



Official City Council Meeting Minutes

July 20, 2020

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

- 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 Michael Stacey, Asst. City Attorney
- o James Drinkard, Asst. City Administrator
- o Erin Cobb, City Clerk
- o Peter Sewczwicz, Director of Public Works
- o Morgan Rodgers, Director of Recreation, Parks & Cultural Services
- o Tom Harris, Director of Finance
- o Kathi Cook, Director of Community Development
- o Randy Bundy, Director of Information Technology
- o Cris Randall, Director of Human Resources

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 6/22/2020)

B. Financial Management Report: Month Ending May 31, 2020

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

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

V. PUBLIC HEARING

A. PH-20-07 City of Alpharetta Comprehensive Plan 2040

- Director of Community Development, Kathi Cook, came forward to present this item.
- GIS Specialist/Planner, Ben Kern, and Georgia Tech student, Jay Burnett, came forward to give a brief presentation.
- The Comprehensive Plan Kickoff announcement is a required public hearing for informational purposes.
- The City is kicking off the planning process for the 2040 Alpharetta Comprehensive Plan. The Comprehensive Plan is a long-range planning tool used to guide future development in the City. Areas of focus will include Community Goals/Vision, Land Use, Housing, Economic Development, Broadband Services, Transportation, Community Improvement Element (CIE), and 5-Year Community Work Program.
- The planning process will rely heavily on a combination of in-person and online public engagement of City residents, property owners, elected officials, and other stakeholders. The City's deadline to adopt the 2040 Comprehensive Plan is June 30, 2021. This major update to the Comprehensive Plan will be completed in-house by City Staff, with the exception of the housing component which will be performed by Bleakly Advisory Group.
- Tentative Project Schedule
 - o Comprehensive Plan Kickoff (Council Public Hearing - required) – July 20, 2020
 - o Steering Committee Meeting #1 – August 2020
 - o Public Meetings #1 – September 2020
 - o Steering Committee Meeting #2 – December 2020
 - o Public Meetings #2 – January 2021
 - o Prepare Draft Plan – February-April 2021
 - o Steering Committee Meeting #3 – April 2021
 - o Draft Plan Transmittal Hearing (Council Public Hearing - required) – May 2021
 - o Transmit Plan to ARC for Review (up to 40 days) – May 2021
 - o Plan Adoption (Council – no public hearing) – no later than June 30, 2021

Public Comment:

- No Public Comment

B. PH-20-08 Code of Ordinances Text Amendments – Litter Ordinance (1st Reading)

- Senior Planner, Michael Woodman, came forward to present this item.
- Staff is recommending that Mayor and Council approve amendments to the Code of Ordinances as it relates to Litter.
- In 2001 the Georgia General Assembly created the Metropolitan North Georgia Water Planning District to develop comprehensive regional and watershed-specific water resource management plans to be implemented by local governments. In accordance with the June 2017 Water Resources Management Plan, Alpharetta is required to adopt policies, ordinances, and regulations that match the surrounding 15 counties and 93 municipalities that make up The District.
- The Plan requires cities and counties to enforce regulations to prevent littering. Amendments are proposed to the definition of Litter and violation fine amounts. The District has developed a model ordinance for local governments to adopt for this compliance. The ordinance presented here for adoption and approval is the model ordinance.
- Asst. City Attorney, Michael Stacey, read the ordinance aloud.

Public Comment:

- No Public Comment
- ❖ Council Member Richard offered a motion to approve PH-20-08 Code of Ordinances Text Amendments – Litter Ordinance
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (7-0)

VI. OLD BUSINESS

A. PH-18-16 Unified Development Code Text Amendments – Historic Preservation Ordinance (2nd Reading)

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff is recommending that Mayor and Council approve text amendments to the Unified Development Code (UDC) related to the Historic Preservation Incentive Zoning Ordinance.
- Planning Commission proposes UDC text amendments allowing 'structure', or 'parcel of land', not just buildings, to be designated as historic. In addition, staff

proposes an amendment allowing historic property plaques or markers to be made of a material other than 'bronze'.

- No changes have been made to the ordinance since the first reading.
- Asst. City Attorney, Michael Stacey, read the ordinance aloud.

