roads to be constructed totaling approximately 37,366 linear feet in length. With this bid, 17 segments totaling approximately 13,120 linear feet will have been awarded for construction. Since approval of the bond, 14 segments totaling approximately 9,955 linear feet have since been removed from the scope:
 - 6 segments overlap with the scope of TSPLOST projects
 - 2 segments have been made conditions of rezoning
 - 2 segments have been removed due to right of way issues and very low benefit to the public
 - 1 segment has been constructed as part of a private development
 - 1 segment has been removed by citizen request
 - 1 segment overlaps with Johns Creek's Kimball Bridge Road Project
 - 1 segment has been removed due to the planned renovation of Union Hill Park.
- The remaining 16 segments are in various stages of design:

- 1 segment is complete and out for pricing
 - 2 segments are complete and will be bid out in conjunction with the Kimball Bridge Road Bond Project
 - 3 segments are substantially completed and are being coordinated with a City of Roswell intersection improvement project
 - 3 segments are being finalized to go to bid in mid-November
 - 1 segment is under design in conjunction with the Bethany Road at Mayfield Road Roundabout TSPLOST Project
 - 6 segments are in preliminary design
-
- Staff request approval of Bid No. 18-002 to Sol Construction LLC in the amount of \$379,383.50 for the FY 2017 Bond Sidewalks – Phase 4 and authorize the Mayor to execute all necessary documents.

Public Comment

None

- ♦ *Council Member Chris Owens offered a motion to award Bid No. 18-002 to Sol Construction LLC in an amount not to exceed \$379,383.50 for the FY 2017 Bond Sidewalks - Phase 4 and authorize the Mayor to execute all necessary documents*
- *The motion was seconded by Council Member Jim Gilvin*
- *Motion approved (7 - 0)*

B. Fiscal Year 2018 Local Maintenance and Improvement Grant

- Director of Public Works, Pete Sewczwicz, came forward to present this item on behalf of staff
- The Georgia Department of Transportation (GDOT) began accepting applications for the Fiscal Year 2018 Local Maintenance and Improvement Grant (LMIG) Program on July 1, 2017.
- Per GDOT guidelines, the following projects are allowable under the LMIG program:
 - Preliminary engineering (including engineering for right-of-way plans and utility plans)
 - Construction supervision and inspection
 - Utility adjustments or replacement
 - Patching, leveling, and resurfacing a paved roadway
 - Grading, drainage, base, and paving existing or new roads
 - Replacing storm drain pipe or culverts
 - Intersection improvements
 - Turn lanes
 - Bridge repair or replacement
 - Sidewalk adjacent (within right-of-way) to a public road or street
 - Roadway signs, striping, and guardrail installation
 - Signal installation or improvement
 - Aggregate surface course for dirt road maintenance

- The following projects are not eligible with LMIG funds:
 - Right-of-way acquisition
 - Street lighting
 - Beautification and streetscapes
 - Walking trails and tracks
 - Landscaping
 - Administrative services
- The LMIG budget for FY 2018 is based on the collection of motor fuel taxes from FY 2017. 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. All preconstruction activities, advertisements, lettings, and quality control of work and materials will be the responsibility of the local government.
- The Public Works Department proposes to use the FY18 LMIG allocation and match to fund the following milling and resurfacing projects:
 - Oakland Lane - Hunters Oak to Cul-De-Sac
 - Owens Oak Circle - Sherman Oaks Way to Cul-De-Sac
 - Tivdale Court - Hebden Bridge Lane to Cul-De-Sac
 - Arkwith Way - Sandridge Court to Cul-De-Sac
 - Canter Lane - Hunters Oak to Cul-De-Sac
 - Teasley Place - Kimball Bridge Road to End
 - Wednesbury Road - Barnesley Lane to Cul-De-Sac
 - Hidden Meadow Dr - North Farm Drive to Cul-De-Sac
 - Crofters Pass - Barnesley Lane to Cul-De-Sac
 - Park Creek Way - Park Brooke Drive to Cul-De-Sac
 - Cannonero Drive - Douglas Road to Cul-De-Sac
 - Gate Dancer Way - Cannonero Drive to Cul-De-Sac
 - Risen Star Lane - Cannonero Drive to Cul-De-Sac
 - Snow Chief Court - Cannonero Drive to Cul-De-Sac
 - Red Oak Lane - Academy Street to Cul-De-Sac
 - Oak Terrance - Red Oak Lane to Cul-De-Sac
 - Marietta Street - Roswell Street to Old Milton Pkwy
 - Mayapple Court - Mayapple Drive to Cul-De-Sac
 - Pearson Court - Lillian Drive to Cul-De-Sac
 - Sherman Oaks Way - Crabapple Meadow Way to Cul-De-Sac
 - Westchester Way - Southlake Drive to End
 - Greenmont Circle - Greenmont Walk to Greenmont Walk
 - Southerby Lane - Rucker to End
 - Admiral Crossing - Windward Pkwy to Cul-De-Sac
 - Brookhill Crossing Lane - Crabapple Chase Drive to Cul-De-Sac
 - Brookhill Crossing Court - Brookhille Crossing Lane to Cul-De-Sac
 - Sydney Walk - Brisbane Drive to Cul-De-Sac
 - Birch Hollow Drive - Harris Road to Cul-De-Sac
 - Chantily Drive - Bethany Road to Mayfield Road
 - Crabapple Trace - Chantily Drive to Chantily Drive
 - Bethany Court - Chantily Drive to Cul-De-Sac

