



City Council Meeting
June 3, 2019
Office of the City Clerk

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

This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted as heard by Council, but not quoted or paraphrased. This document includes limited presentation by Council and invited speakers in summary form. This is not an official record of the Alpharetta City Council Meeting proceedings. Official Minutes are recorded and available for review.

I. CALL TO ORDER

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

II. ROLL CALL

- Council Members
 - o Mayor Jim Gilvin
 - o Mayor Pro Tem Donald F. Mitchell
 - o Jason Binder
 - o Ben Burnett
 - o John Hipes
 - o Dan Merkel
 - o Karen Richard
- Staff
 - o Bob Regus, City Administrator
 - o Sam Thomas, City Attorney
 - o James Drinkard, Asst. City Administrator
 - o Peter Sewczwicz, Director of Public Works
 - o Morgan Rodgers, Director of Recreation, Parks & Cultural Services
 - o Kathi Cook, Director of Community Development
 - o Shawn Mitchell, Budget & Procurement Manager
 - o Tom Harris, Director of Finance
 - o Kurt Kirby, Project Manager
 - o Amanda Musilli, Community Services Manager
 - o Matt Casey, Wills Park Manager
 - o Trent Lindgren, Major – Police Operations

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 5/28/2019)

B. Financial Management Report: Month Ending April 30, 2019

❖ Mayor Pro Tem Mitchell offered a motion to approve the consent agenda

- The motion received a second from Council Member Merkel
- The motion was approved unanimously (7-0)

V. PUBLIC HEARING

A. E-19-01: Sabri Guven Sign Exception

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff recommends Mayor and Council approve E-19-01 Sabri Guven Sign Exception, subject to the following conditions:
 1. Two (2) illuminated window signs, each no more than 3 square feet in sign area, shall be permitted for Sabri Guven. No more than one (1) illuminated window sign shall be visible from Old Milton Parkway or Haynes Bridge Road.
 2. Window signage, including illuminated window signs, shall not exceed a maximum of 20% of the total window area for the Sabri Guven space.
- The applicant, Sabri Guven, is requesting consideration of a sign exception to allow two (2) illuminated window signs for Sabri Guven Fine Jewelry. The Unified Development Code (UDC) allows one (1) illuminated window sign per tenant space. The subject property is located at 2225 Old Milton Parkway at the southeast corner of Old Milton Parkway and Haynes Bridge Road.
- The submitted request, if approved, would allow two (2) illuminated window signs for Sabri Guven Fine Jewelry. The Unified Development Code (UDC) allows one (1) illuminated window sign per tenant, not to exceed four (4) square feet in area. The applicant currently has two (2) 'OPEN' illuminated window signs, each having a sign area of three (3) square feet. The subject property is located at 2225 Old Milton Parkway at the southeast corner of Old Milton Parkway and Haynes Bridge Road.
- The subject property is zoned C-2 (General Commercial) and is developed with a 1-story, 9,000 square foot retail strip center. Surrounding properties are zoned C-2 to the north and west and O-I (Office-Institutional) to the south and east. An undeveloped commercial property is located to the north, undeveloped office properties to the south and east and Alpharetta Crossing shopping center to the west.
- UDC Section 2.6.12 (A)(4) Strip Shopping Centers (less than 50,000 sq. ft. enclosed leasable space), Window Signs states, "The aggregate copy area of window

signs shall not exceed a maximum of 20% of the total window area of the subject tenant space. One (1) illuminated window sign is permitted for each tenant space provided that such sign does not exceed a maximum of four (4) square feet. Illuminated window signs shall be included in the maximum aggregate window sign area calculation."

