



Official City Council Meeting & Public Hearing

August 27, 2018

City Hall- 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 tapes recorded at said meeting are a matter of public record and are available to be heard at the City of Alpharetta's Clerk's office during normal business hours.

I. CALL TO ORDER

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

II. ROLL CALL

- Council Members
 - Mayor Jim Gilvin
 - Mayor Pro Tem Donald F. Mitchell (ABSENT)
 - Jason Binder
 - Ben Burnett
 - John Hipes
 - Dan Merkel
 - Karen Richard
- Staff
 - Bob Regus, City Administrator
 - Sam Thomas, City Attorney
 - James Drinkard, Asst. City Administrator
 - Peter Sewczwicz, Director of Public Works
 - John Robison, Deputy Director of Public Safety
 - Morgan Rodgers, Director of Recreation and Parks
 - Kathi Cook, Director of Community Development
 - Michael Woodman, Senior Planner

- Tom Harris, Director of Finance
- Shawn Mitchell, Budget Manager

III. PLEDGE TO THE FLAG

IV. PROCLAMATIONS AND PRESENTATIONS

A. Public Safety Presentation - K9 unit

B. Proclamation - National Payroll Week

V. PUBLIC HEARING

A. CLUP-18-04 / Z-18-06 / CU-18-06: 1150 Upper Hembree Road/Animal Hospital

- Senior Planner, Michael Woodman, came forward to present this item.
- This item was heard at the July 12, 2018 Planning Commission meeting. Staff recommended approval of the item subject to 8 conditions. Two people spoke in opposition to the request and Staff received two emails in opposition. The concerns were noise and precedence of allowing change in zoning. After discussion, the Planning Commission recommended to approve the item with an additional condition. Vote (5-1)
- The applicant requested a deferral to the August 27, 2018 City Council meeting to allow them to meet with Birch Hollow residents to try to address their concerns.
- Staff recommends approval of CLUP-18-04/Z-18-06/CU-18-06 1150 Upper Hembree Road/Animal Hospital, subject to the following conditions:
 1. 'Animal Hospital, Small Animals' shall be added as a conditional use at 1150 Upper Hembree Road and limited to no more than 4,162 square feet.
 2. Conditional use approval shall be limited to Paw Patch Animal Clinic; no additional 'Animal Hospital, Small Animals' businesses or subleasing shall be permitted within the approved space.
 3. Hours of operation shall be Monday – Saturday 7:00 AM – 7:00 PM.
 4. The business shall not have boarding/kenneling facilities, except that animals may be kept over-night for care incidental to the hospital use.
 5. Dumpster shall be maintained within a screened dumpster enclosure, as approved by Staff.
 6. Grassed area between the sidewalk and parking lot shall be sodded or seeded to fill-in bare areas.
 7. Exterior modifications to the existing structure shall be residential in character, as approved by Staff.
 8. 50' undisturbed buffers on the north and east sides of the property shall be replanted where sparse, as approved by Staff.
 9. The property shall be restricted to office or animal hospital, small animals uses.
- The applicant, Scott Hutchison, requests rezoning of 2.48 acres from O-I (Office-Institutional) to C-1 (Neighborhood Commercial) and a conditional use to allow an 'Animal Hospital, Small Animals' business in an existing free-standing structure. A Comprehensive Land Use Plan amendment is requested to change the designation of the property from 'Professional Business Office' to 'Commercial'. The property is located at 1150 Upper Hembree Road on the north side of Upper Hembree Road and west of Harris Road.
- The submitted request, if approved, will allow the applicant to operate an 'Animal Hospital, Small Animals' business in a 4,162 square foot existing 1-story office building. The business is Paw Patch Animal Clinic,