❖ Council Member Richard offered a motion to approve PH-18-16, text amendments to the Unified Development Code (UDC) related to the Historic Preservation Incentive Zoning Ordinance

- The motion received a second from Mayor Pro Tem Mitchell
- The motion was approved unanimously (7-0)

B. An Ordinance to Amend Chapter 3 (Alcoholic Beverages) of the City Code to Add a New Article Providing for the Licensing of Distilleries (2nd Reading)

Sponsored By: Mayor Gilvin & Council Member Merkel

- City Clerk, Erin Cobb, came forward to present this item.
- Staff is recommending that Mayor and Council adopt an ordinance amending Chapter 3 (Alcoholic Beverages) of the City Code in order to add a new article providing for the licensing of distilleries.
- The ordinance, as presented, will amend Chapter 3 (Alcoholic Beverages) of the City of Alpharetta Code in order to add a new provision allowing for the manufacturing of distilled spirits. According to the ordinance, the manufacturing of distilled spirits in the City will be authorized pursuant to the issuance of a distiller's license by the Mayor and City Council.
- Each holder of a distiller's license shall comply with the provisions of the City's Alcoholic Beverage Codes and all other applicable state and local statutes, ordinances, resolutions and regulations, including, but not limited to, rules and regulations promulgated by the Department of Revenue.
- There have been no changes made to the ordinance since the first reading.
- Asst. City Attorney, Michael Stacey, read the ordinance aloud.

❖ Council Member Merkel offered a motion to approve an ordinance amending Chapter 3 (Alcoholic Beverages) of the City Code in order to add a new article providing for the licensing of distilleries

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

VII. NEW BUSINESS

A. Board and Commission Appointments: Reappoint Chairman Dennis Mitchell to the Recreation Commission

- Mayor Gilvin reappointed Dennis Mitchell as Chairman to the Recreation Commission.

B. Design and Project Management Services for Old Milton Parkway Widening

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council approve AECOM's proposal in the amount of \$2,161,400.00 for the design of the Old Milton Parkway Widening Improvements from North Point Parkway to Kimball Bridge Road; approve Atkins's proposal in the amount of \$638,600.00 for project management services for the Old Milton Parkway Widening Improvements project; and, authorize the Mayor to execute all necessary documents.
- This request is for the approval of AECOM's proposal for design services related to the Old Milton Parkway Widening Improvements from North Point Parkway to Kimball Bridge Road and the approval of Atkins's proposal for project management services for the same.
- On December 12, 2016, AECOM was awarded the conceptual design of and Atkins was awarded project management services for the Old Milton Parkway Capacity Improvements TSPLOST project. On May 22, 2017, staff from the Department of Public Works presented a workshop item to Mayor and Council on the conceptual design of the Old Milton Parkway Capacity Improvements TSPLOST project. On March 5, 2018, AECOM was awarded the preparation of costing plans intended to determine the project footprint and to develop accurate construction and right of way cost estimates based on the previously presented concept.
- The development of the final design plans is a progression upon the work performed by both firms to date. During this process, elected officials and staff from Administration, Public Works, and Atkins have had several meetings with the Georgia Department of Transportation (GDOT) to discuss the project, the necessary permitting, and GDOT's involvement with the project. Included in this agenda items are the project concepts which have been verbally approved by GDOT.
- As funding for this project will involve participation by GDOT and federal funds, the full GDOT Plan Development Process will need to be followed. To this end, AECOM's services will include roadway, bridge, hydro, and urban design; traffic analysis and design; environmental surveys and studies; topographical and property surveys; environmental site assessments; and geotechnical analysis and design.
- In addition to project management, Atkins services include right of way pre-acquisition and acquisition services as City staff does not have the necessary qualifications required for federally funded projects along a state route. Anticipated cost to purchase ROW and easements is currently budgeted at \$1.5-\$2.0 million. Accompanying the agenda item is a worksheet and a letter from GDOT enabling the City to move forward with the project and a project worksheet providing details concerning funding and responsibility of obtaining the funding. Alpharetta is responsible for the design and acquisition of right of way of the project. On the worksheet the abbreviation CST references construction, which is slated to be bid out by GDOT in FY 2024 and GDOT is funding construction through various funding sources (State and Federal). The worksheet dates are preliminary. GDOT has a process to review the schedule and once the schedule is approved by GDOT Public Works will pass this information along.
- It will take approximately three to five years to work through the design and right of way process. The environmental approval process will take the longest to approve due to the adding lanes. Until each step of the project process is approved, the design team cannot progress onto the next step. The team is looking for avenues to expedite the project and once a few of the initial environmental assessments are accomplished there will be a clearer time frame of the design and ROW acquisition aspects of the project. Once AECOM's and Atkins's proposals are approved, work can begin immediately.

