Official City Council Meeting Minutes

October 19, 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**
  - 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
  - Erin Cobb, City Clerk
  - Tom Harris, Director of Finance
  - Morgan Rodgers, Director of Recreation, Parks & Cultural Services
  - Kathi Cook, Director of Community Development
  - Pete Sewczwicz, Director of Public Works
  - John Robison, Director of Public Safety

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 10/5/2020)

B. Alcoholic Beverage License Applications

PH-20-AB-11 Interstate Management Company, LLC
d/b/a Atlanta Marriott Alpharetta
5750 Windward Parkway
Alpharetta, GA 30005-2021

Hotel
Consumption on Premises
Liquor, Beer, Wine & Sunday Sales

Owner: Interstate Management Company, LLC
Registered Agent: Michael Sard

❖ 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-20-13 Unified Development Code Text Amendments – Animal Hospital, Small Animal (1st 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 related to Animal Hospital, Small Animal.
- This item was heard at the 10/1/2020 Planning Commission meeting. Staff recommended approval. There were no public comments. After discussion, Planning Commission recommended approval. Vote 6-0
- Consideration of text amendments to Unified Development Code (UDC) Section 2.2 Permitted Use Districts and Regulations, to add 'Animal Hospital, Small Animal' as a conditional use in the O-I (Office Institutional) zoning district. The text amendment is at the request of Jessica Hill, which is the applicant and counsel for the Veterinary Emergency Group. The applicant provided information showing that the use is permitted by-right or by administrative permit in office zoning districts in nearby jurisdictions, including City of Milton, Johns Creek, Sandy Springs, and Roswell.

TABLE 2.2 LIST OF PERMISSIBLE AND CONDITIONAL USES On the following table, an open circle "O" means that the use will be permitted in that district only if a Conditional Use Permit is granted by the City Council. An "X" means that the use is permitted in the zone district subject to the general provisions of the Unified Development Code. For uses not included in this list or when the Director of Community Development is unable to determine placement, application shall be made to the Board of Appeals for interpretation.																					
USES	AG	RE	R	R-22	R-15	R-12	R-10	R-4A	R-4D	R-8A/D	R-10M	CUP*	OI*	OP	C-1	C-2	PSC	LI	OS-R	SU	MU
Animal Hospital, Small Animal (Veterinarian)	O											O	O		O	O	O	X			

- Attorney, Jessica Hill, 3343 Peachtree Road, NE, Atlanta, GA 30326, came forward to speak on behalf of the applicant.
- City Attorney, Sam Thomas, read the ordinance aloud.

Public Comment

- Ruth Ann Tatum, 250 Pebble Trail, Alpharetta, GA 30009, came forward in support of the item.

❖ Council Member Richard offered a motion to approve PH-20-13 Unified Development Code Text Amendments – Animal Hospital, Small Animal and the ordinance as presented

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

VI. BOARD AND COMMISSION APPOINTMENTS

A. Appointment To The North Fulton Community Improvement District (NFCID) Board

- Mayor Gilvin announced the appointment of Leslie Day-Harrell to the North Fulton Community Improvement District (NFCID) Board.

Public Comment

- No Public Comment

❖ Council Member Merkel offered a motion to approve Mayor Gilvin' s appointment of Leslie Day-Harrell to the North Fulton Community Improvement District (NFCID) Board

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

B. Appointments To Cultural Arts Commission

- Council Member Merkel announced the appointment of Michael Barsky as his representative to the Cultural Arts Commission.
- Council Member Binder announced the appointment of Dianna Smeal as his representative to the Cultural Arts Commission.
- Mayor Gilvin announced the appointment of Gene Andrews as his representative to the Cultural Arts Commission.

VII. NEW BUSINESS

A. CARES ACT Funding and Appropriations
Sponsored By: Mayor Gilvin & Council Member Binder

- Director of Finance, Tom Harris, came forward to present this item.
- Staff is recommending that Mayor and Council approve the appropriation of CARES Act Funding ($2,804,182) as follows: $280,000 for a Covid-19 Vulnerable Population Program; $150,000 for Business Recovery; and $2,374,182 in unallocated capital.
- Under an IGA with Fulton County representing the CARES Act (Coronavirus Aid, Relief, and Economic Security Act) Municipal Reimbursement Program, the City has received its full allocable share of $2,804,182. This funding was designed to support cities located within the County that were not eligible to receive CARES Act funding directly from the U.S. Federal Government to mitigate the financial impact of COVID-19.
- Costs were submitted to the County supporting the eligibility for reimbursement by Finance.
- The reimbursement proceeds are unrestricted and can be used for any governmental purpose.
- The appropriations for the Covid-19 Vulnerable Population Program ($280,000) and Business Recovery Program ($150,000) are herein established to be spent in accordance with program parameters as approved by Council.