- which is a traditional animal hospital with no boarding or kenneling. The subject property is located at 1150 Upper Hembree Road on the north side of Upper Hembree and west of Harris Road.
- The subject property is zoned O-I (Office-Institutional) and received conditional use approval in 2000 for Solutions Counseling Services, which was an adolescent counseling center. Surrounding properties are zoned R-12 (Dwelling, 'For-Sale', Residential) to the north, O-I to the west and south and R-15 (Dwelling, 'For-Sale', Residential) to the east. Birch Hollow subdivision is adjacent to the north, a single-family home to the east, former assisted living facility to the west and medical office and assisted living facility to the south. Upper Hembree Road is designated 'Professional Business Office' and 'Commercial' on the City's Future Land Use Map, with the subject property designated 'Professional Business Office'. The nearest home in the Birch Hollow subdivision is approximately 240', as measured in a straight line, from the applicant's requested location.
- The property is developed with a 4,162 square foot 1-story office building, which was converted from a residence in 2000. Approximately 21 parking spaces are provided on the property, which exceeds the City's requirement of one (1) parking space per 200 square feet for the proposed use. The applicant intends to utilize the existing building with no planned exterior modifications. A privacy fence is proposed at the rear of the property for the purpose of providing a secured dog walking area. 50' undisturbed buffers are provided along the north and east sides of the property. If approved, staff recommends enhancement of the buffers where sparse.
- Unified Development Code (UDC) Section 1.4.2 defines 'Animal Hospital, Small Animals' as follows:
 - "A place where dogs, cats, birds or other animals normally kept as household pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use."
- There are currently no 'Animal Hospital, Small Animals' businesses on Upper Hembree Road corridor. The nearest similar use is North Roswell Veterinary Clinic located at the southwest corner of Alpharetta Highway and Hembree Road in the City of Roswell and approximately one (1) mile away from the subject property. The nearest similar use in the City is Country Place Animal Hospital, located at 2165 Old Milton Parkway.
- The applicant's business is Paw Patch Animal Clinic, which is a traditional animal hospital serving dogs, cats and pocket pets. The business will provide inpatient, outpatient, surgery, radiology, preventive, wellness care and grooming services. The business will not provide boarding, kenneling or emergency care services. Hours of operation will not exceed Monday – Saturday 7:00 AM – 7:00 PM. The applicant anticipates three (3) employees, in addition to Dr. Banner.
- City Staff has reviewed the applicant's proposal and finds that it can generally support the request for comprehensive land use plan amendment, rezoning and conditional use. The proposal is consistent with the development pattern in the area, which predominately consists of office-institutional and commercial uses. The business will be conducted within the existing building and will not offer boarding or kenneling services. In addition, the applicant does not propose any exterior modifications and should not impact the quality of life for adjacent residential properties. However, conditions should be established as part of this application that regulate and limit expansion of the proposed use and require enhancement of landscape buffers and dumpster screening.
- The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received. Staff received emails/calls from residents in the adjacent Birch Hollow subdivision with concerns over noise and change of zoning.
- Applicant came forward to present their request

Public Comment

- Georgina Zambrana, 8550 Birch Hollow Drive, Roswell, GA, came forward to speak on this item
- John Defease, 710 Willow Overlook, Alpharetta, GA, came forward to speak on this item

