



City Council Meeting
August 5, 2019
Office of the City Clerk

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

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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 (absent)
 - 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 Tom Harris, Director of Finance

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

- *Mayor Gilvin made an announcement that Council Member Binder was running late to the meeting.*

A. Council Meeting Minutes (Meeting of 7/22/2019)

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

C. Alcoholic Beverage License Applications

**PH-19-AB-20 FRC Balance LLC
d/b/a True Food Kitchen
2140 Avalon Boulevard
Alpharetta, GA 30005**

**Restaurant
Consumption on Premises
Beer, Wine, Liquor, Sunday Sales
Owner: FRC Balance LLC
Registered Agent: Edward Bowlby II**

❖ Council Member Richard offered a motion to approve the consent agenda

- The motion received a second from Council Member Burnett
- The motion was approved unanimously (4-0); Mayor Gilvin abstained; Mayor Pro Tem Mitchell and Council Member Binder absent

V. PUBLIC HEARING

- *Council Member Binder arrived late to the meeting.*

A. PH-19-AB-19 Minimum Distance Requirement Waiver Request & PH-19-AB-18 Alcohol License Approval for Botiwalla

- City Clerk, Erin Cobb, came forward to present this item.
- Staff recommends Mayor and Council approve PH-19-AB-19 for the Minimum Distance Requirement Waiver request for Botiwalla and to include PH-19-AB-18, the approval of a City of Alpharetta Alcohol License for on-premise consumption of beer, wine, and liquor and Sunday sales.
- The applicant, Botiwalla, has applied for a City of Alpharetta Alcohol License for on-premise consumption. The restaurant is located at 24 South Main Street, within the 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 within 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.
- The applicant and his attorney, Kyle M. Baker, came forward to address any questions from Mayor and Council.

Public Comment:

- No Public Comment

❖ Council Member Merkel offered a motion to approve PH-19-AB-19 for the Minimum Distance Requirement Waiver request for Botiwalla

- The motion received a second from Council Member Hipes
- The motion was approved (5-1); Council Member Burnett voting in opposition; Mayor Pro Tem Mitchell absent

❖ Council Member Merkel offered a motion to approve PH-19-AB-18, a City of Alpharetta Alcohol License for on-premises consumption of beer, wine, and liquor and Sunday sales for Botiwalla

- The motion received a second from Council Member Burnett
- The motion was approved unanimously (6-0); Mayor Pro Tem Mitchell absent

VI. NEW BUSINESS

A. Downtown Pedestrian Improvements

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff recommends Mayor and Council approve the removal of various parking spaces in the downtown area that are a safety issue to pedestrians and other vehicles. Also, approve the proposed concept plan for installing a mid-block crosswalk adjacent to 92 Milton Avenue Parking Deck crossing Milton Avenue.
- On May 6, 2019, City Council adopted AECOM's report for pedestrian safety study in the Downtown area. Since that time, staff has taken a more detailed look into some of the more readily implemented recommendations made in the report. The Department of Public Works is seeking comments and guidance from City Council on the proposed items presented below.

