



Official City Council Meeting Minutes

April 5, 2021

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 (absent)
- 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

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

- A. Council Meeting Minutes (Meeting of 3/15/2021)**
- B. Financial Management Report: Month Ending February 28, 2021**
- C. Alcoholic Beverage License Application**

- 1. PH-21-AB-09**
Chartwell Hospitality, LLC
d/b/a Hilton Alpharetta Atlanta
5775 Windward Parkway
Alpharetta, GA 30005

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

Owner: Chartwell Hospitality, LLC
Registered Agent: Michael Sard
- 2. PH-21-AB-10**
HEG, LLC
d/b/a Fairway Social
240 South Main Street, Suite O
Alpharetta, GA 30009

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

Owners: HEG, LLC
Registered Agent: Michael Sard
- 3. PH-21-AB-11**
SJIJ, LLC
d/b/a All Time Wine and Spirits
5540 Windward Parkway
Alpharetta, GA 30004

Package Store
Retail Package Sales
Liquor, Beer, Wine & Sunday Sales

Owner: SJIJ, LLC
Registered Agent: Jung Sik Yang

- ❖ **Council Member Burnett offered a motion to approve the consent agenda**
 - **The motion received a second from Mayor Pro Tem Mitchell**
 - **The motion was approved unanimously (6-0)**

V. PUBLIC HEARING

A. PH-21-04 TPA Group/360 Tech Village Change of Condition

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff is recommending that Mayor and Council approve PH-21-04 TPA Group/360 Tech Village Change to Condition of Zoning, subject to the following conditions:
 37. Developer shall dedicate a minimum 20' permanent easement, and any necessary construction easements, through the Georgia 400 buffer for the purpose of a future Alpha Loop trail alignment. In addition, developer shall dedicate a permanent easement and construct a 12' concrete path around the lake and connecting to Morrison Parkway, with final alignment/design/materials approved by Staff and construction completed prior to the first residential Certificate of Occupancy. An enhanced crosswalk shall be provided across Morrison Parkway at the existing signalized intersection at Lakeview Parkway and shall be constructed of a material approved by Staff. Trail entrance gateways/arches shall be provided on Morrison Parkway and Lakeview Parkway and shall count towards the original sculpture's requirement. Alpha Loop shall include seating/gathering areas, lighting, landscape, hardscape, and a bike station (per applicant's Letter of Intent). Alpha Loop shall be promoted to the public by providing parking, access, and multi-use trails for public enjoyment. Wayfinding signage shall be placed at key locations along the Alpha Loop. Alpha Loop improvements shall be eligible for impact fee credits, as approved by Staff. Alpha Loop shall maintain a minimum 10' setback from all buildings.
- The applicant, TPA Group, LLC, requests changes to previous conditions of zoning on a 62.47-acre property approved for a mixed-use development. The requested change would move the Alpha Loop from along the south side of the boulevard to the Georgia 400 buffer. The subject property is located at the southwest corner of Haynes Bridge Road and Lakeview Parkway.
- The submitted request, if approved, will allow for a change to previous conditions of zoning related to the 360 Tech Village (TPA/Fuqua) Master Plan. The proposed change would move the Alpha Loop from along the south side of the boulevard to the Georgia 400 buffer. The requested change is consistent with the City's planned alignment of the Alpha Loop through the Georgia 400 buffer. The subject property is located at the southwest corner of Haynes Bridge Road and Lakeview Parkway.
- The property was approved on December 16, 2019 for a master plan amendment, rezoning and conditional use to allow a mixed-use development, including office, retail/restaurant and 'ForSale' and 'For-Rent' residential on 62.47 acres. The applicant proposes a change to condition #37, to relocate the Alpha Loop from the new internal storefront street to the Georgia 400 buffer. The Alpha Loop alignment around the lake and connection to and across Morrison Parkway will be maintained. The proposed change is consistent with the City's planned alignment of the Alpha Loop as identified in the North Point Area & Alpha Loop Trail Connectivity Feasibility Study, which was adopted in November 2020. The following changes are proposed to a previous condition of zoning related to file #MP-19-07/Z-19-04/CU-19-09 TPA Group/360 Tech Village (Strike through = Delete, Underline = Add):
 37. Developer shall dedicate a permanent easement and construct a 12' multi-use trail (Alpha Loop) around the lake and connecting to Morrison Parkway ~~as depicted on the site plan prepared by Nelson, revised 11/25/2019, with final alignment/design/materials approved by Staff and construction completed prior to the first residential CO. Alpha Loop shall be clearly delineated and separate from private sidewalk associated with storefronts on the 'For-Rent' building. A~~

crosswalk shall be provided across Morrison Parkway at the existing signalized intersection at Lakeview Parkway and shall be constructed of a material approved by Staff. Trail entrance gateways/arches shall be provided on Morrison Parkway and Haynes Bridge Road and shall count towards the original sculpture's requirement. Alpha Loop shall include seating/gathering areas, lighting, landscape, hardscape, and Zagster (or comparable bike sharing provider) bike station (per applicant's Letter of Intent). Multi-use trail shall be promoted to the public by providing parking, access, and trails for public enjoyment. A bike share station shall be provided at a location(s) along the trail, as approved by Staff. Wayfinding signage shall be placed at key locations along the trail. Developer shall dedicate a minimum 20' permanent easement through the GA 400 buffer for the purpose of a future Alpha Loop trail alignment. Alpha Loop improvements shall be eligible for impact fee credits, as approved by Staff. Alpha Loop shall maintain a minimum 20' setback from all buildings, ~~except along the ground floor storefronts associated with the 'For Rent' building.~~