Public Comment

- No Public Comment

❖ Council Member Binder offered a motion to approve the appropriation of CARES Act Funding ($2,804,182) as follows: $280,000 for a Covid-19 Vulnerable Population Program; $150,000 for Business Recovery; and $2,374,182 in unallocated capital

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

B. Agreement with the ACVB Regarding the Business Recovery Program
Sponsored By: Mayor Gilvin & Council Member Binder

- City Administrator, Bob Regus, came forward to present this item.
- Staff is recommending that Mayor and Council approve $50,000 in CARES Act - Business Recovery funds to be appropriated to the Alpharetta Convention and Visitors Bureau for an Expedia Campaign to market tourism in Alpharetta to the leisure and business traveler.
- In this time of COVID-19 when our daytime population has been greatly diminished by lack of office workers, we need to do everything we can to drive more leisure and business travel every day of the week which translates to more people shopping and dining in Alpharetta.
- For background, the Alpharetta Convention and Visitors Bureau (ACVB) was created in 1998 by the Alpharetta City Council as its destination marketing organization with the purpose to fill hotel rooms in the City every day of the week but especially on weekends. Since that time with the robust office environment in the City the ACVB has found its main function is to focus on the weekend leisure traveler and to market to the business traveler to come a day before or stay a day after their business meeting to increase occupancy in the weekend window.
- Janet Rodgers, President and CEO of the ACVB has found Expedia to be a great marketing tool. The last Expedia campaign which ran from February 4, through August 31, (with a pause from March 23, through June 30) brought over 6,140 rooms booked in the City, with an Average Daily Rate of $111.00 and an average length of stay of two days. The goal of the campaign was to encourage visitors to "Experience Your Awesome in Alpharetta, GA". The campaign highlighted Alpharetta's 28 hotels, over 200 restaurants, more than 250 shops, over 40 attractions, and an array of annual events and festivals.
- Banner ads will run on the following websites:
    1) Expedia.com is one of the world's largest full-service travel brands. It aims to provide the widest selection of vacation destinations, affordable airfares, hotel deals, car rentals, cruise deals, and in-destination activities, attractions, and services.
    2) Hotels.com offers hundreds of thousands of places to stay around the world and 90 local websites in 41 languages.
    3) Vrbo.com introduced a new way for people to travel together in 1995 by pairing homeowners with families and friends looking for places to stay. Vrbo is known to bring more people to a destination, staying longer and spending more.
- Due to budget cuts from COVID-19 an Expedia campaign for this fiscal year has not been included in the ACVB budget, thus the request for the $50,000 in CARES Act funding.
- Attached to the memorandum is the thirty eight page proposal from Expedia Group Media Solutions, the one page Banner Ad which appears on the websites, and the Alpharetta CVB splash page (nine pages) that was on Expedia's website from the last campaign.

Public Comment

- No Public Comment

- ❖ Council Member Binder offered a motion to approve up to $50,000 in CARES Act - Business Recovery funds to be appropriated to the Alpharetta Convention and Visitors Bureau for an Expedia Campaign to market tourism in Alpharetta to the leisure and business traveler
  - The motion received a second from Council Member Merkel
  - The motion was approved unanimously (7-0)

C. COVID-19 Vulnerable Population Grant Program
Sponsored By: Mayor Gilvin & Council Member Binder

- City Administrator, Bob Regus, came forward to present this item.
- Staff is recommending that Mayor and Council approve the COVID-19 Vulnerable Population Grant Program and authorize the Mayor to execute all necessary documents.
- Staff proposes handling distribution and promotion of the opportunity as follows:
  - Placement of a media release with a link to the application on the City website.
  - Distribution of the release to area media outlets.
  - Promotion of the opportunity via our social media channels with links back to the media release and application.
  - Request that United Way assist by distributing the information to their roughly 240 not-for-profit service organizations serving Alpharetta / North Fulton.
- The grant application will be available beginning tomorrow October 20, 2020 and applications will be received until the funds are expended.
- A committee consisting of Director of Finance Tom Harris, Assistant City Administrator James Drinkard and Director of Human Resources Cris Randall, will review the applications and follow with recommendations of the full Council. Upon approval an agreement will be signed to formalize the process.

