



Official City Council Meeting Minutes

May 6, 2019

Office of the City Clerk

ALPHARETTA CITY HALL COUNCIL CHAMBERS

2 PARK PLAZA

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 Sam Thomas, City Attorney
 - o James Drinkard, Asst. City Administrator
 - o Peter Sewczwicz, Director of Public Works
 - o John Robison, Director of Public Safety
 - o Morgan Rodgers, Director of Recreation, Parks & Cultural Services
 - o Kathi Cook, Director of Community Development
 - o Eric Graves, Senior Transportation Engineer/Planner
 - o Tom Harris, Director of Finance
 - o Shawn Mitchell, Budget & Procurement Manager
 - o Randy Bundy, Director of Information Technology
 - o Cris Randall, Director of Human Resources

III. PLEDGE TO THE FLAG

IV. PROCLAMATIONS AND PRESENTATIONS

A. Older American's Month Proclamation

- Members from the Alpharetta Golden Age Club came forward to accept the "Older American's Month" Proclamation.

B. Public Service Recognition Week

- City Administrator, Bob Regus, and Human Resources Director, Cris Randall, came forward to accept the "Public Service Recognition Week" Proclamation. Additionally, Mayor Gilvin recognized all of the City of Alpharetta Staff for their hard work and dedication serving our community.

V. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 4/22/2019)

B. Alcoholic Beverage License Applications

- PH-19-AB-09 The Savory Gourmet LLC
 d/b/a Savory Gourmet LLC
 50 Canton St. Suite 110
 Alpharetta, GA 30009

 Restaurant
 Consumption on
 Premises Beer,
 Wine, Sunday
 Sales

 Owner: Carolyn
 Robinson Registered
 Agent: Beth Johnson
- PH-19-AB-10 FABS Family Restaurant, Inc.
 d/b/a Ippolito's Italian Restaurant
 12850 Alpharetta Hwy #2500
 Alpharetta, GA 30004

 Restaurant
 Consumption on Premises
 Beer, Wine, Liquor, Sunday Sales

 Owner: Daniel Smith
 Registered Agent: Kimberly B. Smith
- PH-19-AB-11 CP Georgia Ln LLC
 d/b/a Hilton Garden Inn Atlanta North Point
 10975 Georgia Lane
 Alpharetta, GA 30022

Hotel
Consumption on Premises
Beer, Wine, Liquor, Retail
Package Sales Sunday Sales

Owner: CP Georgia Ln
LLC Registered Agent:
Michael Sard

C. Financial Management Report: Month Ending March 31, 2019

- ❖ Council Member Merkel offered a motion to approve the consent agenda
- The motion received a second from Council Member Richard
- The motion was approved unanimously (7-0)

VI. PUBLIC HEARING

A. PH-19-03 City of Alpharetta Capital Improvement Element

- Senior Transportation Engineer/Planner, Eric Graves, came forward to present this item.
- Staff recommends Mayor and Council approve the Resolution authorizing the transmittal of the 2018-2019 Capital Improvement Element and Annual Report to the Atlanta Regional Commission and the Georgia Department of Community Affairs.
- The Georgia Planning Act of 1989 (The Act) requires that local governments keep their Comprehensive Plans current as a pre-requisite for maintaining Qualified Local Government status, a requirement for eligibility for receipt of State of Georgia funds. The Act requires that local governments provide annual updates to their Capital Improvement Element (CIE), prepared in accordance with the Minimum Planning Standards and Procedures and the Development Impact Fee Compliance Requirements.
- The CIE is designed to provide insight into key infrastructure and public improvement projects being undertaken and completed by local jurisdictions. The Annual Report details on an annualized basis the collection and use of funds derived from impact fees. Together these documents provide a means of tracking local government performance and serve as a tool for measuring progress with respect to achieving community goals as outlined in the Comprehensive Plan.
- The City of Alpharetta is required to transmit its annual update of the Capital Improvement Element to the Atlanta Regional Commission for review prior to Council adoption.
- City Attorney, Sam Thomas, read the Resolution aloud.

Public Comment:

- No Public Comment
- ❖ Council Member Richard offered a motion to approve PH-19-03 City of Alpharetta

Capital Improvement Element and the Resolution authorizing the transmittal of the 2018-2019 Capital Improvement Element and Annual Report to the Atlanta Regional Commission and the Georgia Department of Community Affairs.

