



City Council Meeting
September 16, 2019
Office of the City Clerk
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

- *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
 - 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, Director of Public Safety
 - Morgan Rodgers, Director of Recreation, Parks & Cultural Services
 - Kathi Cook, Director of Community Development
 - Tom Harris, Director of Finance
 - Michael Woodman, Senior Planner
 - Kurt Kirby, Projects Manager
 - Eric Graves, Senior Transportation Engineer/Planner
 - Elicia Taylor, Panning & Zoning Coordinator
 - Bret Schroeder, Code Enforcement Manager

III. PLEDGE TO THE FLAG

IV. PROCLAMATIONS & PRESENTATIONS

A. City of Alpharetta Flag Presentation

B. Constitution Week Proclamation

V. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 9/09/2019)

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

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

VI. PUBLIC HEARING

A. PH-19-21 Unified Development Code Text Amendments - Wireless Telecommunications Facilities (1st Reading)

- City Attorney, Sam Thomas, presented this item.
- Staff recommends Mayor and Council approve amendments to the Unified Development Code as it relates to Wireless Telecommunications Facilities.
- Staff proposes amendments to Subsection 2.8.10 of the Unified Development Code in order to come into compliance with Senate Bill 66 with respect to small cell facilities in the public right-of-way. The new Section 2.8.10 is similar to the Model Small Cell Ordinance recommended by Georgia Municipal Association (GMA).
- City Attorney, Sam Thomas, read the ordinance aloud.

Public Comment

- No Public Comment
- ❖ Council Member Burnett offered a motion to approve PH-19-21 Unified Development Code Text Amendments to Subsection 2.8.10 of the Unified Development Code as it relates to Wireless Telecommunications Facilities
 - The motion received a second from Mayor Pro Tem Mitchell
 - Mayor Gilvin offered a friendly amendment to Exhibit A of the Ordinance, adding a definition of a GMA pole as any pole installed in Alpharetta rights-of-way, as dictated by this legislation supported by Georgia Municipal Association (GMA) lobbyist, in cooperation with large telecom company lobbyist
 - Council Member Burnett and Mayor Pro Tem Mitchell accepted the friendly amendment
 - The motion was approved unanimously (7-0)

B. PH-19-22 Unified Development Code Text Amendments – Bed & Breakfast Definition (1st Reading)

Sponsor: Staff

- Senior Planner, Michael Woodman, came forward to present this item.
- Staff recommends Mayor and Council approve amendments to the Unified Development Code as it relates to the definition of ‘Bed and Breakfast’.
- Consideration of text amendments to Unified Development Code (UDC) Subsection 1.4 Definitions. Text amendments are proposed to the definition of ‘Bed and Breakfast’. The current definition limits the use to no more than 15 guests. However, it is more appropriate and easier to regulate the number of guest rooms. In addition, the City’s parking regulations are based on the number of guest rooms, not the number of guests.
- Staff is also recommending the following changes:
 - Bed and Breakfast. A building in which lodging, and meals are provided for no more than ~~15~~ seven (7) guest rooms and one (1) owner’s suite and meals are served in a common dining room. Lodging facilities and services are provided for transient guests for an average stay of less than 7 days and offered to the public for compensation. Bed & Breakfast does not include retail uses, public bar, conference center or special event facilities. Guest rooms within the building shall contain no equipment for food preparation other than a coffee maker, mini-fridge and/or microwave. There shall be no self-service laundry facilities (for guests use) within the building. Access to each guest room shall be through the interior building.
- City Attorney, Sam Thomas, read the ordinance aloud.

Public Comment

- No Public Comment
- ❖ Council Member Richard offered a motion to approve PH-19-22 Unified Development Code Text Amendments – Bed & Breakfast Definition to the Unified Development Code as it relates to the definition of ‘Bed and Breakfast’
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (7-0)

VII. NEW BUSINESS

A. FY 2020 Public Safety Fleet Replacement

- Director of Public Safety, John Robison, came forward to present this item.
- Staff recommends Mayor and Council Staff recommends approval for the Department of Public Safety to purchase fifteen (15) vehicles and one (1) motorcycle at a total cost of \$574,010:

- Five (5) Ford F-150 pickup trucks from Alan Vigil Ford, available on state contract (99999-SPD-ES40199373-002). The total costs of these five vehicles is \$180,250.
 - Nine (9) Ford Police Interceptor Utilities (Explorers) from Wade Ford, available on state contract (ES-RFR-40199-409). The total costs of these nine (9) vehicles is \$329,497.
 - One (1) Chevrolet Tahoe from Hardy Chevrolet, available on state contract (SWC 40199-409). The total cost of this vehicle is \$37,867.
 - One (1) Harley Davidson motorcycle from Killer Creek Harley Davidson at a cost of \$26,396.00 (3 competitive quotes).
 - Approval to expend to \$130,000 for estimated costs associated with purchasing and installing necessary emergency equipment for the vehicles.
- As approved in the FY 20 budget, the Department of Public Safety seeks approval to purchase (15) vehicles and one (1) motorcycle at a total cost of \$574,010. Fourteen of these vehicles and the motorcycle will be replacements for older units that have reached end of service thresholds and will be auctioned. One new vehicle is being purchased to provide a vehicle for the new assistant fire marshal authorized in the budget. As a general guide for replacement, the Department uses 110,000 miles for front line Patrol vehicles and years of service and higher mileage for Administrative vehicles. See attached list of vehicles to be replaced and auctioned. The requested vehicles include:
 - Nine (9) Ford Police Interceptor Utilities (Explorers) from Wade Ford, available on state contract (ES-RFR-40199-409). This is a continuation of the transition from Chevrolet Impalas (which are no long being manufactured) to Ford SUVs started 4 years ago. The department utilizes these vehicles for front-line patrol functions as well as detectives and administrative police and fire needs. SUVs in the Administrative fleet will be used to quickly replace Patrol fleet vehicles that may be damaged throughout the Fiscal Year due to accidents. This reduces turnaround time for replacements and ensures front line Officers have quality vehicles. The total costs of these nine (9) vehicles is \$329,497.
 - Five (5) Ford F-150 pickup trucks (4-wheel drive) from Alan Vigil Ford, available on state contract (99999-SPD-ES40199373-002). Two of these purchases will be replacing two (2) trucks (two-wheel drive) currently utilized by the Criminal Investigations Division. The other two purchases will replace sedans due to the changing needs of personnel (Admin police training to tow trailer; fleet manager to haul tires, etc.). The remaining pickup will be a new fleet vehicle added to provide a vehicle to the new assistant fire marshal position (specifically, the new truck will go to Fire Admin training allowing current SUV to go to new position). It is the Department's preference and current plan that all vehicles be all-wheel or 4-wheel drive for the emergency response capabilities and safety factors. The total costs of these five vehicles is \$180,250.
 - One (1) Chevrolet Tahoe from Hardy Chevrolet, available on state contract (SWC 40199-409). This vehicle will be used by our K9 unit to replace a 2013 Tahoe with 112,091 miles which will be auctioned. The Tahoe is used for K9 vehicle because it has more cargo room and an air conditioning system that supplies the needs of both the operator and the K9. The total cost of this vehicle is \$37,867.
 - One (1) Harley Davidson motorcycle to replace a 2009 BMW motorcycle (15,833 miles). For motorcycles, the Department uses of years in service - usually between 6-8 years- to determine replacement threshold (as do a number of other metro-area agencies). Competitive quotes were obtained for this purchase with the results as follows:
 - Killer Creek Harley Davidson (\$26,396.00)
 - Falcons Fury Harley Davidson (\$26,468.49)

- Harley Davidson of Atlanta (\$26,655.47)
- The Department recommends awarding the purchase to Killer Creek which is the lowest bidder and they are a local business located within 1-mile of City limits. The total cost of this motorcycle, including emergency equipment installed by the dealer, is \$26,396.
- Approval is also requested to expend up to \$127,213 for estimated costs associated with purchasing and installing necessary emergency equipment for the vehicles (e.g. lightbars, computer stands, radios, weapon racks, prisoner transport systems, graphics, etc.). As a practice, the Department reuses emergency equipment from older vehicles and installs it into the newer vehicles whenever possible. However, the transition of some equipment from the Impala to the Explorer may not be possible requiring a higher initial year cost as we replace the Impalas. This also includes the costs associated with prepping vehicles for auction (removing law enforcement equipment and markings). The up-fitting vendor(s) is currently the subject of a Request for Proposal 20-105. Included in this up-fitting request are the costs estimated for a new Fire Battalion Chief vehicle that will be brought before council at a later date as the costs for the vehicle build are not finalized at this time.
- Funding for this initiative is requested from existing appropriations within the Department's Capital Fleet Replacement and New Fleet accounts.

