



Official City Council Meeting Minutes

January 11, 2021

Office of the City Clerk

CITY HALL 2 PARK PLAZA | 5:00 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 Pro Tem Mitchell called the meeting to order at 5:00 p.m.*

II. ROLL CALL

• Council Members

- o Mayor Jim Gilvin (via Zoom)
- 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 Steven Jones, Asst. City Attorney
- o James Drinkard, Asst. City Administrator
- o Erin Cobb, City Clerk
- o Morgan Rodgers, Director of Recreation, Parks & Cultural Services
- o Kathi Cook, Director of Community Development
- o Pete Sewczwicz, Director of Public Works
- o John Robison, Director of Public Safety
- o Tom Harris, Director of Finance

- **NOTES:**

- o *Mayor Gilvin is attending tonight's meeting virtually and has asked that Mayor Pro Tem Mitchell chair the meeting, as that will be easier and provide for a more typical meeting flow than if he attempted to chair it virtually.*
- o *Please note for the record that tonight's agenda will be amended slightly from the version published as we swap the order of two items listed under New Business. The order of items C (Fiscal Year 2021 Milling and Resurfacing) and D (Fiscal Year 2021 Local Maintenance and Improvement Grant) and the agenda renumbered accordingly.*

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 12/14/2020)

B. Alcoholic Beverage License Application

1. PH-21-AB-01

**QuikTrip #800
4975 Windward Parkway
Alpharetta, GA 30004**

**Convenience Store
Retail Package Store
Beer, Wine & Sunday Sales**

**Owner: QuikTrip Corporation
Registered Agent: Jonathan Shaw**

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

V. OLD BUSINESS

A. PH-20-14 Unified Development Code Text Amendments – Updates to International Building Code and Fire Code References (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 and Code of Ordinances related to references to Building Codes.
- Consideration of text amendments to Code of Ordinances Section 8-29 Building codes adopted, to replace specific references to various building codes with references to the City's various building permitting procedures documents. Consideration of text amendments to Unified Development Code (UDC) Subsection 2.9.5(B)(1) Building and Construction Code Exemptions, to replace specific references to the International Building Code and International Fire Code with a reference to Code of Ordinances Section 8-29. The purpose of the text amendments is to avoid updating the UDC and Code of Ordinances every time Building Codes are updated.

- This item was heard at the 11/5/2020 Planning Commission meeting. Staff recommended approval. There were no public comments. After discussion, Planning Commission recommended approval. Vote 7-0
- This item was also heard at the 11/16/2020 City Council Meeting and was approved unanimously. Vote 7-0
- At the request of Council Member Hipes, the City Attorney made some minor changes to the ordinance since the first reading in order to provide better clarification on which state codes the City is adopting. We also attached, for reference, the City's policies on commercial building inspections, residential building inspections and swimming pool permitting procedures.
- Asst. City Attorney, Steven Jones, read the ordinance aloud.
- ❖ Council Member Richard offered a motion to approve PH-20-14 Unified Development Code Text Amendments – Updates to International Building Code and Fire Code References and the ordinance as presented
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (7-0)

VI. NEW BUSINESS

A. Board and Commission Appointments: Alpharetta Development Authority

- ❖ Council Member Burnett offered a motion to approve the following appointments to the Development Authority: John Goss, Jill Bernard, Morgan Reynolds, and Shawn Allen
 - The motion received a second from Council Member Richard
 - The motion was approved unanimously (7-0)

B. Consideration of an Amendment to the Noise Ordinance (1st Reading) Sponsored By: Mayor Pro Tem Mitchell & Council Member Richard

- ❖ This item was deferred by Mayor and Council and will neither be heard nor considered at this time.