- First, staff has evaluated a number of the crosswalks in the Downtown Core with a focus on improving visibility for pedestrians at those locations and enhancing the visibility of the crossings for motorists. Based on this evaluation, staff recommends the removal of multiple on-street parking spaces, installation of some additional signage, and the installation of a new mid-block crosswalk.
- The following improvements are proposed:
 1. Milton Avenue at Teasley Street - Removal of one parking space in the northeast quadrant.
 2. Milton Avenue at Teasley Street - Removal of an additional parking space (total of 2) in the northeast quadrant to permit installation of a new mid-block crosswalk.
 3. Canton Street at Church Street - Removal of one parking space along the west side of Canton Street.
 4. Canton Street south of Old Canton Street - Removal of one parking space along the east side of Canton Street.
 5. State Route 9 at Academy Street / Milton Avenue - Removal of one parking space in the southeast quadrant.
 6. Roswell Street at Old Roswell Street - Removal of one parking space in the northeast quadrant.
 7. Mid-block crosswalk on Old Roswell Street - Install additional signage.
 8. Thompson Street at Banbury Crossing - Removal of one parking space in the northwest quadrant.
 9. Thompson Street at Banbury Crossing - Removal of one parking space in the northeast quadrant.
- Staff proposes to remove the parking spaces at Locations 3, 5, 6, 8, and 9 through the installation of striping and domes. This approach has already been implemented in the downtown area and can be seen in the image associated with Location 4 in the attachments.
- At Locations 1 and 2, staff proposes fully removing the parking spaces and re-configuring the space to accommodate a new mid-block crossing from the Milton Avenue Parking Deck. Staff estimates construction of the new mid-block crossing would cost approximately \$35,000. If the mid-block crossing is not desired, the parking space identified as Location 1 would have the striping and dome treatment applied.
- At Location 4, staff proposes to extend the bulb-out shown on the AECOM proposal for Canton Street at Old Canton Street pedestrian improvements to incorporate the removal of the indicated parking space. (The Canton Street at Old Canton Street pedestrian improvements were funded as part of the FY 2020 capital budget.) If that is not desired, the identified parking space would have the striping and dome treatment applied.
- Installation of the striping and domes would be performed by Public Works crews and could be accomplished within three weeks. Design of the Milton Avenue mid-block crossing could be completed in time to put the project out to bid in October along with the Canton Street at Old Canton Street improvements. Construction of both projects is anticipated to take a total of six weeks.
- The second recommendation from staff is to move forward with the implementation of a Leading Pedestrian Interval (LPI) at the Downtown intersections. A Leading Pedestrian Interval typically gives pedestrians a three to seven second head start when entering an intersection before the corresponding

green left-turn activates. In doing so, the LPI enhances the visibility of pedestrians at signalized intersections and reinforce their right-of-way overturning vehicles. LPI signal modification has been proven to improve intersection safety more compared to implementing scenarios such as No-Turn-on-Red signs.

- In order to implement LPIs, the existing 5-section signal heads would need to be replaced with flashing yellow arrow signal heads. Completion of this work and adjustment of the signal phasing could be accomplished within three months excepting the intersection of State Route 9 at Academy Street / Milton Avenue. Implementation of an LPI at said intersection would require a permit from the Georgia Department of Transportation prior to any work occurring.

Public Comment:

- Daniel McAlonan, 1995 Willshire Glen, Alpharetta, came forward in support of the item.
- ❖ Council Member Richard offered a motion to approve the Downtown Pedestrian Improvements as outlined in numbers 1-7 (not including number 8 or 9) that were presented by Staff and that are a safety issue to pedestrians and other vehicles; including the proposed concept plan for installing a mid-block crosswalk adjacent to 92 Milton Avenue Parking Deck crossing Milton Avenue and the implementation of a Leading Pedestrian Interval (LPI) at the Downtown intersections.
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously (6-0); Mayor Pro Tem Mitchell absent

B. Roof Replacement at Multiple Public Safety Facilities (Fire Station 82; Evidence Building)

- Director of Finance, Tom Harris, came forward to present this item.
- Staff recommends Mayor and Council award a contract for the replacement of the roof at the Evidence Building (Public Safety Headquarters) and Fire Station 82 (metal roof segment) to Garland/DBS, Inc. (under the competitively procured US Communities contract #14-5903) in the amount of \$337,725 and authorize the Mayor to execute all necessary documents.

Public Safety Headquarters:

- Due to the age of the previous ballasted EPDM (Ethylene Propylene Diene Monomer) roof system and consistent roof leak service calls at Public Safety Headquarters since 2013, a four-phased re-roofing plan was developed. Please reference the included Public Safety Headquarters map for a visual guide.
- Phase 1 entailed the replacement of the roof at the Jail facility and was completed in 2016.
- Phase 2 entailed replacement of the roof at the main Public Safety Headquarters building and was completed in conjunction with the Headquarters Expansion project in 2018.