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

VII. OLD BUSINESS

A. Safe Hotels Ordinance (2nd Reading)

(NOTE: This item was tabled at the 3-4-2019 Council Meeting and must be removed from the table to be discussed)

- ❖ Council Member Binder offered a motion to remove from the table
 - The motion received a second from Council Member Richard
 - The motion was approved (5-2); Council Member Hipes and Council Member Merkel voting in opposition
 - City Administrator, Bob Regus, came forward to present this item.
 - City Administrator, Bob Regus, presented the following changes made since the first reading of the Safe Hotels Ordinance (changes are in red):
 - o Page 2: Calls for service shall not include calls resulting from a mass casualty event or calls relating to fire alarms, warrants, transportation by the APS, training, police escorts, traffic stops, maintenance, security checks initiated by APS, or calls initiated by off-duty officers hired by the hotel to provide security.
 - o Page 3: ~~(C) The Department of Public Safety, in conjunction with the Alpharetta Convention & Visitors Bureau, shall develop and implement a Safe Hotels Certification Program for operations/managers of hotels. All such managers shall attend and obtain certification annually.~~
 - o Page 3: ~~(D)~~ In order to defray the annual regulatory costs associated with the implementation of the City's Safe Hotels Program, including inspections, safety improvement recommendations ~~certification~~ and excess calls for service, the following annual permit fees are established:
 - o Page 3: Tier One Fee \$ N/A
 - o Page 4: Tier One: A hotel that has a call for service ratio (as defined in Section 2), equal to or less than 530% (For example, a hotel with 100 rooms that has 530 or less calls for service on an annualized basis by calendar year, is a Tier One hotel).
 - o Page 4: Tier Two: A hotel that has a call for service ratio in excess of 530%, but equal to or less than 7542%.

- o Page 4: Tier Three: A hotel that (1) either has a call for service ratio in excess of ~~75~~42%; or (2) has been in Tier Two or Tier Three (or a combination of Tier Two and Three for at least the two prior calendar years, and has not been in Tier One at any point during that time period.)
- o Page 6: Sec. 8. Reward Program: Each hotel employee who makes a public safety call that results in an arrest shall receive a reward of up to \$200.00, at the discretion of the Public Safety Department. In addition, the Public Safety Department may provide additional non-monetary reward recognition. Rewards shall be funded from fees generated pursuant to Sec. 3(c).
- Director of Public Safety, John Robison, came forward to address questions from Mayor and Council.
- City Attorney, Sam Thomas, read the Ordinance aloud.

Public Comment:

- Valerie Manley, 5140 Southlake Drive, Alpharetta, came forward in support of this item.
- Don Nahser, 305 Karen Drive, Alpharetta, came forward in support of the item, however he suggested that the item be tabled in order to further discuss the details of the Ordinance. Additionally, he requested that the hotel tier system be available to the public, in order to better educate them on which hotels have the lowest and/or highest crime rate.
- ❖ Council Member Burnett offered a motion to adopt the Safe Hotels Ordinance with the following changes:
 - o In Section 3: Part C: Tier Two; change \$1,500.00 to \$1.00
 - o Eliminating the need for an off-duty officer for Tier Two hotels
 - o In Section 6: Part A: change the requirements of a Tier Three hotel to hiring an off-duty officer only between the hours of 9:00 pm to 3:00 am; 7 days a week
- The motion received a second from Council Member Binder
- Council Member Richard offered a friendly amendment to exclude emergency medical calls from the ratio of calls for service
- Council Member Burnett accepted the friendly amendment made by Council Member Richard
- Council Member Binder offered two friendly amendments (also previously presented by City Administrator, Bob Regus):
 - o Update Section 4, Tier One as follows: A hotel that has a call for service ratio (as defined in Section 2) equal to or less than ~~53~~0 % (For

- example, a hotel with 100 rooms that has ~~530~~ or less calls for service on the annualized basis by calendar year, is a Tier One hotel)
 - o Update Section 4, Tier Two as follow: A hotel that has a call for service ratio in excess of 30%, but equal to or less than ~~75~~42%
- Council Member Burnett accepted the friendly amendments made by Council Member Binder
- Mayor Pro Tem Mitchell offered two friendly amendments:
 - o Update Section 4, Tier Two and Tier Three hotels should be required to obtain a copy of the ID and vehicle tags of customers and keep on file for 60 days
 - o Additionally, a mandatory review of this Ordinance will take place, after the Ordinance has been in effect for one year
- Council Member Burnett accepted the friendly amendments made by Mayor Pro Tem Mitchell
- Council member Hipes offered a substitute motion to table the item in order to evaluate the substantial changes made to the Ordinance
- The motion received a second from Council Member Merkel
- The motion to table failed (3-4); Council Member Merkel, Mayor Pro Tem Mitchell, and Council Member Hipes voting yes
- ❖ Council Member Burnett offered a motion to adopt the Safe Hotels Ordinance including the changes and friendly amendments listed in the motions
 - The motion received a second from Council Member Binder
 - The motion was approved (4-3); Mayor Gilvin, Council Member Merkel, and Council Member Hipes voting in opposition