C. Fiscal Year 2021 Local Maintenance and Improvement Grant

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council adopt the attached resolution providing approval of the submission of the Fiscal Year 2021 Local Maintenance and Improvement Grant application to the Georgia Department of Transportation and authorize the Mayor to sign the submittal letter and application forms.
- The Georgia Department of Transportation (GDOT) has begun accepting applications for the Fiscal Year 2021 Local Maintenance and Improvement Grant (LMIG) Program.
- Per GDOT guidelines, the following projects are allowable under the LMIG program:

- o Preliminary engineering (including engineering for right-of-way plans and utility plans)
 - o Construction supervision and inspection
 - o Utility adjustments or replacement
 - o Patching, leveling, and resurfacing a paved roadway
 - o Grading, drainage, base, and paving existing or new roads
 - o Replacing storm drainpipe or culverts
 - o Intersection improvements
 - o Turn lanes
 - o Bridge repair or replacement
 - o Sidewalk adjacent (within right-of-way) to a public road or street
 - o Roadway signs, striping, and guardrail installation
 - o Signal installation or improvement
 - o Aggregate surface course for dirt road maintenance
- The following projects are not eligible with LMIG funds:
 - o Right-of-way acquisition
 - o Street lighting
 - o Beautification and streetscapes
 - o Walking trails and tracks
 - o Landscaping
 - o Administrative services
- The LMIG budget for FY 2021 is based on the collection of motor fuel taxes from FY 2020. The amount of each local government's allocation is based on the total centerline road miles for your local road system and the total population of your city / county as compared with the total statewide centerline road miles and total statewide population.
- LMIG funds can be escrowed by the local government for a maximum of three fiscal years for the construction of larger projects, but GDOT expects the vast majority of the projects to be completed within the fiscal year of the grant.
- All LMIG projects must be completed as soon as possible, but substantially complete within three years from the date of the LMIG application. All preconstruction activities, advertisements, lettings, and quality control of work and materials will be the responsibility of the local government.
- The Public Works Department proposes to use the FY2021 LMIG allocation and match to fund the following milling and resurfacing projects:
 1. Abbey Terrace - Grey Abbey Drive to Cul De Sac
 2. Beacon Knoll Drive - High Hampton Chase to cul de sac
 3. Belmont Chase Court - Derby Chase Court to Cul De Sac
 4. Birchington Close - Cape York Trace to Cul De Sac
 5. Boxgrove Road - Cape York Trace to Cul De Sac
 6. Bracebridge Road - Kimball Bridge to Grey Abbey Drive

7. Brookeline Way - Brookeline Trace to Cul De Sac
8. Brookestone Court - Weatherstone Way to cul de sac
9. Brookline Ridge - Park Brooke Trace to Cul De Sac
10. Brookline Trace - Park Brooke Trace to Cul De Sac
11. Burford Hollow - Garrick Point to Cul De Sac
12. Chapel Saint Leon Court - Boxgrove Road to Cul De Sac
13. Cobblestone Way - Weatherstone Way to cul de sacs
14. Darvish Lane - Cul de sac to cul de sac
15. Derby Chase Court - Douglas Road to Cul De Sac
16. Devon Court - Devon Lane to cul de sac
17. Devon Lane - North Somerset Lane to end
18. Fieldstone Court - Cobblestone Way to cul de sac
19. Forest Path Circle - Forest Path Lane to Cul De Sac
20. Forest Path Lane - Park Brooke Trace to Cul De Sac
21. Garrick Point - Barnesley Lane to Cul De Sac
22. Glen Abbey Drive - Kimball Bridge to Grey Abbey Drive
23. Great Rissington Way - Hebden Bridge Lane to Cul De Sac
24. Haven Bluff - High Hampton Chase to cul de sac
25. High Hampton Chase - Waters Road to cul de sac
26. High Hampton Run - High Hampton Chase to cul de sac
27. High Vista Court - Beacon Knoll to cul de sac
28. Highlands Court - Waterview Trail to cul de sac
29. Hill Chase - High Hampton Chase to cul de sac
30. Kersey Cove - Barnesley Lane to Cul De Sac
31. Lainston Court - Garrick Point to Cul De Sac
32. Longstone Landing - Barnesley Lane to Cul De Sac
33. Manning Drive - Cumming Street to end
34. Minsterworth Drive - Grey Abbey Drive to Cul De Sac
35. Nasser Avenue - Douglas Road to Cul De Sac
36. North Saint Phillips Lane - Barnesley Lane to Cul De Sac
37. North Somerset Lane - Henderson Parkway to cul de sacs
38. Park Brooke Trace - Park Brooke Drive to Cul De Sac
39. Park Brooke Walkway - Park Brooke Trace to Cul De Sac
40. Park Creek Drive - Park Bridge Parkway to cul de sacs
41. Park Creek Ridge - Park Creek Drive to Park Creek Drive
42. Park Creek Trace - Park Creek Drive to Park Creek Ridge
43. Pebblestone Court - Weatherstone Way to cul de sac