Public Comment

- No Public Comment

- ❖ Council Member Binder offered a motion to approve the COVID-19 Vulnerable Population Grant Program and authorize the Mayor to execute all necessary documents
  - The motion received a second from Council Member Merkel
  - The motion was approved (6-1); Council Member Burnett voting in opposition

D. Design Services Change Order for Webb Bridge Road - Greenway to Webb Bridge Way

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council approve Change Order #2 to PO#19000583 from Pond & Company in the amount of $123,415.00 for design revisions to the Webb Bridge Road - Greenway to Webb Bridge Way; approve Change Order #1 to PO#19000584 from Atkins in the amount of $25,000.00 for additional project management; and, authorize the Mayor to execute all necessary documents.
- On May 6, 2019, City Council approved Pond & Company's proposal for the design of improvements to Webb Bridge Road from the Big Creek Greenway to Webb Bridge Way as part of the City's On-Call Engineering services contract.
- On November 11, 2019, City Council approved Change Order #1 which expanded the scope of the project to include continuation of wider sidewalks from the Webb Bridge Way intersection to the entrance of Webb Bridge Park and the multi-use trail constructed by Johns Creek, which currently ends at the cul-de-sac of Webb Bridge Road. The change order also expanded the design scope south along Webb Bridge Way to the construction limits of Johns Creek's Kimball Bridge Road project. Change Order #1 increased the design cost by $155,942.96 to $655,660.46.
- The original design scope called for the shoulders of Webb Bridge Road to provide an 8' wide sidewalk separated from the curb line by a 3' wide planting strip on both sides of the road. The placement of street trees in the 3' planting strip was also called for and would require the construction of special tree wells incorporating pervious concrete. Change Order #2 provides for revising the plans to widen the planting area from 3' to 6' and widening the sidewalk from 8' to 10'. These changes would be applied along both sides of Webb Bridge Road from the Greenway to Webb Bridge Way. The widening of the planting strip will eliminate the need of pervious concrete, which will help to reduce construction and long-term maintenance costs. Incorporation of these design changes will necessitate revisions to the entire plan set including right of way plans, grading plans, cross-sections, retaining wall plans, lighting plans, landscape plans, and erosion control plans.
- If approved, Change Order #2 will increase Purchase Order 19000583 by $123,415.00 from $655,660.46 to $779,075.46. Final plans would be delivered to the City in January 2022, though staff believes there are opportunities that would enable earlier delivery. Public Works is also working on releasing plans to construct a Greenway connection from Westwind Lane to the existing Greenway. Minimal right of way and easements are required for this area which enables for work in this are to be started first.
- On May 6, 2019, City Council approved Atkins proposal for project management services associated with Pond & Company's design of the Webb Bridge Road and Academy Street projects. Atkins is requesting additional funds for continued project management associated with the proposed design revisions. Change Order #1 from Atkins will increase Purchase Order 19000584 by $25,000.00 from $109,000.00 to $134,000.00.

Public Comment

- No Public Comment

- ❖ Mayor Pro Tem Mitchell offered a motion to approve Change Order #2 to PO#19000583 from Pond & Company in an amount not to exceed $123,415.00 for design revisions to the Webb Bridge Road - Greenway to Webb Bridge Way; approve Change Order #1 to PO#19000584 from Atkins in an amount not to exceed $25,000.00 for additional project management; 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. Public Safety Taser Replacements