- Andrea Hastings, 3820 Mansell Road, Alpharetta, GA, came forward to speak on this item
 - Rachel McAfee, 1968 Chart Marietta, GA, came forward to speak on this item
 - Denise Osmond, 5411 Jackson Point Marietta GA, came forward to speak on this item
 - Andrea, 64 Paces Lake Dr, Dallas, Ga, came forward to speak on this item
 - Michael Miller, 16131 White Circle, Marietta, GA, came forward to speak on this item
 - Jeff Howard, 4229 Caroline Trace, Kennesaw, GA, came forward to speak on this item
- ❖ Council Member Richard offered a motion to approve the CLUP-18-04/Z-18-06/CU-18-06 1150 Upper Hembree Road/Animal Hospital, subject to the following conditions:
1. 'Animal Hospital, Small Animals' shall be added as a conditional use at 1150 Upper Hembree Road and limited to no more than 4,162 square feet.
 2. Conditional use approval shall be limited to Paw Patch Animal Clinic; no additional 'Animal Hospital, Small Animals' businesses or subleasing shall be permitted within the approved space.
 3. Hours of operation shall be Monday – Saturday 7:00 AM – 7:00 PM.
 4. The business shall not have boarding/kenneling facilities, except that animals may be kept over-night for care incidental to the hospital use.
 5. Dumpster shall be maintained within a screened dumpster enclosure, as approved by Staff.
 6. Grassed area between the sidewalk and parking lot shall be sodded or seeded to fill-in bare areas.
 7. Exterior modifications to the existing structure shall be residential in character, as approved by Staff.
 8. 50' undisturbed buffers on the north and east sides of the property shall be replanted where sparse, as approved by Staff.
 9. The property shall be restricted to office or animal hospital, small animals uses.
 10. Applicant shall plant a row of Leyland Cypress along the rear property line
 11. Privacy fence shall be connected to the existing building
 12. There shall be no free-roam exercising of animals in the open areas of the property.
 13. Applicant shall regularly collect animal waste to avoid odors.
 14. Flood lights shall not be pointed at adjacent residential properties in Birch Hollow subdivision.
- The motion received a second from Council Member Binder
 - The motion was approved unanimously 6-0

B. PH-18-06: R.D. Manning House Historic Designation /10 Cumming Street (1st reading)

- Director of Community Development, Kathi Cook, came forward to present the item.
- This item was heard at the August 9, 2018 Historic Preservation Commission meeting. Staff recommended approval. One person asked a question concerning the restoration of the property. After discussion, the Historic Preservation Commission recommended to approve the item. Vote (5-0)
- Staff recommends approval of PH-18-06 10 Cumming St Historic Designation
- The applicant, Frank Duffy, 10 Cumming Street is requesting that the property be designated as Historic. The subject property is located at 10 Cumming Street.
- The submitted request, if approved, will allow the applicant to change the property status from Contributing Historic Property to be designated as Historic per the Historic Preservation Ordinance.
- The R.D. Manning House possesses historic significance and association as a home to one of the founding families of Alpharetta.

- It is deemed worthy of preservation, as it is 107 years old and representative of the Craftsman / Prairie Style home popular in the 1930's.
- Tracy Ward, the downtown consultant for the City, noted that the columns on the front of the home are not original. The architecture most closely represents a combination of Prairie and Craftsman Styles.
- The Georgia Historic Preservation Trust does not recommend the designation of this property as an individual landmark due to loss of exterior integrity due to the enclosure of the front porch such that it no longer reads as the Craftsman style. They do however; recognize the City's authority to make this decision on a local level.
- Applicant, Frank Duffy, came forward on behalf of the applicant
- Assistant City Attorney, Scott Hastey, read the Ordinance title into the record constituting a 1st reading

Public Comment

None

❖ Council Member Richard offered a motion to approve PH-18-06 10 Cumming St Historic Designation including the Ordinance as read by City Attorney

- The motion received a second from Council Member Hipes
- The motion was approved unanimously 6-0

C. PH-18-07: Lewis Manning House Historic Designation/40 Cumming Street (1st reading)

- Director of Community Development, Kathi Cook, came forward to present this item.
- This item was heard at the August 9, 2018 Historic Preservation Commission meeting. Staff recommended approval. One person asked a question concerning the restoration of the property. After discussion, the Historic Preservation Commission recommended to approve the item. Vote (5-0)
- Staff recommends approval of PH-18-07 40 CUMMING ST HISTORIC DESIGNATION.
- As required by Zoning Condition # 9 for CLUP-17-02/Z-17-04 Taylor Morrison / 40 Cumming Street on September 25, 2017, the applicant is requesting that the property be designated as Historic. The subject property is located at 40 Cumming Street and is known as the Lewis Manning House.
- The submitted request, if approved, will allow the applicant to change the property status from Contributing Historic Property to designated as Historic per the Historic Preservation Ordinance.
- The Lewis Manning House possesses historic significance and association as a home to one of the founding families of Alpharetta.
- It is deemed worthy of preservation as it is 123 years old and is an outstanding representative of a Queen Anne Style home.
- Tracy Ward, the downtown consultant for the City agrees that this property should be designated as Historic.
- The Georgia Historic Preservation Trust supports the designation because of its significance as an outstanding example of the Queen Anne style.