- Phase 3 entailed replacement of the remaining portions of the Public Safety Headquarters main building (e.g. E911, Garage) and was completed in 2018.
- The final phase is the source of this request and entails replacement of the EPDM roof at the detached Evidence Building and is included in the FY 2020 Budget.
- The Evidence Building is the final roof segment at Public Safety Headquarters to be replaced. This roof is approximately 6,000 sq. ft. and is actively experiencing leaks. The roofing to be installed is a mod-bitumen solution similar to the other roofs at Public Safety Headquarters. While more expensive than the current solution (EPDM), the mod-bitumen roof is significantly more durable and carries a 30-year warranty. The mod-bitumen solution also requires less maintenance (e.g. does not need walking pads and is much less susceptible to puncturing from debris or stretching from pooling water). A detailed scope-of-work has been attached hereto.

Fire Station 82:

- This request is for replacement of the metal roof segment at Fire Station 82 which was originally installed in 1990 and totals approximately 5,000 sq. ft. Although the field of the roof is in good shape, the transition at the ridge and eave are showing significant signs of age and are no longer providing adequate water-tight protection. This facility is actively experiencing leaks. A detailed scope-of-work has been attached hereto.

Procurement Results:

- This project is being awarded to Garland/DBS Inc. under the U.S. Communities program (cooperative purchasing alliance). US Communities is a nonprofit instrumentality of government that assists local and state government agencies in reducing the cost of purchased goods/services through pooling the purchasing power of public agencies nationwide. This is accomplished by competitively solicited contracts for quality products/services through lead public agencies (e.g. city, county, or state agencies that issue the underlying formal solicitations). Cobb County GA, as lead public agency, competitively solicited the Garland contract and made it available under the terms of the U.S. Communities program.
- Benefits of the Garland contract under U.S. Communities include: (a) pricing competitiveness; (b) turnkey single source accountability (Garland is both the manufacturer and managing contractor for roof product installations) that ensures warranty integrity; and (c) speedy implementation using pre-qualified contractors. The city contracts directly with Garland as the contractor on the project. Garland is the supplier of roofing materials (pricing established through US Communities competitively solicited contract pricing) and manages roofing subcontractors (local pricing through sealed quotes).
- Garland has solicited quotes from the following pre-qualified subcontractors.
 - o \$337,725: Safe Shield Roofing (Evidence Building: \$109,977; FS 82: \$227,748)
 - o \$378,265: Ben Hill Roofing (Evidence Building: \$131,724; FS 82: \$246,541)
 - o \$480,978: Innovative Roofing Group (Evidence Building: \$175,704; FS 82: \$305,274)
- The FY 2020 Budget includes funding totaling \$365,000 for the scopes set forth above. Residual funding upon completion of the project will be transferred to the Non-Allocated Capital Account for future appropriation by City Council.

- The City has used Garland for multiple roof repair/replacement projects including: replacement of the roof segments identified above at Public Safety Headquarters: roof restoration, wall restoration, shingle, and metal edge roof section repairs at multiple Parks and Recreation facilities (Crabapple Government Center, Wills Park Pool Concession, Alpharetta Community Center, Equestrian Center, Wills Park Recreation Center and Arts/Crafts Center, etc.): flat roof replacements for Fire Stations 1, 3, and 4: etc. and has found their work, products and responsiveness to be exceptional. Safe Shield Roofing has been the lead subcontractor on multiple roof repair projects for the City with excellent results.
- Once a contract with Garland has been finalized and executed, completion will take no longer than 50-days (Evidence Building) and 90-days (Fire Station 82) from Notice-to-Proceed. This timeframe includes the ordering and delivery of all materials.