- The applicant currently has two (2) illuminated window signs, with the words 'OPEN', in the windows facing Old Milton Parkway and Haynes Bridge Road. Each sign has green lettering and measures 1' x 3', or three (3) square feet. Code Enforcement has notified the applicant that the additional illuminated window sign requires approval of a sign exception and the applicant has turned off the sign during the public hearing process. Sabri Guven Fine Jewelry occupies the tenant space at the corner of the building, which has frontage on both Old Milton Parkway and Haynes Bridge Road. While wall signage is typically permitted along each road frontage, illuminated window signage is limited to the tenant space.
- Staff has reviewed the application and is in general agreement with the requested sign exception. The sign exception criteria have been met and the applicant's request should not impact surrounding properties. Sabri Guven Fine Jewelry is located in a corner suite, which has frontage along both Old Milton Parkway and Haynes Bridge Road. If approved, conditions are recommended requiring compliance with the City's maximum window signage percentage.
- The applicant notified adjacent property owners of the sign variance request and intent for the property. The citizen participation report states that no comments were received.
- The CZIM was held on May 8, 2019. No one signed-in and there were no comments on the request.
- Jim Chandlee, 8181 Industrial Place, Suite A, Alpharetta, came forward to speak on behalf of the applicant.

Public Comment:

- No Public Comment
- ❖ Council Member Richard offered a motion to approve the E-19-01 Sabri Guven Sign Exception, subject to the following conditions:
 1. Two (2) illuminated window signs, each no more than 3 square feet in sign area, shall be permitted for Sabri Guven. No more than one (1) illuminated window sign shall be visible from Old Milton Parkway or Haynes Bridge Road.
 2. Window signage, including illuminated window signs, shall not exceed a maximum of 20% of the total window area for the Sabri Guven space.
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously (7-0)

B. Public Hearing on the Fiscal Year 2020 Budget and Millage Rate Levy

- Director of Finance, Tom Harris, came forward to present this item.
- The purpose of this hearing is to obtain public comment on the Recommended Fiscal Year 2020 Budget.
- The FY 2020 Budget was distributed electronically to the City Council on April 22, 2019 and is available on the City's website as a downloadable pdf and available for filtering/analysis through the City's financial transparency site powered by OpenGov. The Finance Department presented an overview of the operating and capital budget at the May 6th, May 13th, and May 20th City Council meetings.
- Tonight is the final public hearing and the final vote on the FY 2020 Budget and Millage Rate Levy with the schedule as follows:
- May 28, 2019:
 - Public Hearing
 - City Council Meeting
 - Budget Ordinance (1st Reading)
 - Millage Ordinance (1st Reading)
- June 3, 2019:
 - Public Hearing
 - City Council Meeting
 - Budget Ordinance (2nd Reading)
 - Millage Ordinance (2nd Reading)
- There have been no changes to the budget as presented at the 1st reading.

Public Comment:

- No Public Comment

VI. OLD BUSINESS

A. Approval of Fiscal Year 2020 Budget and Millage Rate Levy (2nd Reading)

- Director of Finance, Tom Harris, came forward to present this item.
- The purpose of this hearing is to provide an update on the Recommended Fiscal Year 2020 Budget and adopt the following: (a) Fiscal Year 2020 Budget Ordinance (2ND READING); and (b) Fiscal Year 2020 Millage Rate Ordinance (2ND READING).
- The FY 2020 Budget was distributed electronically to the City Council on April 22, 2019 and is available on the City's website as a downloadable pdf and available for filtering/analysis through the City's financial transparency site powered by OpenGov.
- The Finance Department presented an overview of the operating and capital budget at the May 6th, May 13th, and May 20th City Council meetings.

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- May 28, 2019:
 - Public Hearing
 - City Council Meeting
 - Budget Ordinance (1st Reading)
 - Millage Ordinance (1st Reading)
- June 3, 2019:
 - Public Hearing
 - City Council Meeting
 - Budget Ordinance (2nd Reading)
 - Millage Ordinance (2nd Reading)
- There have been no changes to the budget and millage levy as presented at the 1st reading.
- The attached Budget Ordinance is substantially similar in structure as in previous years and provides authority for revenue/appropriation levels, carryforward appropriation authority, staffing level authorizations, etc.
- City Attorney, Sam Thomas, read the Budget Ordinance aloud.