- Assistant City Attorney, Scott Hastey, read the Ordinance title into the record constituting a 1st reading

Public Comment

- Albert Stovall, 175 Manning Drive, Alpharetta, GA, came forward to speak on this item
- ❖ Council Member Richard offered a motion to approve PH-18-07 40 Cumming St Historic Designation including the Ordinance as read by City Attorney
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously 6-0

D. PH-18-08: Troy Rucker House Historic Designation / 1080 Rucker Road (1st reading)

- Director of Community Development, Kathi Cook, came forward to present this item.
- This item was heard at the August 9, 2018 Historic Preservation Commission meeting. Staff recommended approval. One person asked a question concerning the restoration of the property. After discussion, the Historic Preservation Commission recommended to approve the item. Vote (5-0)
- Staff recommends approval of PH-18-08 1080 Rucker Rd Historic Designation.
- The applicant is requesting that the property be designated as Historic. The subject property is located at 1080 Rucker Rd and is known as the Troy Rucker House.
- The submitted request, if approved, will allow the applicant to change the property status from Contributing Historic Property to designated as Historic per the Historic Preservation Ordinance.
- The Troy Rucker House possesses historic significance and association as a home to one of the founding families of Alpharetta.
- It is deemed worthy of preservation as it is 118 years old and is an outstanding representative of a Queen Anne Style home.
- Tracy Ward, the downtown consultant for the City agrees that this property should be designated as Historic.
- The Georgia Historic Preservation Trust supports the designation of the Troy Rucker House due to its significance as an outstanding example of a Queen Anne cottage as well as its association with Troy Rucker.
- Assistant City Attorney, Scott Hastey, read the Ordinance title into the record constituting a 1st reading

Public Comment

- Cindy Hogan, 1080 Rucker Road, Alpharetta, GA came forward to speak on this item as the property owner
- Terry Shipp, 3125 Gadsden St, Alpharetta, GA came forward to speak on this item
- Solina Kent, neighbor of the property under consideration, came forward to speak on this item
- Connie Mashburn, 1245 Tuscany Ct, Alpharetta, GA, came forward to speak on this item

- ❖ Council Member Richard offered a motion to approve PH-18-08 1080 Rucker Rd Historic

Designation including the Ordinance as read by the City Attorney

- The motion received a second from Council Member Binder
- The motion was approved unanimously 6-0