VIII. NEW BUSINESS

A. Approval of Resolution and Grant Application Request for 2019 Bullet Proof Vest Grant.

- Director of Public Safety, John Robison, came forward to present this item.
- Staff recommends Mayor and Council approve the Resolution for the submission of a grant application to the U.S. Department of Justice for the purchase of ballistic vests.
- The Department of Public Safety is requesting approval to submit a grant application for the Bureau of Justice Assistance (BJA) 2019 Bullet Proof Vest Grant in the amount of \$22,862. There is a 50% match requirement from the City totaling \$22,862. If awarded, total funding for this initiative (grant and match components) will be \$45,724.
- The Bulletproof Vest Partnership (BVP) program is an initiative of the U.S. Department of Justice to help law enforcement agencies purchase body armor for its officers through a matching fund, reimbursement grant. Through the Bureau of Justice Assistance, the Department of Justice reimburses agencies for up to half the purchase price of new, approved ballistic vests. Applications are accepted

annually and awards must be used within two years. Alpharetta has applied for this grant every year for more than ten years, generally receiving 60% to 100% of the amount requested. The deadline for submission of this grant application to the Department of Justice is May 28, 2019.

- The Department estimates needing 78 new vests through calendar year 2021 based on the expiration dates of current vests (which carry the maximum-permitted five-year warranty) and forecasted new hiring. New ballistic armor currently costs between \$650 to \$795 per set, depending on the level of protection. The total cost for 78 vests, assuming a normal mix of alternatives, is approximately \$60,700.
- The 2019 grant limits the number of vests requested to sixty (60) and the maximum dollar amount of \$48,000. With our estimated need, we are asking for 60 vests at a total cost of \$45,724.
- The Department will have under \$29,000 remaining from the 2018 grant, including the City's match, which will be applied to the need. The Bureau of Justice Assistance maintains a history of awards and payments and may reduce any award by this amount. As noted in the Fiscal section, the City's match of \$22,862 will come from the Grant Fund.
- City Attorney, Sam Thomas, read the Resolution aloud.

Public Comment:

- Don Nahser, 305 Karen Drive, Alpharetta, came forward to speak in support of the item.

❖ Council Member Hipes offered a motion to approve the Resolution for the submission of the 2019 Bullet Proof Vest Grant application to the U.S. Department of Justice for the purchase of ballistic vests for a total cost of \$45,724

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

B. Design Services for Windward Parkway TSP/LOST Improvements

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff recommend Mayor and Council approve Tetra Tech, Inc.'s proposal for the design of eastbound improvements to Windward Parkway from Westside Parkway to North Point Parkway in an amount not to exceed \$302,830.00; approve Tetra Tech, Inc.'s proposal for the design of westbound improvements to Windward Parkway from North Point Parkway to Georgia 400 in an amount not to exceed \$210,500.00; approve Atkins North America, Inc.'s proposal for project management in an amount not to exceed \$72,000.00; and, authorize the Mayor to execute all necessary documents.
- This request is for design of improvements to Windward Parkway. Included in the design scope are the following elements:

- o Addition of a third eastbound travel lane along Windward Parkway from Westside Parkway to the Georgia 400 southbound on-ramp.
 - o Addition of a third westbound travel lane along Windward Parkway from North Point Parkway to the Georgia 400 northbound on-ramp.
 - o Lengthen the existing dual-left turn lanes from westbound Windward Parkway to southbound North Point Parkway to provide additional queuing capacity.
 - o Develop a concept plan to add a third eastbound travel lane along Windward Parkway from the Georgia 400 southbound on-ramp to North Point Parkway.
- The typical section will seek to match that of the North Fulton CID project currently under construction. This includes 11' travel lanes, a 4' bike lane, and 6' wide sidewalks.
 - Completion of the design for the westbound improvements is anticipated to be within 205 days from notice to proceed. Completion of the design for the eastbound improvements is anticipated to be within 260 days from notice to proceed. Design of both the eastbound and westbound improvements will occur in parallel.
 - Tetra Tech, Inc. was awarded one of three contracts for on-call engineering services on August 1, 2016 through RFQ 16-1009. On December 12, 2016, City Council approved award of the conceptual design of Windward Parkway Business District/Union Hill Road Capacity Improvements to Tetra Tech, Inc and on June 17, 2017 they were awarded design of improvements to Windward Parkway from State Route 9 to Westside Parkway. The cost proposals from Tetra Tech are in line with staff estimates and have been reviewed by Atkins (City's on-call provider of project management services) and found to be reasonable given the scopes of work.
 - On November 14, 2016, Atkins North America, Inc. was awarded a contract for providing the City with assistance on larger scale bond and TSPLOST projects in the form of project management, right-of-way acquisitions, construction management, and construction inspection services. At Staff's direction, Atkins has prepared a proposal for providing project management services for this design work. The proposed fee for these services is \$72,000.00 which is based on an estimated number of hours to be worked over the design duration.