- Sherry Drive - Mayfield Road to End
- Woodfield Lane - Sherry drive to End
- Meyers Drive - Sherry Drive to Wendy Hill Drive
- Tracy Court - Meyers Drive to Cul-De-Sac
- Wendy Hill Drive - End to Cul-De-Sac

Note: This application is due on January 1, 2018

- Staff requests adoption of a Resolution providing approval of the submission of the Fiscal Year 2018 Local Maintenance and Improvement Grant application to the Georgia Department of Transportation.
- City Attorney, Sam Thomas, read the Resolution aloud

Public Comment

None

♦ *Council Member Chris Owens offered a motion to adopt the Resolution as read by the City Attorney for the submission of the Fiscal Year 2018 Local Maintenance and Improvement Grant application to the Georgia Department of Transportation and authorize the Mayor to execute all necessary documents*

• *The motion was seconded by Council Member Dan Merkel*

• *Motion approved (7 - 0)*

C. Fiscal Year 2018 Milling and Resurfacing, ITB 18-001

- Director of Public Works, Pete Sewczwicz, came forward to present this item on behalf of staff
- The City of Alpharetta maintains over 500 lane miles of roadway. Each year the City budgets dollars towards the milling and resurfacing of these roads. Accomplishing this task extends the roads useful life and increases the roads ability to handle traffic volumes.
- The most recent re-evaluation was completed in Fall 2016. Based on these revised ratings, 50 roads were included in the annual offering. These roads include:

1. Rainwater Drive - Haynes Bridge Road to Westside Pkwy
2. Westside Way - Mansell Road to Rockmill Way
3. Maxwell Road - Hwy 9 to City Limits
4. Maxwell Road - Hembree Road to Westside Pkwy
5. Kingswood Place - Mansell Road to Intersection at Cul-De-Sac
6. Warsaw Road - Mansell Road to Old Roswell Road
7. Roswell Street - Old Milton Pkwy to Hwy 9
8. Duke Drive - Mansell Road to Cul-De-Sac
9. Georgia Lane - North Point Drive to North Point Pkwy
10. Royal Blvd South - North Point Pkwy to North Point Pkwy
11. North Point Drive - North Point Pkwy to End
12. Royal Drive - North Point Pkwy to End
13. Westside Pkwy - Sanctuary Pkwy to Hembree Road
14. North Fulton Industrial - Hembree Road to End
15. Oakland Lane - Hunters Oak to Cul-De-Sac
16. Owens Oak Circle - Sherman Oaks Way to Cul-De-Sac