44. Penn Oak Court - Hopewell Plantation Drive to Cul De Sac
45. Pindell Circle - Mid Broadwell Road to end
46. Radlett Lane - North Saint Phillips Lane to Cul De Sac
47. Rhodes Chase Court - Hopewell Plantation Drive to Cul De Sac
48. Rhodes Creek Court - Rhodes Chase Court to Cul De Sac
49. Rhodes Creek Trail - Hopewell Plantation Drive to Cul De Sac
50. Ridge Haven Run - High Hampton Chase to cul de sac
51. Ridge Oak Place - High Hampton Chase to cul de sac
52. Scranton Court - High Hampton Chase to cul de sac
53. Seeleys Bay Court - Bracebridge Road to Cul De Sac
54. Stream Valley Court - Stream Valley Trail to Cul De Sac
55. Stream Valley Trail - Forest Path Lane to Cul De Sac
56. Summerfield Court - Cobblestone Way to cul de sac
57. Turlough Trail - Grey Abbey Drive to Cul De Sac
58. Waterview Drive - Waters Road to Waterview trail
59. Waterview Trail - End to End
60. Weatherstone Court - Pebblestone Court to Cul de Sacs
61. Weatherstone Way - Providence Road to Pebblestone Court
62. Westwind Lane - Webb Bridge Road to cul de sac
63. Westwind Pointe - Westwind Lane to cul de sac

- This application is due on February 1, 2021
- Asst. City Attorney, Steven Jones, read the resolution aloud.

Public Comment

- No Public Comment
- ❖ Council Member Binder offered a motion to adopt a resolution providing approval of the submission of the Fiscal Year 2021 Local Maintenance and Improvement Grant application to the Georgia Department of Transportation and authorize the Mayor to sign the submittal letter and application forms
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (7-0)