Public Comment:

- No Public Comment

- ❖ Mayor Pro Tem Mitchell offered a motion to approve the Tetra Tech, Inc.'s proposal for the design of eastbound improvements to Windward Parkway from Westside Parkway to North Point Parkway in an amount not to exceed \$302,830.00; approve Tetra Tech, Inc.'s proposal for the design of westbound improvements to Windward Parkway from North Point Parkway to Georgia 400 in an amount not to exceed \$210,500.00; approve Atkins North America, Inc.'s proposal for project management in an amount not to exceed \$72,000.00; for a total project cost not to exceed \$585,330.00 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)

C. Design Services for Academy Street and Webb Bridge Road TSPLOST Improvements

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff recommends Mayor and Council approve Pond & Company's proposal for the design of improvements to Academy Street from Loxford Lane to Fire Station 81 in an amount not to exceed \$203,175.00; approve Pond & Company's proposal for the improvements to Webb Bridge Road from the Big Creek Greenway to Webb Bridge Way in an amount not to exceed \$499,717.50; approve Atkins North America, Inc.'s proposal for project management for in an amount not to exceed \$109,000.00; and, authorize the Mayor to execute all necessary documents.
- This request is for design of improvements to Academy Street and Webb Bridge Road.
- Included in the design scope for the Academy Street segment are the following elements:
 - o 6' wide sidewalk from along the north side of Academy Street from Loxford Lane to Fire Station 81.
 - o Inclusion of left turn lanes between Loxford Lane and Wedgewood Drive where possible.
 - o Inclusion of landscape medians between Loxford Lane and Wedgewood Drive where possible.
 - o The typical section from Loxford Lane to Wedgewood Drive will be 10' travel and turn lanes, 4' bike lane, 2' curb and gutter, 2' grass strip, and 6' sidewalk.
 - o Design will seek to preserve as much of the existing sidewalk along the south side of Academy Street as possible.
- Included in the design scope of the Webb Bridge Road segment are the following elements:
 - o Project limits will extend from the Big Creek Greenway to Webb Bridge Way.

- o Medians will be minimized. Landscape medians will only be installed where a taper would exist in association with a left-turn lane.
 - o 8' wide sidewalks will be provided on both sides of Webb Bridge Road.
 - o 4' bike lanes will be provided in each direction of travel along Webb Bridge Road.
 - o A 3' "beauty" strip will be provided on each side of the road between the sidewalk and curb line. 5'x5' tree wells/grates will be incorporated into this area and adjacent sidewalk.
 - o A roundabout will not be included at the intersection with Big Creek Overlook. A median permitting a left-turn from westbound Webb Bridge Road to southbound Big Creek Overlook will be developed instead.
 - o A single-lane roundabout with slip lanes at the intersection with Southlake Drive / Park Bridge Parkway will be evaluated and designed if found feasible.
 - o A single-lane roundabout at the intersection with Webb Bridge Way.
 - o Pedestrian lighting along both sides of Webb Bridge Road. Roadway lighting at the roundabouts.
- Design for the Academy Street improvements is anticipated to be completed by September 30, 2019. Design of the Webb Bridge Road improvements is anticipated to be completed by October 14, 2020. Design of both the segments will occur in parallel.
 - Pond & Company was awarded one of three contracts for on-call engineering services on August 1, 2016 through RFQ 16-1009. On November 27, 2017, Pond & Company was awarded the design of a detailed conceptual plan for bicycle, pedestrian, and operational improvements to the Academy Street / Webb Bridge Road corridor through said on-call engineering services contract. The cost proposals from Pond & Company are in line with staff estimates and have been reviewed by Atkins (City's on-call provider of project management services) and found to be reasonable given the scopes of work.
 - On November 14, 2016, Atkins North America, Inc. was awarded a contract for providing the City with assistance on larger scale bond and TSPLOST projects in the form of project management, right-of-way acquisitions, construction management, and construction inspection services. At Staff's direction, Atkins has prepared a proposal for providing project management services for this design work. The proposed fee for these services is \$109,000.00 which is based on an estimated number of hours to be worked over the design duration.