17. Tivdale Court - Hebden Bridge Lane to Cul-De-Sac
18. Arkwith Way - Sandridge Court to Cul-De-Sac
19. Canter Lane - Hunters Oak to Cul-De-Sac
20. Teasley Place - Kimball Bridge Road to End
21. Wednesbury Road - Barnesley Lane to Cul-De-Sac
22. Hidden Meadow Dr - North Farm Drive to Cul-De-Sac
23. Crofters Pass - Barnesley Lane to Cul-De-Sac
24. Park Creek Way - Park Brooke Drive to Cul-De-Sac
25. Cannonero Drive - Douglas Road to Cul-De-Sac
26. Gate Dancer Way - Cannonero Drive to Cul-De-Sac
27. Risen Star Lane - Cannonero Drive to Cul-De-Sac
28. Snow Chief Court - Cannonero Drive to Cul-De-Sac
29. Red Oak Lane - Academy Street to Cul-De-Sac
30. Oak Terrace - Red Oak Lane to Cul-De-Sac
31. Marietta Street - Roswell Street to Old Milton Pkwy
32. Mayapple Court - Mayapple Drive to Cul-De-Sac
33. Pearson Court - Lillian Drive to Cul-De-Sac
34. Sherman Oaks Way - Crabapple Meadow Way to Cul-De-Sac
35. Westchester Way - Southlake Drive to End
36. Greenmont Circle - Greenmont Walk to Greenmont Walk
37. Southerby Lane - Rucker to End
38. Admiral Crossing - Windward Pkwy to Cul-De-Sac
39. Brookhill Crossing Lane - Crabapple Chase Drive to Cul-De-Sac
40. Brookhill Crosssing Court - Brookhille Crossing Lane to Cul-De-Sac
41. Sydney Walk - Brisbane Drive to Cul-De-Sac
42. Birch Hollow Drive - Harris Road to Cul-De-Sac
43. Chantily Drive - Bethany Road to Mayfield Road
44. Crabapple Trace - Chantily Drive to Chantily Drive
45. Bethany Court - Chantily Drive to Cul-De-Sac
46. Sherry Drive - Mayfield Road to End
47. Woodfield Lane - Sherry drive to End
48. Meyers Drive - Sherry Drive to Wendy Hill Drive
49. Tracy Court - Meyers Drive to Cul-De-Sac
50. Wendy Hill Drive - End to Cul-De-Sac

(Work at locations 1 through 14 will be accomplished at night.)

- The Department of Public Works prepared a request for bids (ITB 18-001) for the locations listed above. The City advertised for competitive bids on August 3, 2017. Bids for the project were received on August 31, 2017, and the City received a total of five bids from the following:

• Allied Paving Contractors, Inc.	\$2,645,448.30
• CW Matthews Contracting Company Inc.	\$2,793,910.63
• North West Georgia Paving Inc.	\$2,886,407.60
• Baldwin Paving Company, Inc.	\$2,946,832.60
• Stewart Brothers, Inc.	\$3,380,442.40
- The apparent low bidder, Allied Paving Contractors, Inc. has completed multiple roadway and paving projects for several governments within Georgia, including the City of Dunwoody, Cherokee County, and the City of Gainesville. Contacted references complimented Allied Paving on their workmanship and indicated that they would work with Allied Paving again in the future, if given an opportunity.
- Staff met with representatives of Allied Paving Contractors, Inc. to review the scope of work and the City's expectations. AlliedPaving Contractors, Inc. assured Staff that they could complete the project for the bid

amount and within the allocated time frame. Thus, Staff determined Allied Paving to be the lowest responsive and responsible bidder.

- As this is a unit price contract, progress payments to the contractor will be based on the quantity of work completed for each item per the values submitted by the contractor in its bid to the City. The City's representative will verify the quantity is correct prior to approving the payment.
- All work included within this project's scope shall be finished by Friday June 1, 2018.
- Staff recommends awarding ITB No. 18-001 to Allied Paving Contractors, Inc. in the amount of \$2,645,448.30 for FY 2018 Milling and Resurfacing Project and authorize the Mayor to execute all necessary documents.

Public Comment

None

♦ *Council Member Chris Owens offered a motion to award ITB No. 18-001 to Allied Paving Contractors, Inc. in an amount not to exceed \$2,645,448.30 for FY 2018 Milling and Resurfacing Project and authorize the Mayor to execute all necessary documents*

- *The motion was seconded by Council Member Dan Merkel*
- *Motion approved (7 - 0)*

D. Update To Employee Handbook

- Assistant City Administrator, James Drinkard, came forward to present this item on behalf of staff
- Periodically, it is necessary for the City to update its personnel policies and the associated Employee Handbook in order to remain compliant with changes to federal labor laws and precedent established by recent court decisions. Human Resources, in consultation with legal counsel, has undertaken a review of our policies and handbook to ensure compliance and to make any adjustments that better address the needs of the organization.
- The resulting update to the Employee Handbook is now presented for consideration and approval by City Council. The majority of changes reflected from the existing handbook do not have the effect of altering policies that are currently in effect. Such changes, beyond those necessary for legal compliance, consist of:
 1. Adjustments to language that had been found to be confusing or ambiguous in previous iterations.
 2. A significant reorganization of the handbook so that its contents are grouped in a more concise, common sense manner that provides for easier reference and understanding.
- The one policy change of significance can be found in the "Work Schedule" section of the document. There you will find subsections defining on-call, standby status, and emergency recall. While on-call is something that has been defined in our handbook for many years, due to organizational needs we have amended the definition and policies associated with its use. We have also established the new definitions and policies associated with standby status and emergency recall, which are new additions to our handbook. In combination, these definitions and policies better reflect the needs and practices of our organization.