Public Comment:

- No Public Comment
- ❖ Council Member Merkel offered a motion to approve the Fiscal Year 2020 Budget and adopt the Fiscal Year 2020 Budget Ordinance (2nd Reading)
 - The motion received a second from Council Member Hipes
 - The motion was approved unanimously (7-0)
- City Attorney, Sam Thomas, read the Millage Rate Levy Ordinance aloud.

Public Comment:

- No Public Comment
- ❖ Council Member Merkel offered a motion to approve the Fiscal Year 2020 Millage Rate Ordinance (2nd Reading).
 - The motion received a second from Mayor Pro Tem Mitchell
 - The motion was approved unanimously (7-0)

VII. NEW BUSINESS

A. On Call Park Trail Construction Services (RFQ 19-1005)

- Director of Recreation, Parks & Cultural Services, Morgan Rodgers, came forward to present this item.
- Staff recommends Mayor and Council approve RFQ #19-1005 to Steele & Associates Incorporated as an On-Call contract to provide Park Trail construction services to support the City's Construction of New Park Space initiative and authorize the Mayor to execute all necessary documents.
- The award of this Request for Qualifications is for a trail construction company to build natural trails as the City develops its community parks. The awarded vendor will provide the necessary labor, equipment and materials to construct trails in designated parks as designed by one of our on-call design firms.
- In an effort to execute Council's Design and Construction of new Park Spaces capital initiative, an RFQ was prepared by a Committee including representatives from Alpharetta Recreation, Parks and Cultural Services, and Community Development as well as Finance. RFQ #19-1005 was advertised through March with proposals received by April 18, 2019.
- The City received a total of five (5) responses which were submitted to the Evaluation Committee for review and ranking.
- The Evaluation Committee met May 9, 2019 to tabulate the overall scores. Each proposal was evaluated based on the following criteria: Firm experience (25%); Project Manager/Project Team Qualifications (25%), Professional Trail Builder Association (PTBA) certified (10%); Reference/Completed Project (40%). There were no submittals that qualified for Alpharetta Vendor Preference. The resulting scores were as follows (ranking of "1" to "5" with "5" being the highest):
 1. Steele & Associates Inc.: 4.95
 2. Integrated Construction & Nobility Inc.: 4.09
 3. Tri-Scapes Inc.: 3.57
 4. Excellere Construction LLC: 2.85
 5. Chattahoochee Group Inc.: 2.72
- Staff found the two highest scoring companies, Steele & Associates and Integrated Construction & Nobility, Inc. to be the most experienced in construction of the natural trails which are the type of trails that are being designed in the majority of our new park construction plans. Their body of work reflected a specific experience to the construction of walking trails.
- The other interested companies had a broader scope of experience with limited work in this specific area. These two firms came highly recommended from other local governments such as Forsyth County, Gwinnett County, Rockdale County, and the City of Roswell which are engaged in similar construction initiatives. Their experience expands from walking trails to boardwalks, mountain bike trails, and equestrian trails which are all potential projects that the City may pursue.
- Staff recommends awarding RFQ #19-1005 to two on-call firms to service the construction of our new park trails to Steele & Associates and Integrated Construction & Nobility, Inc. The intent is to request an updated proposal from

each firm as specific projects arise. A decision will be made at the time of construction on which firm will provide the best value to perform the work.

Public Comment:

- No Public Comment
- ❖ Council Member Binder offered a motion to approve the RFQ #19-1005 to Steele & Associates Incorporated and Integrated Construction & Nobility, Inc. as an on-call contract to provide Park Trail construction services to support the City's Construction of New Park Space initiative and authorize the Mayor to execute all necessary documents.
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (7-0)