D. Fiscal Year 2021 Milling and Resurfacing (ITB 21-003)

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council award Bid No. 21-003 to Bartow Paving Company, Inc. in an amount of \$2,258,294.97 for the FY 2021 Milling and Resurfacing Project and authorize the Mayor to execute all necessary documents.
- The City of Alpharetta maintains over 500 lane miles of roadway. Each year the City budgets dollars towards the milling and resurfacing of these roads. Accomplishing this task extends the roads' useful life and increases the roads' ability to handle traffic volumes.
- In FY 2019 and FY 2021 Alpharetta funded a project to evaluate city roadway conditions. The objective was to collect accurate data and information about the City's road inventory and surface condition that would allow the City's staff to optimize their plan for road network repair and rehabilitation under budget constraints. The new information collected, in conjunction with historical repair and rehabilitation information, and traffic information helps the City make consistent and cost-effective decisions for roadway preservation. Based on these ratings, 65 roads and one parking lot were included in the annual offering. These locations include:
 1. Abbey Terrace - Grey Abbey Drive to Cul De Sac
 2. Beacon Knoll Drive - High Hampton Chase to cul de sac
 3. Belmont Chase Court - Derby Chase Court to Cul De Sac
 4. Birchington Close - Cape York Trace to Cul De Sac
 5. Boxgrove Road - Cape York Trace to Cul De Sac
 6. Bracebridge Road - Kimball Bridge to Grey Abbey Drive
 7. Brookeline Way - Brookeline Trace to Cul De Sac
 8. Brookestone Court - Weatherstone Way to cul de sac
 9. Brookline Ridge - Park Brooke Trace to Cul De Sac
 10. Brookline Trace - Park Brooke Trace to Cul De Sac
 11. Burford Hollow - Garrick Point to Cul De Sac
 12. Chapel Saint Leon Court - Boxgrove Road to Cul De Sac
 13. Cobblestone Way - Weatherstone Way to cul de sacs
 14. Darvish Lane - Cul de sac to cul de sac
 15. Derby Chase Court - Douglas Road to Cul De Sac
 16. Devon Court - Devon Lane to cul de sac
 17. Devon Lane - North Somerset Lane to end
 18. Fieldstone Court - Cobblestone Way to cul de sac
 19. Forest Path Circle - Forest Path Lane to Cul De Sac
 20. Forest Path Lane - Park Brooke Trace to Cul De Sac
 21. Garrick Point - Barnesley Lane to Cul De Sac
 22. Glen Abbey Drive - Kimball Bridge to Grey Abbey Drive
 23. Great Rissington Way - Hebden Bridge Lane to Cul De Sac
 24. Haven Bluff - High Hampton Chase to cul de sac

25. High Hampton Chase - Waters Road to cul de sac
26. High Hampton Run - High Hampton Chase to cul de sac
27. High Vista Court - Beacon Knoll to cul de sac
28. Highlands Court - Waterview Trail to cul de sac
29. Hill Chase - High Hampton Chase to cul de sac
30. Kersey Cove - Barnesley Lane to Cul De Sac
31. Lainston Court - Garrick Point to Cul De Sac
32. Longstone Landing - Barnesley Lane to Cul De Sac
33. Manning Drive - Cumming Street to end
34. Mansell Road - Haynes Bridge Road to City Limits
35. Minsterworth Drive - Grey Abbey Drive to Cul De Sac
36. Nasser Avenue - Douglas Road to Cul De Sac
37. North Saint Phillips Lane - Barnesley Lane to Cul De Sac
38. North Somerset Lane - Henderson Parkway to cul de sacs
39. Park Brooke Trace - Park Brooke Drive to Cul De Sac
40. Park Brooke Walkway - Park Brooke Trace to Cul De Sac
41. Park Creek Drive - Park Bridge Parkway to cul de sacs
42. Park Creek Ridge - Park Creek Drive to Park Creek Drive
43. Park Creek Trace - Park Creek Drive to Park Creek Ridge
44. Pebblestone Court - Weatherstone Way to cul de sac
45. Penn Oak Court - Hopewell Plantation Drive to Cul De Sac
46. Pindell Circle - Mid Broadwell Road to end
47. Radlett Lane - North Saint Phillips Lane to Cul De Sac
48. Rhodes Chase Court - Hopewell Plantation Drive to Cul De Sac
49. Rhodes Creek Court - Rhodes Chase Court to Cul De Sac
50. Rhodes Creek Trail - Hopewell Plantation Drive to Cul De Sac
51. Ridge Haven Run - High Hampton Chase to cul de sac
52. Ridge Oak Place - High Hampton Chase to cul de sac
53. Roswell Street parking lot - Roswell Street to parking deck entrance
54. Scranton Court - High Hampton Chase to cul de sac
55. Seeleys Bay Court - Bracebridge Road to Cul De Sac
56. Stream Valley Court - Stream Valley Trail to Cul De Sac
57. Stream Valley Trail - Forest Path Lane to Cul De Sac
58. Summerfield Court - Cobblestone Way to cul de sac
59. Turlough Trail - Grey Abbey Drive to Cul De Sac
60. Waterview Drive - Waters Road to Waterview trail
61. Waterview Trail - End to End