E. MP-18-06: Starbucks/Windward

- Senior Planner, Michael Woodman, came forward to present this item.
- This item was heard at the August 2, 2018 Planning Commission meeting. Staff recommended approval of the item subject to 6 conditions. No one spoke in favor of or in opposition to the request. After discussion, the Planning Commission recommended to approve the item subject to staff's recommended conditions. Vote (6-1)
- Staff recommends approval of MP-18-06 Starbucks/Windward Master Plan, subject to the following conditions:
 1. Property shall be developed substantially in accordance with submitted plan prepared by GPD Group, dated 6/28/2018, except for modifications required to comply with the conditions below.
 2. Add 'Restaurant with Drive-thru Window' as a permitted use in Windward Master Plan Pod 4 at 6197 Windward Parkway for Starbucks. Approval shall be limited to a coffee shop only.
 3. Drive-thru facilities shall not be visible from the public right-of-way. Decorative landscape material shall be used to screen the drive-thru, as approved by the DRB.
 4. Replace dead, dying or missing landscape material in existing required landscape areas.
 5. Developer shall provide the required bicycle racks.
 6. Building, site and landscape plans shall be subject to review and approval by the DRB.
- The applicant, GPD Group, is requesting an amendment to Windward Master Plan Pod 4 to allow a former bank with drive-through to be converted to a Starbucks with drive-through on a 1.15-acre site. A master plan amendment to add 'Restaurant with Drive-thru Window' as a permitted use in Windward Pod 4 is required for the proposed business. The subject property is located at 6197 Windward Parkway at the southwest corner of Windward Parkway and Market Place.
- The submitted request, if approved, will allow a former bank with drive-thru to be converted to a coffee shop with drive-thru for Starbucks on a 1.15-acre site. A master plan amendment to add 'Restaurant with Drive-thru Window' as a permitted use in Windward Pod 4 is required for the proposed business. The nearby Starbucks at 3070 Windward Plaza will be closing due to lease termination and is proposed to be relocated to the subject property. The subject property is located at 6197 Windward Parkway at the southwest corner of Windward Parkway and Market Place.
- The property is zoned CUP (Community Unit Plan) and subject to the Windward Master Plan Pod 4. A 1- story, 3,625 square foot bank with drive-thru was constructed in 2008 for Flagstar Bank and later PNC Bank. Surrounding properties are also zoned CUP and subject to the Windward Master Plan, including Market Forest retail center to the west, E-Trade Financial to the north, The Ascent at Windward apartments to the east, Bank of America to the southeast and Windward Plaza office building to the south. The Comprehensive Land Use Plan designation of the property is 'Commercial', which allows the proposed use.
- 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 4 has a land use designation of 'Commercial', which allows professional office, banks, restaurant, theater, health club, retail commercial, service commercial, gas station, civic buildings, medical

facilities, hotel and conference center, specialty retail shops and boutiques and day care center. 'Commercial' pods in Windward represent less than 2%, or 60 acres, of the total land area within the Master Plan. The Windward Master Plan has been amended on a few occasions.

- The applicant's site plan depicts the 1-story, 3,625 square foot bank building and associated parking to remain. The building is proposed to be opened up at the front to include an under roof open air patio (596 square feet), which will reduce the size of the building to 3,032 square feet. Land disturbance is limited to reconfiguration of the drive-thru facilities from three (3) lanes to a single lane, as well as the addition of a dumpster enclosure, sidewalk connection and outdoor seating area. Additional green space will be added as a result of the modifications to the drive-thru facilities. Access to the site will continue from Windward Parkway.
- A total of 28 parking spaces exists and will remain on the property. Windward Pod 4 requires one (1) parking space per 200 square feet; therefore, the proposed use would require 15 spaces. Landscape strips along Windward Parkway and Market Place are substantially in compliance with the Unified Development Code. If approved, staff recommends a condition requiring the developer to assess existing landscaping and replace any missing, dying or dead material. A tree save/stormwater area is located to the rear of the property; however, the developer does not propose any impacts to the area.
- The applicant submitted trip generation figures for the proposed request. The proposed use would generate a total of 2,983 daily trips, when calculated based on the total area of the building. However, the size of the existing building is larger than what Starbucks needs. Starbucks typically builds a 2,000 square foot building for free-standing ground up projects. Starbucks proposes to open the front of the existing building to be an under roof open air patio, which will result in a decrease to the overall building size. The applicant estimates that the proposed Starbucks will generate 1,638 daily trips.
- The City's Transportation Engineer reviewed the applicant's proposed drive-through configuration. From the right-turn into the site, there would be space for approximately eight (8) vehicles beyond the eight (8) vehicles between the order board and the drive-through window. In addition, vehicles coming from Market Place would have over 400' before the order board. From both drives vehicles would more likely choose to drive into the site and park in lieu of waiting in a long drive-through line. Staff believes the site provides sufficient circulation for the operator to manage any peak customer surges.
- Staff has reviewed the applicant's proposal and finds that it can generally support the request for master plan amendment. The request is compatible with properties in the vicinity, which are also designated 'Commercial' and developed with commercial uses. The property was previously developed with drive-thru facilities and the applicant is asking to utilize those facilities in conjunction with a restaurant use. The Windward Master Plan was approved in 1980 with a substantial update in 1993 before the first Starbucks with drive-thru opened in 1994. Therefore, a coffee shop with drive-thru was not considered in the Windward Master Plan list of permitted uses. If approved, conditions are recommended requiring screening of the drive-thru facilities. However, a drive-through should only be permitted for a coffee shop, which has fewer trips at different peak times as compared to a traditional fast food restaurant with drive-through.
- The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received.
- Applicant came forward to speak to their request