B. On-Call Electrical Service for Events (RFP #19-111)

- Director of Recreation, Parks & Cultural Services, Morgan Rodgers, came forward to present this item.
- Staff recommends Mayor and Council approve RFP #19-111 to Meer Electric, Inc. for a 5-year service contract to provide electrical services on an on-call basis for the Recreation, Parks and Cultural Service Department's special events and authorize the Mayor to execute all necessary documents.
- The award of this Request-for-Proposals (RFP) is for licensed and qualified electrical contractors to provide electrical services on an on-call basis for the Recreation, Parks and Cultural Service Department's (Recreation Department) special events. The scope-of-work include providing all labor, services, logistical planning, security, supervision, equipment, tools, materials, and incidentals required to meet the on-call electrical service needs of the City's special events and holiday decorations. Having an electrical services contractor on-call provides the flexibility needed for the Community Services Division to quickly and efficiently address unforeseen electrical needs during events, that may occur during the year.
- All services shall be performed in accordance with the standard electrical codes and all applicable Federal, State, and local laws, ordinances, rules as well as regulations and codes. The contract will not guarantee a certain amount of hours or annual sum. Rather, work will be performed and billed on an hourly basis in accordance with the cost submission provided in response to RFP #19-111. Subcontractors are not allowed for this contract.
- In an effort to lock-in service pricing and give staff a formalized point-of-contact for on-call electrical services, an RFP was prepared by a Committee including representatives from the Recreation Department as well as Finance. RFP #19-111 was advertised in February/March 2019 with proposals received on March 21, 2019.
- The City received a total of two (2) responses which were submitted to the Evaluation Committee for review and ranking.

- The Evaluation Committee met on March 28, 2019 to tabulate the overall scores. Each proposal was evaluated based on the following criteria: method of providing services (42%); qualifications, past experience, and references (55%); and Alpharetta vendor preference (3%). The resulting scores were as follows (ranking of “1” to “5” with “5” being the highest):
 - 4.75 Meer Electric, Inc.
 - 1.38 LMI Systems, Inc.
- The high scoring firm, Meer Electric, is our current electrical services provider for special events. Staff has found them to be knowledgeable, responsive, and focused on delivering excellent service. From a cost perspective, Meer Electric and LMI Systems proposed similar hourly rates per classification (Master, Journeyman, and Apprentice labor rates). The main differentiating factor pertains to minimum staffing as Meer Electric typically sends out a minimum of two (Master/Journeyman and an Apprentice) staff members to a job. LMI Systems did not specify their minimum staffing levels.
- With these factors in mind, staff recommends award of RFP #19-111 to Meer Electric, Inc.

Public Comment:

- No Public Comment
- ❖ Council Member Binder offered a motion to approve RFP #19-111 to Meer Electric, Inc. for a 5-year service contract to provide electrical services on an on-call basis for the Recreation, Parks and Cultural Service Department's special events and authorize the Mayor to execute all necessary documents.
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously (7-0)

C. Equestrian Center Stall Cleaning (ITB # 19-013)

- Director of Recreation, Parks & Cultural Services, Morgan Rodgers, came forward to present this item.
- Award ITB #19-013 to Mass Services Inc. (dba The Dumpster Company) for a 5-year service contract to provide stall cleaning and waste removal services for the Wills Park Equestrian Center and authorize the Mayor to execute all necessary documents.
- The award of this Invitation to Bid (ITB) is for providing the service of the cleaning and removal of waste generated from horse shows and events at the Wills Park Equestrian Center. Responsibilities under this contract would include the cleaning of stalls, removing organic waste from stables, and transporting material to an approved landfill. The awarded vendor shall provide the necessary labor, tools and equipment to execute this service.
- The current contract with Mass Services, Inc. expires on June 30, 2019.