Public Comment:

- No Public Comment
- ❖ Council Member Merkel offered a motion to award the contract for the replacement of the roof at the Evidence Building (Public Safety Headquarters) and Fire Station 82 (metal roof segment) to Garland/DBS, Inc. (under the competitively procured US Communities contract #14-5903) in the amount not to exceed \$337,725 and authorize the Mayor to execute all necessary documents.
 - Mayor Gilvin offered a friendly amendment to rephrase the motion to “up to the amount” in case the cost comes in under the proposed amount
 - The friendly amendment was accepted by Council Member Merkel
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (6-0); Mayor Pro Tem Mitchell absent

C. Tech Alpharetta Agreement Renewal

- Manager of Economic Development, Matthew Thomas, came forward to present this item.
- Staff recommends Mayor and Council approve the 2019 Tech Alpharetta Agreement Renewal in the amount of \$100,000.00 for the current fiscal year and to authorize the Mayor to execute all necessary documents.
- The proposed renewed agreement between the City and Tech Alpharetta provides \$100,000.00 for the current fiscal year to Tech Alpharetta paid through the Alpharetta Development Authority.
- The prior multi-year agreement was enacted in February 2017 in the amount of \$125,000.00 annually for 2 years.

- In anticipation of this former agreement's sunset, in December 2018, City Council approved \$20,834.00 in additional funding to cover services for the CEO through the end of FY19.
- This proposed renewed agreement aligns with the City's fiscal calendar, reduces annual funding to Tech Alpharetta by \$25,000.00, and carries one fiscal year commitment set to expire on June 30, 2020.

Public Comment:

- Don Nahser, 305 Karen Drive, Alpharetta, came forward in support of this item, additionally asking if Tech Alpharetta has the ability to raise any additional money for the City.
- ❖ Council Member Burnett offered a motion to approve the 2019 Tech Alpharetta Agreement Renewal that aligns with the City's fiscal calendar, reduces annual funding to Tech Alpharetta by \$25,000.00, and carries a 3 year agreement set to expire on June 30, 2020, in an amount not to exceed \$100,000.00 per year.
 - The motion did not receive a second; the motion failed
- ❖ Council Member Merkel offered a motion to approve the 2019 Tech Alpharetta Agreement Renewal, as presented by Staff, in the amount of \$100,000.00 for the current fiscal year and to authorize the Mayor to execute all necessary documents.
 - The motion received a second by Council Member Binder
 - The motion was approved unanimously (6-0); Mayor Pro Tem Mitchell absent

VII. WORKSHOP

A. Unified Development Code Text Amendments – Smoke Shop Definition
Council Sponsor: Ben Burnett

- Director of Community Development, Kathi Cook, came forward to present this item.
- Presented for discussion purposes will be proposed text amendments to the Unified Development Code related to 'Smoke Shop, Vape and Tobacco Store' regulations.

VIII. PUBLIC COMMENT

- Don Nahser, 305 Karen Drive, Alpharetta, came forward to announce the 30th anniversary of the Alpharetta City Band on Wednesday, August 7th, additionally thanking Mayor and Council for their support over the years.

IX. REPORTS

- Council Member Binder announced the next Music at Twilight is on Friday, August 9th at 8:30 PM. Additionally, the next Brook Street Park Concert Series is scheduled for Saturday, August 10th at 7:30 PM. The City is also having a dedication for the Alpharetta High School Trail Improvement on Saturday, August 10th. The new turf dedication at North Park is scheduled for Saturday, August 17th at 8:45 AM. Council Member Binder also thanked all City departments, including the event staff, who helped with the Old Soldiers Day Parade.
- Council Member Richard also thanked the City staff for their efforts to have another successful Old Soldiers Day Parade. Additionally, the next Community Zoning Information Meeting is scheduled for Wednesday, August 14th at 6:00 PM.

X. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Council Member Merkel offered a motion to adjourn to Executive Session
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously (6-0); Mayor Pro Tem Mitchell absent
- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting at 7:24 PM

Respectfully submitted,



Erin Cobb, City Clerk