- AECOM was awarded one of three contracts for on-call engineering services on August 1, 2016 through RFQ 16-1009. Atkins and City staff have reviewed AECOM's proposal and found their rates and allocated hours for the various design tasks to be reasonable and in line with industry standards. Staff from Atkins will review AECOM's invoices to verify that the hours being billed accurately represent the progress made for each billing period and make payment recommendations to the City.
- On November 12, 2016, Atkins was awarded a contract to provide project management services for the design and construction of larger scale projects associated with the City's BOND and the TSPLOST projects. City staff will review Atkins's invoices to verify that the hours being billed accurately represent the progress made for each billing period.

Public Comment:

- No Public Comment
- ❖ Mayor Pro Tem Mitchell offered a motion to approve AECOM's proposal in the amount of \$2,161,400.00 for the design of the Old Milton Parkway Widening Improvements from North Point Parkway to Kimball Bridge Road; approve Atkins's proposal in the amount of \$638,600.00 for project management services for the Old Milton Parkway Widening Improvements project; 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)

C. McGinnis Ferry Road Widening Intergovernmental Agreement

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council approve the Intergovernmental Agreement with Johns Creek and Forsyth County regarding funding and project responsibilities associated with the McGinnis Ferry Road Widening Project and authorize the Mayor to execute all necessary documents.
- On December 16, 2019, Mayor and Council approved an Intergovernmental Agreement (IGA) between Forsyth County and the Cities of Alpharetta and Johns Creek whereby each City was obligating \$5.9 million to the project. When the IGA was approved, there was still a funding gap and the rationale to move forward was to start the right-of-way (ROW) acquisition phase of the project and continue in good faith to work to obtain the necessary funds for the entire project.
- All the agencies (Alpharetta, Johns Creek, Forsyth County, and Georgia Department of Transportation) have been working diligently the last few months to locate funding sources to fund the shortfall. The total project cost is estimated at \$61.5 million. Working collaboratively a tentative agreement pending approvals of each respective governing body has been met. The agreement is as follows: the two cities would increase their funding from \$5.9 million to \$8.9 million, the County would contribute \$23 million, and GDOT would come to the table with \$19.8 million. Alpharetta has already contributed \$500k towards the project, hence the funding request is \$8.4 million.
- Public Works is requesting your approval of the attached IGA and with your approval the City can begin acquiring the needed right of way for the entire portion of the project within Alpharetta's City Limits. Alpharetta staff will acquire

the necessary ROW and easements for the project and per the IGA, Forsyth County will be obtaining the necessary appraisals and title research for the City. The current schedule is for the City to obtain the necessary ROW by March 2022.

Public Comment:

- No Public Comment

- ❖ Mayor Pro Tem Mitchell offered a motion to approve the Intergovernmental Agreement with Johns Creek and Forsyth County regarding funding and project responsibilities associated with the McGinnis Ferry Road Widening Project up to an amount of \$8.9 million including the \$500,000 already contributed, 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)