- In anticipation of the expiration of the existing contract an ITB was prepared by representatives from the Recreation, Parks and Cultural Services Divisions as well as Finance. ITB #19-013 was advertised during April 2019 with proposals received on May 3, 2019.
- The City received a total of two (2) responses:
 1. Hood Landscape & Erosion
 2. Mass Services Inc. dba The Dumpster Company
- Pricing was provided for multiple services with the detail as follows:
 - Cleaning per Stall: Hood Landscape & Erosion (\$25.88); Mass Services Inc. (\$6.95)
 - Roll-off Container (per pickup): Hood Landscape & Erosion (\$500); Mass Services Inc. (\$145)
 - Dumping Fees (per ton): Hood Landscape & Erosion (\$55); Mass Services Inc. (\$69.50)
- Pricing was then estimated based on FY 2018 activity (4,950 stalls cleaned; 423 roll-off container loads; 1,237 tons of waste removed) which indicates that Mass Services Inc. is significantly cheaper than Hood Landscape & Erosion. A savings of over 50%. (estimated at \$400K for Hood Landscape & Erosion vs \$180K for Mass Services Inc.).
- Mas Services is the low-cost bidder on this project and has been the provider of this service since 1997. Staff has found them to be knowledgeable, responsive, and focused on delivering excellent service. With these factors in mind, staff recommends award of ITB 19-013 to Mass Services Inc. (dba The Dumpster Company).

Public Comment:

- No Public Comment
- ❖ Council Member Binder offered a motion to approve the ITB #19-013 to Mass Services Inc. (dba The Dumpster Company) for a 5-year service contract to provide stall cleaning and waste removal services for the Wills Park Equestrian Center and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Richard
 - The motion was approved (5-2); Council Member Burnett and Mayor Pro Tem Mitchell voted in opposition

D. Resolution Authorizing Eminent Domain - 66 Thompson Street

- Council Member Hipes recused himself from this item.
- City Attorney, Sam Thomas, came forward to present this item and read the resolution aloud.

- A resolution of the Mayor and Council of the City of Alpharetta to authorize the use of eminent domain to acquire certain property located at 66 Thompson Street, Alpharetta, Georgia, for Transportation Project - Alpha Loop.

Public Comment:

- Ruth Ann Tatum, 250 Pebble Trail, Alpharetta, came forward to ask if these areas are isolated or has work on the Alpha Loop been completed surrounding these locations. Director of Public Works, Pete Sewczwicz, came forward to address Ms. Tatum's questions, further explaining how they plan to connect the gaps in the Alpha Loop.
- ❖ Council Member Burnett offered a motion to approve Resolution Authorizing Eminent Domain – 66 Thompson Street
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously (6-0); Council Member Hipes abstained

E. Resolution Authorizing Eminent Domain - 72 Thompson Street

- Council Member Hipes recused himself from this item.
- City Attorney, Sam Thomas, came forward present this item and read the resolution aloud.
- A resolution of the Mayor and Council of the City of Alpharetta to authorize the use of eminent domain to acquire certain property located at 72 Thompson Street, Alpharetta, Georgia, for Transportation Project - Alpha Loop.

Public Comment:

- No Public Comment
- ❖ Mayor Pro Tem Mitchell offered a motion to approve the Resolution Authorizing Eminent Domain - 72 Thompson Street
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (6-0); Council Member Hipes abstained

F. Resolution Authorizing Eminent Domain - 82 Thompson Street

- Council Member Hipes recused himself from this item.
- City Attorney, Sam Thomas, came forward to present this item and read the resolution aloud.

- A resolution of the Mayor and Council of the City of Alpharetta to authorize the use of eminent domain to acquire certain property located at 82 Thompson Street, Alpharetta, Georgia, for Transportation Project - Alpha Loop.

Public Comment:

- No Public Comment
- ❖ Council Member Burnett offered a motion to approve the Resolution Authorizing Eminent Domain - 82 Thompson Street
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously (6-0); Council Member Hipes abstained

G. Resolution Authorizing Eminent Domain - 92 Thompson Street

- Council Member Hipes recused himself from this item.
- City Attorney, Sam Thomas, came forward to present this item and read the resolution aloud.
- A resolution of the Mayor and Council of the City of Alpharetta to authorize the use of eminent domain to acquire certain property located at 92 Thompson Street, Alpharetta, Georgia, for Transportation Project - Alpha Loop.