- 62. Weatherstone Court - Pebblestone Court to Cul de Sacs
- 63. Weatherstone Way - Providence Road to Pebblestone Court
- 64. Westwind Lane - Webb Bridge Road to cul de sac
- 65. Westwind Pointe - Westwind Lane to cul de sac
- 66. Windward Plaza - Windward Parkway to Windward Parkway
- The Departments of Public Works and Finance prepared a request for bids (ITB 21-003) for the locations listed above. The City advertised for competitive bids on November 12, 2020. Bids for the project were received on December 10, 2020, and the City received a total of eight bids from the following:
 - o Allied Paving Contractors, Inc. \$2,391,857.55
 - o Baldwin Paving Company, Inc. \$3,192,866.83
 - o **Bartow Paving Company, Inc. \$2,258,294.97**
 - o Blount Construction Company, Inc. \$2,602,279.39
 - o C.W. Matthews Contracting Co, Inc. \$2,635,367.57
 - o Colditz Trucing \$2,626,534.96
 - o Northwest Georgia Paving, Inc. \$2,598,561.95
 - o Stewart Brothers, Inc. \$3,275,673.95
- The apparent low bidder, Bartow Paving Company, has completed multiple roadway and paving projects in the Atlanta area including the Cherokee County, Paulding County, and Bartow County.
- City staff met with representatives of Bartow Paving Company to review the scope of work and the City's expectations. Bartow Paving Company assured staff that they could complete the project for the bid amount and within the allocated time frame. Thus, staff determined Bartow Paving Company to be the lowest responsive and responsible bidder.
- As this is a unit price contract, progress payments to the contractor will be based on the quantity of work completed for each item per the values submitted by the contractor in its bid to the City. The City's representative will verify the quantity is correct prior to approving the payment.
- All work included in this project's scope shall be completed by Friday, July 2, 2020.

Public Comment

- No Public Comment
- ❖ Council Member Binder offered a motion to award Bid No. 21-003 to Bartow Paving Company, Inc. in an amount of \$2,258,294.97 for the FY 2021 Milling and Resurfacing Project 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)

VII. WORKSHOP

A. Reviewing the Safe Hotel Ordinance

- Director of Public Safety, John Robison, and City Administrator, Bob Regus, came forward to present this item.
- The City adopted the Safe Hotel Ordinance on May 6, 2019. Staff has requested a review of the ordinance to discuss some recommended changes.
- Public Safety and Community Development staff went to each hotel in Alpharetta and reviewed the current hotel ordinance with hotel management. Managers/owners from each location expressed their willingness to work with city staff moving forward to ensure appropriate measures are taken to meet the goal of being Tier One hotels.
- The following five hotels are classified as Tier Two Hotels based on the current ordinance and 2020 call data:
 - o Extended Stay America – 1950 Rock Mill Rd. (33%)
 - o Extended Stay Hotel – 3329 Old Milton Pkwy (32%)
 - o Comfort Inn – 5455 Windward Pkwy (42%)
 - o Extended Stay Hotel – 3331 Old Milton Pkwy (33%)
 - o Comfort Suites – 1005 Kingswood Place (32%)
- All other hotels are classified as Tier One Hotels
- Many of the calls for service ADPS officers respond to are not criminal in nature. Staff is recommending that only calls for service that are criminal in nature (officer responds and determines some type of crime has been committed) are used to establish a matrix for hotel tiers in Alpharetta. Based on a data analysis of calls that are criminal in nature, staff is recommending the following tiers based on a calls for service ratio of numbers of criminal calls for service divided by the number of rooms in service at the hotel:
 - o Tier One: Any percentage less than 3%
 - o Tier Two: 3.0%-8.0%
 - o Tier Three: Any percentage above 8%
- The five hotels that are currently in tier two would also be in tier two when applying these recommended ratios.
- Additional Recommendations:
 - o Require all guests responsible for checking in to a room to be at least 21 years old.
 - o All guests checking in must provide a valid identification and a vehicle tag number.
 - o Allow all calls (including front desk) made to ADPS to count towards the calls for service ratio (in the current ordinance, calls from front desk staff are not factored into the ratio).
 - o A quarterly review of stats by Public Safety, Community Development staff and the City Administrator.
 - o A minimum of two meetings a year between Public Safety Staff, Community Development Staff, and each hotel's management/ownership.