D. Equipment Refresh CIP 2021

- Director of Information Technology, Randy Bundy, came forward to present this item.
- Staff is recommending that Mayor and Council approve the request to provide for the annual replacement of technology for all City Departments in FY 2021 in the amount of \$150,000 and authorize the Mayor to execute all necessary documents.
- This request is to provide for the annual replacement of technology for all city departments. As in prior-years, funding for technology replacement is placed in one capital project account to allow for more efficient management (as opposed to being spread across multiple departments based on an estimate of replacement needs which may or may not equate to the actual need during the fiscal year). The city currently has 555 computers in operation (288 desktops; 267 laptops). The main component of the FY 2021 request includes funding for the replacement of approximately 124 PCs, 15 cellular phones, 78 iPhones, 58 iPads.
- The current city standards for technology replacement (based on funding availability) are as follows: servers (5-6 years); SANS – Storage (5-6 years); desktop PCs (4 years); laptop PCs (4 years); iPad tablets (3 years); iPhones (3 years); large scale multi-function printers (MFPs) (5-7 years); small scale MFPs (5 years); small printers (3-5 years); desktop UPS (electrical service backup) (3 years); Network UPS (closets) (4 years); Wireless Access Points (5 years); network routers/switched/firewalls (5 years); telephony gateways (5-6 years). Larger replacement initiatives are not included in this appropriation (e.g. CISCO network devices). Refresh of IT equipment is scheduled throughout the fiscal year and is allocated to the most essential needs first. In coordination with the Department of Finance and the City Administrator, the Department of Information Technology will manage the expenditures throughout the fiscal year to reflect any budgetary impacts.
- At the request of the Department of Finance, \$150,000 will be requested for approval now, and a second approval of up to \$150,000 will be requested for approval by mid-year in FY2021.

Public Comment:

- No Public Comment
- ❖ Council Member Burnett offered a motion to approve the request to provide for the annual replacement of technology for all City Departments in FY 2021 in the amount of \$150,000 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)

E. ESRI Software - Geographic Information System (GIS) Maintenance and Licensing Agreement

- Director of Information Technology, Randy Bundy, came forward to present this item.
- Staff is recommending that Mayor and Council award ESRI as the vendor to provide the Geographic Information Systems (GIS) maintenance agreement for three years at a fixed cost that is renewed annually for the City of Alpharetta in the amount of \$60,500.00, and authorize the Mayor to execute all necessary documents.
- This GIS maintenance and licensing agreement is funded in the 2021 Budget. This program allows the City to deploy as many licenses to desktops and servers as needed at no additional cost. The agreement is for three years at a fixed cost that is renewed annually.

Public Comment:

- No Public Comment
- ❖ Council Member Burnett offered a motion to award ESRI as the vendor to provide the Geographic Information Systems (GIS) maintenance agreement for three years at a fixed cost that is renewed annually for the City of Alpharetta in the amount of \$60,500.00, 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)

F. Microsoft Azure Cloud Infrastructure as a Service (IaaS)

- Director of Information Technology, Randy Bundy, came forward to present this item.
- Staff is recommending that Mayor and Council approve the request to provide for Microsoft Azure Cloud Services (IaaS) using the Statewide Contract (SWC) 99999-SPD-T20190814-0002 for Cloud Solutions for all City Departments in the FY2021 in the amount of \$150,000 and authorize the Mayor to execute all necessary documents.
- This request is for estimated cloud data storage costs in lieu of onsite servers and storage equipment. Cloud Services such as Microsoft Azure offer the ability to move virtual servers in an onsite data center to the cloud providing, in some cases,

economy of scale and security that is of higher value. These services can also provide some fail-over capability for the cloud services and onsite services. The goal in the early years is to have a mix of onsite server/storage equipment coupled with leveraging of cloud servers. The future goal is to move most if not all functionality to the cloud when it is proven to be operationally and economically beneficial to do so.

- This initiative will free the city from having to fund large server and data storage equipment initiatives periodically through the capital budget and be able to manage consumption of our information technology systems more efficiently.
- Procurement is through the State of Georgia Statewide Contract (SWC) 99999-SPD-T20190814-0002 for Cloud Solutions. This provides through this negotiated state contract the best pricing and support for Microsoft Azure and cloud services using the National Association of State Procurement Officials (NASPO) "ValuePoint" that leverages the expertise and buying power of many states and other participating entities.
- Also, with the City of Alpharetta being a Microsoft based enterprise with Office 365, Windows 10, and implementation of Hyper V server virtualization technologies, we can leverage existing licensing and enterprise credits to reduce implementation and long-term costs in using cloud services.