- For ease of reference, these new definitions are called out as follows:

- On-Call: The purpose of "On-Call Status" is to ensure the timely delivery of critical services outside of normal business hours when the need arises. It is intended for use primarily by departments such as Information Technology, Public Works, and Recreation and Parks (as well as some specified police and fire positions within the Department of Public Safety) for personnel who may be called upon to repair critical infrastructure or perform similar duties of an immediate need nature.

An employee designated as being in "On-Call Status" is required to remain in a "ready status" (i.e. available to respond) after regular business hours and be able to be in communication within fifteen (15) minutes of initial notification by the City. If an employee in "On-Call Status" must report to a specific location to deliver necessary service, the employee must be able to report to such location within one (1) hour of being notified; however, the employee is not required to be at any particular place while in "On-Call Status" until such need to report is identified.

An employee who is in "On-Call Status" will be paid a minimum of two (2) hours per day at her/his standard rate of pay; however, the time spent "waiting to be engaged in work" (i.e. simply in ready status) are not considered "hours worked." If an employee responds to a call, time towards "hours worked" will start from the time the employee receives the call: only the actual hours worked will be considered for purposes of calculating any applicable overtime compensation; however, the minimum "hours worked" to be earned by the employee shall be two (2) hours.

- Standby Status: The purpose of "Standby Status" is to ensure appropriate staffing for those positions within the Department of Public Safety that require minimum staffing levels be maintained during any shift. It is intended for use only to address unexpected staffing shortages resulting from illness, injury, or other unforeseeable circumstances. For purposes of this policy, "unforeseeable" shall mean a circumstance for which a supervisor has four (4) or less hours notice of the need.

An employee who is on "Standby Status" must be able to be in communication within fifteen (15) minutes of initial notification and be able to respond to their assigned duty station within two (2) hours of initial notification (i.e. "activation").

An employee on "Standby Status" who is activated by the City (i.e. ordered to report for duty) shall earn premium pay (defined as 1.5 times the employee's regular hourly rate) from the time they begin work at the duty station and will also receive an additional two (2) hours of premium pay (said two (2) hours not being considered "hours worked").

The Department of Public Safety and/or each division therein utilizing Standby Status is to compile and maintain a list of qualified employees who have volunteered to participate in the Standby Program (i.e. "Standby Employee List"). When the need to activate a Standby Employee arises, the supervisor is to call the first employee on the list and work her/his way down through the list until the standby need is filled. Each employee contacted, regardless of if he/she accepts the standby assignment, shall be moved to the bottom of the Standby Employee List in the order in which he/she was called by the supervisor.

An employee who has volunteered to be on the Standby Employee List may reject no more than one (1) request to report for Standby Duty in any four (4) month period or no more than three (3) report requests in any calendar year. An employee who exceeds this standard shall be removed from the Standby Employee List and shall not be eligible for participation in the

program for twelve (12) months. Further, it shall be reflected and have an impact on the employee's annual performance evaluation.

- Emergency Recall: The purpose of "Emergency Recall" is to ensure adequate staffing levels to effectively respond to incidents or emergency situations. "Emergency Recall" can be activated by an Incident Commander when he/she determines that an incident or emergency situation will soon exceed or has already exceeded the capabilities of the entire on-duty staff.

Level 1 Emergency Recall: All available personnel report to the designated rally point(s) and await transportation and/or further instruction.

Level 2 Emergency Recall: Only those personnel specifically contacted report to the designated rally point(s) and await further instructions.

It shall be the responsibility of the supervisor or officer with oversight of the recalled employees to ensure that the names, reporting times, and release times of the employees are reported to the Incident Commander and departmental payroll coordinator.

Employees activated under an "Emergency Recall" shall be compensated at premium pay (defined as 1.5 times the employee's standard hourly rate) only for the actual hours worked, which shall begin at the time they report to the designated rally point(s).