- o The Director of Public Safety has the ability to place a hotel into a Tier Two status at any time if hotel management/ownership does not comply with staff recommendations directed toward improving the safety of the hotel.
- Council Member Merkel was opposed to the City adopting an ordinance that required all guests responsible for checking in to a room to be at least 21 years old.
- Council Member Hipes recommended that we add additional language to the ordinance requiring hotels to obtain the guests valid identification and a vehicle tag number while checking in.
- The Asst. City Attorney, Steven Jones, will draft an ordinance amendment to be presented at the January 19, 2021 City Council Meeting (1st reading) and the January 25, 2021 City Council Meeting (2nd reading).
- This workshop was presented for City Council discussion and information purposes. No vote or formal action is requested at this time.

B. TSLPOST Update

- City Administrator, Bob Regus, provided an update to Council regarding the Mayor's TSPLOST meeting with the Fulton County Commission and other mayors, in order to get feedback for future discussions.
- In January 2018, the Fulton County BOC in coordination with the Mayors of the County's 14 municipalities outside of the City of Atlanta adopted the Fulton County Transit Master Plan. In May 2019, the BOC in coordination with the cities, amended the County's short-term plan and reaffirmed South Fulton Parkway and GA 400 as the priority transit corridors.
- Through previous discussions, MARTA has agreed to fund the maintenance and operations for transit along South Fulton Parkway and GA 400 as part of the existing 1-cent sales tax. To move these projects toward implementation a local commitment is required to help fund the necessary capital improvements. Renewal of the County's TSPLOST (Transportation Special Purpose Local Option Sales Tax) provides an avenue for the County and Cities to provide up to 50% of the capital funds needed to advance transit in South and North Fulton County.
- In lieu of renewing the current 0.75-cent TSPLOST, the County could pursue a legislative change to allow a full 1-cent sales tax (as allowed in other Georgia counties). A full 1% sales tax would yield approximately \$700 Million over five years and would allow the cities to maintain a similar level of funding to the current TSPLOST for local projects as well as the necessary transit funding.
- On May 24, 2016, Fulton County voters reauthorized the education sales tax, ESPLOST, to raise up to \$976 million for new school construction, building additions and renovations, technology innovations, transportation upgrades and safety improvements throughout the Fulton County School System. The tax began collections on July 1, 2017, and will expire on June 30, 2022, unless voters approve another five-year extension. While timing of a Fulton County ESPLOST renewal is unknown at this point, the TSPLOST would need to be on the November 2021 ballot.
- Council Member Binder would like to see TSPLOST get decentralized, hoping that we could separate the city's TSPLOST projects from the transit projects.
- This workshop was presented for City Council discussion and information purposes. No vote or formal action is requested at this time.

VIII. PUBLIC COMMENT

- No Public Comment

IX. REPORTS

- Council Member Richard announced the Community Zoning Information Meeting taking place this Wednesday at 6:00 PM via Zoom.
- Council Member Binder appointed Dana Davis as his appointee to the Planning Commission effective February 1, 2021.
- City Administrator, Bob Regus, provided a brief update of the Expedia Campaign with the ACVB.

X. ADJOURNMENT

- ❖ With no further business to discuss or items to be heard, Mayor Pro Tem Mitchell adjourned the meeting at 5:50 P.M.

Respectfully submitted,

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

Erin Cobb, City Clerk