Public Comment:

- Ellen Gates, 13990 Mariners Cove, Alpharetta, came forward to speak on her concerns regarding the proposed roundabout at Webb Bridge Way.

- ❖ Mayor Pro Tem Mitchell offered a motion to approve the Pond & Company's proposal for the design of improvements to Academy Street from Loxford Lane to Fire Station 81 in an amount not to exceed \$203,175.00; approve Pond & Company's proposal for the improvements to Webb Bridge Road from the Big Creek Greenway to Webb Bridge Way in an amount not to exceed \$499,717.50; approve Atkins North America, Inc.'s proposal for project management for in an amount not to exceed \$109,000.00; for a total project cost not to exceed \$811,892.50 and, authorize the Mayor to execute all necessary documents.

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

D. Alpharetta Walkability & Pedestrian Safety Study

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff recommends Mayor and Council adopt the "Alpharetta Walkability & Pedestrian Safety Study" prepared by AECOM.
- On September 4, 2018, City Council approved AECOM's proposal for a pedestrian safety study. Current and planned development is increasing the amount of pedestrian activity in the Downtown area. As more people choose to walk to destinations, there becomes a greater need to enhance existing pedestrian facilities and implement measures to increase the area's walkability. The purpose of this study was to evaluate the City's existing pedestrian facilities in relation to planned or approved developments/projects and provide answers to four key questions:
 1. Where are people walking today?
 2. Where are they likely to be walking, once the planned and approved developments/projects mature?
 3. How can the existing infrastructure be enhanced?
 4. What additional infrastructure can be installed to support the increase of pedestrians?
- AECOM's efforts in preparing this report included:
 - o Working closely with staff in the Departments of Public Works and Community Development
 - o Meeting with stakeholders
 - o Performing pedestrian counts
 - o Walking the study areas to take inventory of existing conditions
- The final report provides the City with a tool to guide future development and capital projects related to pedestrian activity and safety.

Public Comment:

- No Public Comment
- ❖ Mayor Pro Tem Mitchell offered a motion to adopt the "Alpharetta Walkability & Pedestrian Safety Study" prepared by AECOM.
 - The motion received a second from Council Member Richard
 - Council Member Burnett offered a friendly amendment for a scrambled sidewalk
 - Mayor Pro Tem Mitchell did not accept the friendly amendment offered by Council Member Burnett
 - The motion was approved unanimously (7-0)

IX. WORKSHOP

A. Presentation And Discussion: Recommended Fiscal Year 2020 Budget (Operations/Capital)

- Director of Finance, Tom Harris, came forward to present this workshop.
- The purpose of this presentation is to provide an overview of the Recommended Annual Operating and Capital Budget (the "FY 2020 Budget") and allow for a question and answer dialogue.
- The Fiscal Year 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.
- Council Member Burnett suggested reallocating the money in the budget for GMA professional services and membership fees toward other projects. Additionally, Council member Burnett suggested that the Economic Development Toolbox budget be reallocated to include future Development Authority projects and he would also like the Hopewell Road and Vaughn Drive roundabout design project to be reconsidered.
- Mayor Pro Tem Mitchell suggested that the money allocated to Tech Alpharetta not be in the general fund without an annual review of those funds.
- Council Member Richard suggested that additional signage for parking be added to the budget.

X. PUBLIC COMMENT

- Ruth Ann Tatum, 250 Pebble Trail, Alpharetta, came forward to speak in support of the City's roundabouts. Additionally, she spoke in opposition of the Safe Hotel Ordinance.

XI. REPORTS

- Council Member Binder expressed his gratitude to the Recreation, Parks, and Cultural Services Department for a successful 2019 Taste of Alpharetta. Additionally, the following events are approaching:
 - o Brooke Street Park Concert Series – Saturdays from May to September
 - o Alpharetta Rodeo at the Wills Park Equestrian Center on May 10th – May 11th
 - o Food Truck Alley – every Thursday starting May 9th through October 10th

XII. ADJOURNMENT

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

Respectfully submitted,

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

Erin Cobb, City Clerk