Public Comment

- No Public Comment

- ❖ Council Member Hipes offered a motion to approve FY 2020 Public Safety Fleet Replacement for the Department of Public Safety to purchase fifteen (15) vehicles and one (1) motorcycle at a total cost, not to exceed \$574,010, and to expend \$130,000 for estimated costs associated with purchasing and installing necessary emergency equipment for the vehicles
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously (7-0)

B. Approval of a Change Order to Pond & Company

- Director of Recreation, Parks & Cultural Services, Morgan Rodgers, came forward to present this item.
- Staff recommends Mayor and Council Staff approve of Change Order #2 in an amount not to exceed \$17,060.00 for City of Alpharetta Contract #17-1022A with Pond & Company for construction management and administrative services during construction of improvement to Windward Park.
- The Department of Recreation, Parks, and Cultural Services is requesting a change order in the amount of \$17,060 to an existing contract with Pond & Company. This change order will support the provision of certain project management services by Pond & Company for construction of improvements to the City's Windward Park.

- On October 7, 2016 Pond & Company was awarded a contract to provide on-call park planning services (Contract #17-1002) at a total value of \$80,720.00. Change Order #1 in the amount of \$730.00 was subsequently approved, bringing the total value of the contract to \$81,450.00. Approval of this request, Change Order #2, would increase the total value to \$98,510.00.
- If approved, under the requested change order Pond & Company will provide the following services during construction of Windward Park:
 - Attend one pre-bid meeting and/or answer contractor RFIs during the bid phase.
 - Attend one pre-construction coordination meeting with the General Contractor and Client prior to any construction activities. This meeting will review the plans and GC project schedule, as well as review any requirements of the plans and specifications for submittals and inspections (GC responsible for scheduling city inspections).
 - Pond will perform the 7-day inspection of erosion and sediment control measures upon notice by GC that they are installed and ready for review. GC is responsible for maintaining the site in conformance with all City and State requirements.
 - Review shop drawings/submittals submitted by the contractor to ensure compliance with design requirements.
 - Answering contractor Requests for Information (RFIs). As construction progresses, the GC may encounter field conditions that were unknown or unanticipated; GC may provide alternative methods of construction or find the need to seek substitutions. Any number of issues can arise, and Pond will be available to review and respond to contractor RFIs and advise the Client on decisions related to RFIs.
 - Project site visits to observe construction progress. Pond will perform visits to observe and report on progress and to meet with the contractor(s) (and client if in attendance) for a status update on progress. Site visits will be pre-scheduled with at least 48 hrs. noticed as request by the city and contractor(s).
 - Final review – upon notification from the city and contractor(s) that substantial completion has been attained on specific parts or the project as a whole, and the contractor has provided a list of any outstanding items remaining to be completed, Pond will make a site visit to verify substantial completion, review the list of items to be completed, and develop our own list of any final “punch list” items that need to be resolved prior to recommending client acceptance of the completed work.

Public Comment:

- No Public Comment

❖ Council Member Binder offered a motion to approve the Change Order #2, in an amount not to exceed \$17,060.00, for City of Alpharetta Contract #17-1022A with Pond & Company for construction management and administrative services during construction of improvement to Windward Park

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

VIII. WORKSHOP

A. North Point LCI Placemaking Plan

- Director of Community Development, Kathi Cook, came forward to introduce the workshop item.
- Principal at MKSK, Darren Meyer, came forward to present this item. This item is presented for discussion purposes only. No formal action is requested.
- The City's consultants presented an overview of the North Point Creative Placemaking Plan and requested feedback and comments from City Council in preparation for the item coming forward at a later date for consideration of adoption.

B. GDOT Presentation on Proposed Main Street (SR 9) Improvements

- Director of Community Development, Kathi Cook, came forward to introduce this workshop item.
- Georgia Department of Transportation's State Program Delivery Administrator, Kimberly Nesbitt, came forward to present this item. This item is presented for discussion purposes only. No formal action is requested.
- GDOT's State Program Delivery Administrator, Kimberly Nesbitt, provided an overview and status update on the SR 9 improvement project (PI 721790 & 721780).
- GDOT representative agreed to copy Mayor and Council on construction notification letters that are sent to the property owners during this project, additionally providing the City Staff with the current plans for this project.