Public Comment

None

- ❖ Council Member Richard offered a motion to approve the MP-18-06 Starbucks/Windward Master Plan, subject to the following conditions:

1. Property shall be developed substantially in accordance with submitted plan prepared by GPD Group, dated 6/28/2018, except for modifications required to comply with the conditions below.
2. Add 'Restaurant with Drive-thru Window' as a permitted use in Windward Master Plan Pod 4 at 6197 Windward Parkway restricted to Starbucks.
3. Drive-thru facilities shall not be visible from the public right-of-way. Decorative landscape material shall be used to screen the drive-thru, as approved by the DRB.
4. Replace dead, dying or missing landscape material in existing required landscape areas.
5. Developer shall provide the required bicycle racks.
6. Building, site and landscape plans shall be subject to review and approval by the DRB.

- The motion received a second from Council Member Merkel
- The motion was approved unanimously 6-0

F. PH-18-AB-51 Minimum Distance Requirement Waiver Request - Chiringa

- City Clerk, Coty Thigpen, came forward to present this item.
- Staff recommends approval of PH-18-AB-51 Chiringa Minimum Distance Requirement Waiver request.
- The applicant, Chiringa, has applied for a City of Alpharetta Alcohol License for on-premise consumption. The proposed restaurant is located at 34 S. Main Street, Suite 2B, within City Center in one of the 'jewel boxes' adjacent to the Town Green. After reviewing the application, it was determined that the applicant did not satisfy the distance requirement for public parks due to their proximity to the City's Town Green. Licensees within the Downtown District are required to be 50 feet from public parks.
- The City's Alcohol Code has special provisions and exceptions for establishments located in the Downtown District. One such provision, outlined in the attached Code Section 4-399, provides an allowance to submit a distance waiver request for Council consideration.
- The applicant has satisfied all other necessary requirements for a City of Alpharetta On-Premise Consumption Alcohol License.

Public Comment

- Cheri Morris, owner/lessor of the property, came forward to speak on this item

- ❖ Council Member Merkel offered a motion to approve PH-18-AB-51 Chiringa Minimum Distance Requirement Waiver request.

- The motion received a second from Council Member Binder
- The motion was approved 4-2; with Burnett and Richard voting no

VI. NEW BUSINESS

A. Board And Commission Appointments: Alpharetta Development Authority

- ❖ Mayor Gilvin offered a motion to appoint Jack Nugent to the Alpharetta Development Authority
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously 6-0

B. Morris Road Operational Improvements, ITB #18-009

- City Administrator, Bob Regus, came forward to introduce Taylor Wright, consultant for the project
- Staff recommends Mayor and Council award Bid No. 18-009 to Vertical Earth Incorporated in the amount of \$2,600,127.17 for the Morris Road Operational Improvements TSPLOST Project and authorize the Mayor to execute all necessary documents.
- The award of this bid is for the construction of the Morris Road Operational Improvements TSPLOST project.
- Elements of this project include:
 - Providing two lanes of travel in each direction along Morris Road from Old Milton Parkway to Preston Ridge;
 - Converting one of the two north-bound lanes of Morris Road between Preston Ridge and Webb Bridge Road into a center turn lane;
 - Constructing a roundabout at the intersection of Morris Road Preston Ridge
 - Installing sidewalks along both sides of Morris Road from Old Milton Parkway to Webb Bridge Road.