Public Comment:

- No Public Comment
- ❖ Council Member Burnett offered a motion to approve the request to provide for Microsoft Azure Cloud Services (IaaS) using the Statewide Contract (SWC) 99999-SPD-T20190814-0002 for Cloud Solutions for all City Departments in the FY2021 in an amount not to exceed \$150,000 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)

G. Contract Renewal with Peachtree Government Relations

- City Administrator, Bob Regus, came forward to present this item.
- Staff is recommending that Mayor and Council approve the annual contract renewal with Peachtree Government Relations in the amount of \$36,000 and authorize the Mayor to execute all necessary documents.
- After the 2019 Georgia Legislative Session Mayor and Council, along with Staff, discussed contracting with a lobbying firm who would have the best interest of the City day in and day out at the Capitol. In September 2019 you approved a nine-month contract with PGR at \$3,000 per month for the remainder of the fiscal year.
- Though this was an extraordinary legislative year with the session being suspended and then continued in June, PGR has not missed a beat, keeping us up to date with the most current and best information possible.
- At this time of year PGR is monitoring what is known as veto session which ends August 15th. This is the period Governor Kemp reviews all bills and signs or vetoes the legislation. PGR will bring to us any legislation they feel we should show support for or even ask the Governor to veto.

- PGR will also be providing an election report. They track all changes that will occur during the August 11th Runoff and the November General Election to make sure we are all up to date on the results and any new members that may have been elected that could have an effect on Alpharetta.
- PGR will continue to benefit us by giving information on what is going on in committee meetings throughout the later part of the Summer into the Fall, when there is a better opportunity for a committee to understand our view on a matter.
- PGR will continue to assist us in meeting with the Georgia Department of Transportation and other State agencies that are pertinent to Alpharetta, will continue to set up one on one meetings with legislators on key issues, and will monitor issues being followed by GMA and ACCG to understand their agenda for the 2021 Session.

Public Comment:

- No Public Comment
- ❖ Council Member Merkel offered a motion to approve the annual contract renewal with Peachtree Government Relations in the amount of \$36,000 and authorize the Mayor to execute all necessary documents
 - The motion received a second from Mayor Pro Tem Mitchell
 - The motion was approved unanimously (7-0)

VIII. WORKSHOP

A. Unified Development Code Text Amendments: Alpharetta Downtown Code, Murals, Special Event Facilities, Temporary Uses and Fences

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff is recommending that Mayor and Council approve text amendments to the Unified Development Code related to the Alpharetta Downtown Code, Murals, Special Event Facility, Temporary Uses and Fences.
- Consideration of text amendments to Unified Development Code (UDC) Subsections 1.4 Definitions, to add definitions for 'Mural' and 'Special Event Facility'. Text amendments to add 'Special Event Facility' as a permitted and conditional use in certain zoning districts. Text amendments to the Downtown Code, including amendments to the naming of certain future land use categories, regulations pertaining to the painting of brick or stone exterior finish materials, miscellaneous amendments to the use table, amendments to the DT-C (Downtown Core) building setbacks, and amendments to the DT-MU (Downtown Mixed-Use) building height. Text amendments to add a temporary use inside a building and regulations related to privacy fences along a street.
- This item was presented for City Council discussion and informational purposes. No vote or formal action was requested at this time. Based upon the feedback received, Staff will bring the item forward for consideration and action at a later date.

IX. PUBLIC COMMENT

- No Public Comment

X. REPORTS

- Council Member Merkel announced that the new 100 ft. pavilion, which was donated by Whole Foods, is now located behind the Community Center.
- Council Member Burnett encouraged residents to complete the census survey. Additionally, the City will be presenting a TSPLOST Resolution in the near future and will need the census facts to determine all the facts.
- Mayor Pro Tem Mitchell thanked Senator Brandon Beach for his support with our City's transportation projects.
- Council Member Richard announced the Community Workshop regarding the Alpha Link Connection at the GA 400 Center taking place on Wednesday, July 29th at 5:30 – 7:30 P.M.
- City Administrator, Bob Regus, came forward to present Mayor and Council with a brief overview of City operations.

XI. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Council Member Merkel offered a motion to adjourn into Executive Session
 - The motion received a second from Mayor Pro Tem Mitchell
 - Council Member Binder offered a friendly amendment that the Executive Session will last no longer than 15 minutes
 - Council Member Merkel accepted the friendly amendment
 - The motion was approved unanimously (7-0)
- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting to Executive Session at 8:23 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Erin Cobb".

Erin Cobb, City Clerk