Public Comment

None

- ♦ *Council Member Donald Mitchell offered a motion to approve the 2017 update to the Employee Handbook as presented to become effective November 4, 2017*
- *The motion was seconded by Council Member Mike Kennedy*
- *Motion approved (7 - 0)*

E. Modification And Renewal: North Fulton SWAT MOU

- Deputy Director of Public Safety, Wes McCall, came forward to present this item on behalf of staff
- The Police Departments of the cities of Alpharetta, Roswell and Milton have enjoyed a very close working relationship over the past years. This is exemplified in the multi-agency SWAT and Negotiations teams operated jointly by these departments. The Memorandum of Understanding for the North Fulton SWAT is due for renewal and this year with the following major changes:
 - 1. Removal of a timeline for renewal (no renewals needed in the new MOU).
 - 2. A "pay-in" percentage for equipment, vehicles, etc.
 - 3. Changes in the Cancellation terms and including a reimbursement and "buy-out" option.
- This MOU has been reviewed and approved by the City Attorney.
- Staff requests approval of the modifications and renewal of the Memorandum of Understanding for the North Fulton SWAT team between the Cities of Alpharetta, Roswell and Milton.

Public Comment

None

- ♦ *Council Member Jim Gilvin offered a motion to approve the Memorandum of Understanding as presented for the North Fulton SWAT agreement between the Cities of Alpharetta, Roswell and Milton*
- *The motion was seconded by Council Member Dan Merkel*
- *Motion approved (7 - 0)*

F. Funding Of Art On Loan Program (Miscellany)

- Director of Recreation and Parks, Morgan Rodgers, came forward to present this item on behalf of staff
- Staff will provide an introduction to a proposal for accomplishing the Phase II public art program that was included in the FY2018 budget. This proposal involves partnering with Arts Alpharetta on what they have coined "Miscellany: An Open Air Gallery".
- Volunteers with Arts Alpharetta have dedicated numerous hours and considerable effort to compose a program that would advance the City's public art goals while laying a foundation for a sustainable annual rotating public art exhibition.
- Staff is requesting funding in the amount of \$75,000 to Arts Alpharetta for the purpose of creating and implementing a rotating public sculpture on loan program, as defined in the Miscellany: Open Air Art Exhibit Proposal presented to City Council on October 23, 2017; authorize the City Attorney and City Staff to create an award contract memorializing formally memorializing the terms of said award; and authorize the Mayor to execute all necessary documents.

Public Comment

- Clark Savage came forward to speak on behalf of Arts Alpharetta
- ♦ *Council Member Donald Mitchell offered a motion to award the funding in an amount not to exceed \$75,000 to Arts Alpharetta for the purpose of creating and implementing a rotating public sculpture on loan program as defined in the Miscellany: Open Air Art Exhibit*
- *The motion was seconded by Council Member Chris Owens*
- *Motion approved (7 - 0)*

VIII. WORKSHOP

A. Update On Parks Master Plan Process

- Director of Recreation and Parks, Morgan Rodgers, introduced Allison Stewart Harris from Jacobs to provide an update on the Parks Master Plan process

B. Demonstration Farm At Old Rucker Road Park Property

- Director Rodgers provided an overview of a proposal for relocating the Whole Foods Demonstration Farm from its current location at the former Whole Foods property on Upper Hembree Road to the City's recently acquired tract on Old Rucker Road. The presentation included a basic overview of the demonstration farm and its purpose, the legal agreement through which Whole Foods would make the donation of the farm, and operational budgetary considerations.
- Sarah Nerswick, teacher at Cambridge High, came forward in support of this program

IX. PUBLIC COMMENT

None

X. REPORTS

- Council Member Binder reminded the public that there is an input session for the Parks Master Plan Tuesday at City Hall at 6:00 PM
- Council Member Binder also introduced Dennis Mitchell who has been voted the new Chair of the Recreation Commission
- Council Member Merkel reminded the public that October 28th is "National Prescription Drug Take Back Day"
- Council Member Mitchell announced that the Alpharetta Business Association will host a candidate forum at City Hall this Wednesday night at 7:00 PM

XI. ADJOURNMENT

❖ *Mayor Belle Isle adjourned the meeting at 8:05 PM*

Respectfully submitted,

A handwritten signature in black ink that reads "Coty Thigpen". The signature is written in a cursive, flowing style.

Coty Thigpen

City Clerk