- Plans and specifications for this project were prepared by Pond and Company with program management oversight provided by Atkins. The project advertised for competitive bids during May, June, and July 2018. Bids for the project were received on July 12, 2018 and the City received a total of five bids from the following:

Vertical Earth Inc.	\$2,600,127.17
CMES, Inc.	\$3,026,366.00
Baldwin Paving Company, Inc.	\$3,198,988.53
C. W. Matthews Contracting Co., Inc.	\$3,216,831.76
A! Contracting LLC	\$3,324,704.50

- The apparent low bidder, Vertical Earth Inc. is an experienced contractor which has worked on several projects with similar elements in Georgia for multiple governmental agencies including City of Johns Creek, City of Kennesaw, and City of Roswell. The contacted references stated that Vertical Earth Inc. provided reliable work on time and within budget and would utilize their services again. Additionally, Vertical Earth Inc. was previously awarded, and has substantially completed, the city's Warsaw Area Sidewalk Improvement Project.
- Staff met with representatives of Vertical Earth Inc. on July 26, 2018 to review the scope of work and the City's expectations. Vertical Earth Inc. assured Staff that they could complete the project for the bid amount and within the allocated time frame. Thus, staff determined Vertical Earth Inc. to be the lowest responsive and responsible bidder.
- Once a contract with Vertical Earth Inc. has been finalized and executed, construction may begin immediately. The anticipated completion date for work at all locations is no more than 365 days from notice to proceed.

Public Comment

None

- ❖ Council Member Burnett offered a motion to award Bid No. 18-009 to Vertical Earth Incorporated in an amount not to exceed \$2,600,127.17 for the Morris Road Operational Improvements TSPLOST Project and authorize the Mayor to execute all necessary documents.

- The motion received a second from Council Member Richard
- The motion was approved unanimously 6-0

C. E911 Prepaid and Postpaid Fee Resolutions

- Director of Finance, Tom Harris, came forward to present this item.
- Staff recommends Mayor and Council adoption of the updated E911 Prepaid and Postpaid Fee Resolutions to ensure compliance and uniformity with recent State law changes.
- During the 2018 Session, the Georgia General Assembly passed HB 751 and it was signed into law on May 7, 2018. HB 751 is a comprehensive piece of legislation that, among other things, establishes the Georgia Emergency Communications Authority (GECA) as the coordinating body for 911 and emergency communications in the state. Additionally, the legislation creates a new process by which all 911 fees are to be collected and remitted to local governments.
- Beginning January 1, 2019, service suppliers will begin aggregating and remitting their collected 911 fees to the Georgia Department of Revenue through a contract with GECA. Wireline, postpaid wireless, and Voice over Internet Protocol fees will continue to be distributed based on the same formula as before. Prepaid will continue to be distributed based on the same formula as well; however, the prepaid remittances will be delivered to the local governments monthly as opposed to the current annual distribution in October.
- Per O.C.G.A. § 46-5-134, the 911 fees collected by the service supplier and transmitted to the authority for distribution to local governments pursuant to Code Section 38-3-185 shall, upon being received by a local government, be deposited and accounted for in a separate restricted revenue fund known as the Emergency Telephone System Fund maintained by the local government. All such funds shall be used exclusively for the purposes authorized by O.C.G.A. § 46-5-134(-f).
- With these changes to the processes, new 911 resolutions need to be adopted by each local government that operates a public safety answering point (PSAP). Updated 911 Resolutions were approved by Alpharetta in June 2018 based on staff interpretations of HB 751. However, model resolutions were subsequently provided in July by the Georgia Municipal Association and staff desires to reaffirm its 911 fees using the updated resolution language to ensure consistency with other PSAP providers.
- The new 911 resolutions must be submitted to the Georgia Department of Revenue no later than November 1, 2018 to ensure that the Department has sufficient time to implement the new collection and remittance process by January 1, 2019.
- Assistant City Attorney, Scott Hastey, read the Resolutions aloud