C. North Point Tax Allocation District

- *Mayor Gilvin amended the agenda by moving this item up.*
- Director of Finance, Tom Harris, came forward to introduce the workshop item.
- This item is presented for discussion purposes only. No formal action is requested.
- President at Bleakly Advisory Group, Geoff Koski, came forward present an update on the redevelopment plan.
- Based on direction from City Council, staff retained Bleakly Advisory Group to assist the City in evaluating opportunities that could result from creating a Tax Allocation District (TAD) for the North Point Mall / LCI Area. Preliminary findings were presented to the City Council on April 8, 2019.
- Bleakly Advisory Group has since begun drafting a redevelopment plan outlining the justification, rationale, boundaries, fiscal data and proposed projects that could result from the establishment of this Tax Allocation District.

D. Unified Development Code Text Amendments – Signs Mayor Pro Tem Mitchell

Sponsor:

- Director of Community Development, Kathi Cook, and Code Enforcement Manager, Bret Schroeder, came forward to present this workshop item.
- This item is being presented for discussion purposes only. No formal action is requested.
- Staff introduced a discussion of certain text amendments to the Unified Development Code related to Sign regulations. The purpose of this discussion is to elicit initial feedback from City Council; especially as it relates to suggested refinements or modifications, prior to the item proceeding through the public hearing process.
- Mayor Gilvin recommended that Council continue conversation with Staff in order to map out the details to the amendments prior to bringing it forward for approval.

Public Comment:

- Don Nahser, 305 Karen Drive, Alpharetta, came forward to address his concerns regarding business signs that do not include their street address.

E. Preemptive Signals and Connected Vehicles

- *Council Member Binder had to leave the meeting @ 9:20 PM.*
- Director of Public Works, Pete Sewczwicz, came forward to present this workshop item.
- On July 8, 2019, City Council awarded RFP 19-113 to Temple Inc. for the installation of a traffic preemption system and associated equipment at 100 signalized intersections with a 5-year connectivity and support contract. A component of the software includes connected vehicle capabilities. These capabilities are available when an individual downloads the app TravelSafely from Glance.
- A few of the capabilities within the app are: driver notification when a signal will change, inform the driver where an emergency vehicle is coming from, inform drivers when pedestrians are at an intersection, school zone warnings, and several more. The City may establish policy to have the capabilities turned off from the traffic control cabinet. One item to note concerning notifications of pedestrians, the pedestrian must also have the app turned on. Also, nobody, other than the Alpharetta Fire Vehicles will have the ability to utilize the traffic signal preemptive component of the software.
- Alpharetta has 129 signals within the City, thus 29 will not have preemptive signal equipment installed in the traffic control cabinets. Recently, the North Fulton Community Improvement District (NFCID) recently allocated over \$300k towards a connected vehicle initiative and they are utilizing the same software the City is installing with 2 exceptions.
- The system the NFCID is planning to purchase will attach to our mast arms and their system will be compatible for future in-dash Ford vehicles starting in the year 2022. Instead of an individual having to download the app, the Ford Vehicles will already have software in the vehicles to access the data coming from the signals. The NFCID has over 40 traffic signals within their District. Partnering with the NFCID will enable all of the traffic signals within the City installed with preemptive signal technology for our emergency vehicles. Again, only the City's Fire emergency vehicles will have the ability to preempt a traffic signal as it approaches the intersection.
- Similar to the equipment the City purchased, the individual aspects of the app can be turned off if it is desired with the software the NFCID will be installing. In other words, the City can decide what aspects to have turned on and what aspects of the app can be turned off. Control of the information from the traffic control cabinets is at the City's discretion.

- Prior to any installation occurring, the City and the NFCID will have to agree on a MOU regarding the placement and access of the equipment they will be installing on the traffic signals. The equipment will be maintained by City staff and or City vendors. Distribution of any data collected by the software will go through City staff and at the direction of Mayor and Council. Items like this will be spelled out in a MOU to be brought forward at a future Council Meeting.
- Temple Sales Representative, Winter Horbal P.E., came forward to address questions from Mayor and Council. Additionally, Temple is looking into getting smaller equipment to be attached to the mast arms.

IX. PUBLIC COMMENT

- No Public Comment

X. REPORTS

- Council Member Richard appointed Lou Hablas to the Ethics Commission. Additionally, the Downtown Alpharetta City Center won both Urban Land Institute Awards.
- With a heavy heart, Council Member Merkel announced the passing of Jack Cashin.

XI. ADJOURN

- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting at 9:40 PM

Respectfully submitted,


Erin Cobb, City Clerk