Public Comment:

- No Public Comment
- ❖ Council Member Burnett offered a motion to approve the Resolution Authorizing Eminent Domain - 92 Thompson Street
 - The motion received a second from Council Member Richard
 - The motion was approved unanimously (6-0); Council Member Hipes abstained

H. Alpha Loop Gap - Thompson Street

- Council Member Hipes rejoined the meeting.
- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff recommends Mayor and Council approve Vertical Earth Inc.'s bid for construction of the Alpha Loop Gap at Thompson Street in an amount not to exceed \$572,928.79 and authorize the Mayor to execute all necessary documents.

- The award of this bid is for the construction of the Alpha Loop Gap at Thompson Street. The project is a continuation of the Alpha Loop Phase 1 project and will serve as a connection between the existing 12' trail from Haynes Bridge Road and Thompson Street. The project consists of construction of approximately 650 linear feet of a concrete multi-use trail that will traverse the rear portion of 4 parcels and cross a small stream twice to complete the gap.
- The Department of Public Works prepared plans and specifications for the project and advertised for competitive bids on Thursday, December 20, 2018. Bids for the project were received on Thursday, January 19, 2019 and the City received a total of six bids, with one bid withdrawn due to multiple errors and omissions. The remaining bids were from the following companies:

<u>Bidder</u>	<u>Total</u>
Vertical Earth, Inc.	\$572,928.79
Integrated Construction and Nobility, Inc.	\$725,933.07
Astra Group, Inc.	\$768,888.00
TriScapes Inc.	\$837,938.73
Excellere Construction, LLC	\$1,029,100.00

- 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 Forsyth County, City of Woodstock, City of Brookhaven and City of Sandy Springs. 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. constructed the City's Warsaw Area Sidewalk Improvements, which was awarded to them in March 2018.
- Staff met with representatives of Vertical Earth, Inc. on February 21, 2019 to review the scope of work and the City's expectations. Staff questioned the representatives in regard to the significant gap in bid pricing, reviewing key line items where their costs were significantly lower than the other bids received. Staff verified that the submitted pricing included all costs associated with the construction of the plan set. The representatives assured staff that they had visited the site and thoroughly reviewed the plans and specifications.
- Once a contract with Vertical Earth, Inc. has been finalized and executed, construction may begin immediately. The anticipated completion date is no more than 120 calendar days from notice to proceed.

Public Comment:

- No Public Comment

- ❖ Mayor Pro Tem Mitchell offered a motion to approve Vertical Earth Inc.'s bid for construction of the Alpha Loop Gap at Thompson Street in an amount not to exceed \$572,928.79 and authorize the Mayor to execute all necessary documents.
 - The motion received a second from Council Member Richard
 - The motion was approved unanimously (7-0)

VIII. PUBLIC COMMENT

- No Public Comment

IX. REPORTS

- Council Member Binder announced the, "Home by Dark Concert Series" and the soft opening of BrewAble coffeehouse at the Alpharetta Community Center; which employs individuals with intellectual and developmental disabilities. The Owner and Manager of BrewAble came forward to discuss their business and handed out treats to Mayor and Council.
- Council Member Hipes reported on the Nationals Lawn Mower Race which took place on May 31st – June 1st at the Wills Park Equestrian Center. Additionally, applauding the Recreation, Parks, & Cultural Services Department for bringing a broad range of events to the City.
- Council Member Burnett announced that Alpharetta and the City of Johns Creek partnered with the Waze Carpool; beginning June 4th through August 5th residents can upgrade their commute with a \$2.00 flat ride via Waze Carpool.
- Mayor Gilvin thanked City of Johns Creek Council Member Chris Coughlin for working closely with the City of Alpharetta to bring the partnership with Waze forward.
- Council Member Merkel reported on the Brew Moon Festival, which took place on Saturday, June 1st at 6:30 PM in Downtown Alpharetta.
- Council Member Richard announced the Community Zoning Information Meeting on Wednesday, June 12th from 6:00 – 7:00 PM.

X. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Council Member Burnett offered a motion to adjourn to Executive Session for the purpose of discussing matters of real estate
 - The motion received a second from Council Member Merkel
 - The motion passed (6-1); Council Member Binder voted in opposition
- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting at 7:30 PM

Respectfully submitted,



Erin Cobb, City Clerk