- Director of Public Safety, John Robison, came forward to present this item.
- Staff is recommending that Mayor and Council approve the acquisition of replacement Taser conducted electronic weapons, associated equipment, advanced training, and extended warranty through the Axon Taser 7 Certification Program at a total cost of $481,550 over the five-year period ending in FY 2025 (FY's 2021-2025) and authorize the Mayor to execute all necessary documents.
- Public Safety's use of Tasers has and will continue to reduce higher use-of-force incidents resulting in fewer injuries to officers and suspects, and fewer use-of-force related complaints. The Department has not used an expandable baton as an impact weapon during a use-of-force situation in over 10-years.
- The City funded the last large-scale Taser replacement in 2015 through a capital lease with the payment appropriated in the annual operating budget. Those Taser units are, on average, greater than five-years old and considered "legacy" weapons. They are no longer in production and not covered by the $10 million insurance program Axon issues with all current and up-to-date equipment and software. Current National events have demanded police reform with an emphasis on training, de-escalation, and less lethal weapons. Maintaining current and up-to-date equipment is a vital component of that stratagem.
- This request is for the replacement of 142 Tasers, associated equipment, advanced training, and extended warranty under Axon's Taser 7 Certification Package. This package includes: batteries; charging ports; holsters; installation of required electronic support equipment for instantaneous software updates while in charging mode; all replacement cartridges and training cartridges on a continuing basis; virtual de-escalation training equipment and software; three training suits for scenario type training and certifications; master and instructor training slots for Department personnel; etc. This program considers many aspects that would normally be provided through the Training Unit, thus reducing costs in that area.
- The financial component of the Taser 7 Certification Package is as follows:
    - o 5-Year Term ($481,550 total)
    - o $78,350 (FY 2021 - after trade-in credit for current Tasers)
        - $100,800 annually (FY 2022 - FY 2025)
        - No financing/interest charges are embedded in this figure.
- According to Axon, if the equipment and companion services were sourced on an individual basis (e.g. outside of the Taser 7 Certification Package), the cost would be in excess of $700,000).

- The FY 2021 budget includes appropriations totaling $70,800 for Taser related equipment/ammunition. The additional funds required to cover the year 1 costs of $78,350 have been identified within the existing budget. The additional funds necessary to achieve the $100,800 annual cost starting in FY 2022 will be included in the 2022 budget request. Axon Enterprise, Inc. is the City's approved single source provider of conducted electronic weapons and associated equipment.

Public Comment

- No Public Comment

❖ Council Member Hipes offered a motion to approve the acquisition of replacement Taser conducted electronic weapons, associated equipment, advanced training, and extended warranty through the Axon Taser 7 Certification Program at a total cost of $481,550 over the five-year period ending in FY 2025 (FY's 2021-2025); with an expenditure this fiscal year of $78,350; 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. Pine Shavings for City's Equestrian Center Stalls

- Director of Recreation, Parks & Cultural Services, Morgan Rodgers, came forward to present this item.
- Staff is recommending that Mayor and Council award ITB 21-001 to B&T Shavings for a 5-year contract for Wills Park Equestrian Center Stall Bedding for a delivered cost of $4.10 per bale and authorize the Mayor to execute all necessary documents.
- Per the Equestrian Center User Agreement, for each horse show it is specified that each stall occupied by a horse shall have a minimum of two bales of shavings spread on the stall floor and those shavings are to be purchased at the Center.
- The shavings are necessary to collect the waste from the horses. The City advertised ITB 21-001 on September 18. 2020 with a due date of September 24, 2020. B&T Shavings, Inc. was the only company that submitted a proposal. There was one other company that downloaded the ITB package but did not submit a proposal.
- B&T Shavings is the current vendor for providing shavings to the center. Additionally, B&T Shavings was the only vendor that responded to the previous bid in 2015.
- Per the Wills Park Equestrian Center Use Agreement, events are charged $7.00 per bale of shavings. The B&T Shavings bid is $4.10 per delivered bale of shavings. This pricing represents an increase of 5% over the previous bid cost of $3.90 per delivered bale that was awarded in 2015.
- Per the Departments of Agriculture's Equine By-laws, bedding is to be provided and installed in each stall occupied by a horse; therefore, there is no alternative.

Public Comment

- No Public Comment

- ❖ Council Member Merkel offered a motion to award ITB 21-001 to B&T Shavings for a 5-year contract for Wills Park Equestrian Center Stall Bedding for a delivered cost of $4.10 per bale with a total project cost not to exceed $85,000 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)

VIII. PUBLIC COMMENT

- Ruth Ann Tatum, 250 Pebble Trail, Alpharetta, GA 30009, came forward with concerns regarding our City's recycling services.

IX. REPORTS

- Council Member Binder commented on his voting experience with the mobile unit that was located at the Crabapple Government Center.
- Council Member Richard commented on the Comprehensive Plan Public Workshop that took place in Brooke Street Park on October 7th. The Community Development Department has also launched two more online surveys for public insight on the Comp Plan.
- Council Member Merkel commented on the pedestrian friendly corridor between Jones Bridge Road and Kimball Bridge Road, additionally thanking the Public Works Department for their work on this project.

X. ADJOURNMENT

- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting at 7:34 P.M.

Respectfully submitted,

Erin Cobb

Erin Cobb, City Clerk