Public Comment

None

- ❖ Council Member Merkel offered a motion to adopt updated E911 Prepaid and Postpaid Fee Resolutions as ready by City Attorney.
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously 6-0

VII. WORKSHOP

A. Proposed Changes to PSC and MU Zoning Districts and North Point Overlay - Caleb Racicot,

TSW

B. Buice Road - Replacement of Speed Tables

- City Administrator, Bob Regus, came forward to present this item
- Buice Road, between Kimball Bridge Road and Jones Bridge Road is under the jurisdictional authority of Johns Creek. On the east and west side of Buice Road are Alpharetta residents and on the west side of Buice Road is Ocee Park. Along Buice Road are several speed control devices. These speed tables were installed by Fulton County and now are the responsibility of Johns Creek. Due to the speed tables not meeting standards, Johns Creek is looking to have them all removed. Johns Creek's traffic calming policy does not permit the installation of speed cushions along non-internal subdivision streets.
- The proposed plan is for chicanes and mini-roundabouts be installed along Buice Road. A chicane is a series of alternating mid-block curb extensions that narrow the roadway and require vehicles to follow a curving, S-shaped path with the intent of discouraging speeding.
- The roundabouts proposed are much smaller than existing roundabouts in the area. The smallest roundabout in Alpharetta is located at Bates and Mayfield Road and is 82' in diameter. The proposed min roundabouts along Buice are planned to be 72' in diameter. Landscaping will not be installed in the middle of the roundabouts since Public Safety Vehicles and larger vehicles (i.e. moving trucks) will travers the roundabout via driving thru the roundabout and not around the roundabout.
- Representatives from Johns Creek present the attached plan to citizens along the corridor and individuals present at the meeting were overwhelming in support of the proposed improvements. The end goal of the project is to slow the speed of the vehicles along Buice Road and the chicanes and mini-roundabouts will accomplish this goal.

C. Downtown Alpharetta: Old Roswell Street Centralized Waste / Recycling Facility

- Assistant City Administrator, James Drinkard, came forward to present this item on behalf of staff
- With the increasing popularity of Downtown Alpharetta as a destination, especially for dining, a corresponding growth in garbage from businesses within the district is being seen. Nowhere is this issue being experienced more than at the existing dumpster facility located in the City's parking lot on Old Roswell Street.
- The existing dumpster facility was originally designed to handle garbage and recyclables only for the buildings located at 10 Milton Avenue and 37 Old Roswell Street, consisted of two restaurants, a salon, and professional office space. Over time, however, additional restaurants and businesses began using the facility such that today six restaurants, a bakery, and several retail shops use the facility.
- As use of the facility expanded beyond the two original buildings, the City took over management and responsibility and implemented a program whereby the cost of servicing the facility was born by the utilizing businesses based on a pro-rata share in a two-tiered cost formula (restaurants bearing a higher cost than other users due to generating a higher trash volume).
- The volume of waste that the Old Roswell Street facility is having to support has far exceeded its capacity. Although service days have been maximized, this routinely results in bags of garbage being piled onto the ground in front of the dumpsters; sometimes to the point that Republic Services is unable to service the dumpsters. While Staff has worked with solid waste professionals seeking to identify alternative means of addressing the issue, the only option is to expand the capacity of the centralized waste facility.
- Due to a variety of limiting factors; including topography, the need to minimize parking loss,

and operational issues; it has been determined that the only real option is to relocate the centralized waste facility to a central location within the Old Roswell Street parking lot. This will allow for a facility sized to meet current and anticipated future demand while accounting for other relevant factors.

- The plan would result in a net loss of only two parking spaces from this lot.
- Council would like to workshop this item again at the next Council Meeting

VIII. PUBLIC COMMENT

None

IX. REPORTS

- Council Member Burnett announced that he will not be at the September 4th Council Meeting
- Council Member Richard announced the 1st Community Conversation Meeting that will take place at City Hall on September 12th at 6pm

X. ADJOURNMENT

❖ *Mayor Gilvin adjourned the meeting at 8:36 p.m.*

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