- Staff has reviewed the applicant's proposal and finds that it can generally support the applicant's request for changes to previous conditions of zoning. The proposed change is consistent with the City's planned alignment of the Alpha Loop through the Georgia 400 buffer.
- The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received.
- The CZIM was held on February 10, 2021. There were no public comments

Public Comment

- No Public Comment

❖ Council Member Richard offered a motion to approve PH-21-04 TPA Group/360 Tech Village Change to Condition of Zoning, subject to the following conditions:

37. Developer shall dedicate a minimum 20' permanent easement, and any necessary construction easements, through the Georgia 400 buffer for the purpose of a future Alpha Loop trail alignment. In addition, developer shall dedicate a permanent easement and construct a 12' concrete path around the lake and connecting to Morrison Parkway, with final alignment/ design/ materials approved by Staff and construction completed prior to the first residential Certificate of Occupancy. An enhanced crosswalk shall be provided across Morrison Parkway at the existing signalized intersection at Lakeview Parkway and shall be constructed of a material approved by Staff. Trail entrance gateways/arches shall be provided on Morrison Parkway and Lakeview Parkway and shall count towards the original sculpture's requirement. Alpha Loop shall include seating/gathering areas, lighting, landscape, hardscape, and a bike station (per applicant's Letter of Intent). Alpha Loop shall be promoted to the public by providing parking, access, and multi-use trails for public enjoyment. Wayfinding signage shall be placed at key locations along the Alpha Loop. Alpha Loop improvements shall be eligible for impact fee credits, as approved by Staff. Alpha Loop shall maintain a minimum 10' setback from all buildings.

- The motion received a second from Council Member Burnett
- The motion was approved unanimously (6-0)

B. PH-21-05 UDC Text Amendments – Backyard Chickens **NOTE: This item has been withdrawn by Staff and will neither be heard nor discussed at this time.**

C. PH-21-03 UDC Text Amendments – Prerequisites for Public Hearing Requests

- Director of Community Development, Kathi Cook, came forward to present this item.
- Staff is recommending that Mayor and Council approve the following text amendments to the Unified Development Code (UDC):
 - Amendments to Unified Development Code (UDC) Article IV Procedures, to add regulations requiring that all taxes be paid in-full and all outstanding code violations on the property be rectified prior to a request for public hearing.
- This standard is currently included in the City's Public Hearing application as part of the 'Instructions for Filing a Public Hearing Application'. Codifying this standard would allow for enforcement.
- The item was considered at the 3/4/2021 Planning Commission meeting. There were no public comments. After discussion, Planning Commission recommended unanimous approval, subject to changes clarifying that delinquent taxes, assessments, fees, fines, or other indebtedness to the City pertains to a property and not a person. Vote 7-0
- City Attorney, Sam Thomas, read the ordinance aloud.

Public Comment

- No Public Comment
- ❖ Council Member Hipes offered a motion to approve PH-21-03 UDC Text Amendments – Prerequisites for Public Hearing Requests and the ordinance as presented
 - The motion received a second from Mayor Pro Tem Mitchell
 - The motion was approved unanimously (6-0)

VI. OLD BUSINESS

A. Consideration to Amend the "Noise Ordinance" (2nd Reading) Sponsored By: Mayor Pro Tem Mitchell & CM Richard

- City Attorney, Sam Thomas, came forward to present this item.
- Staff is recommending that Mayor and Council approve an ordinance to amend Chapter 26, Article V (The "Noise Ordinance") of the City Code to eliminate an exemption applicable to certain construction activities.
- Chapter 26, Article V of the City Code provides regulations governing noise (as defined in the Noise Ordinance) within the City. The City has determined that it is appropriate from time to time to modify certain noise regulations to comport with current conditions.
- If approved, this amendment will eliminate an exemption applicable to certain construction activities and will be noted as follows:

- Section 1. Chapter 26, Article V of the Code is hereby amended by elimination of Paragraph 3 of Section 26- 116 in its entirety and substituting in lieu thereof the following:
 - Sec. 26-116(3). Construction and demolition activity shall not be performed between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, before the hour of 9:00 a.m. or after the hour of 5:00 p.m. on Saturday, or at any time on Sunday, unless such activities are deemed emergency work as defined in Section 26-113. This shall not be deemed to prohibit interior finish work such as carpeting, painting, millwork, etc. (but not framing) on Sundays between the hours of 10:00 a.m. to 5:00 p.m. provided the work does not produce audible sounds from outside the building. In addition, if the Director of Public Safety (after consultation with the Mayor and Council) determines that the prohibitions in this paragraph would result in loss or inconvenience to any party in interest of such a nature as to warrant special consideration, the Director of Public Safety may issue a renewable 10-day permit for work to be done within the hours of 10:00 a.m. to 5:00 p.m.
- This item was presented for its first reading and approved by Council during the March 15, 2021 City Council Meeting. There have been no changes made since the first reading.
- City Attorney, Sam Thomas, read the ordinance aloud.
- ❖ Mayor Pro Tem Mitchell offered a motion to approve an ordinance to amend Chapter 26, Article V (The "Noise Ordinance") of the City Code to eliminate an exemption applicable to certain construction activities
 - The motion received a second from Council Member Richard
 - Council Member Burnett offered a friendly amendment to change the renewable 10-day permit to a renewable 14-day permit
 - Mayor Pro Tem Mitchell and Council Member Richard accepted the friendly amendment
 - The motion was approved (5-1); Council Member Burnett voting in opposition

VII. NEW BUSINESS

A. ITB #: 21-006 Fire Station Renovations

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council award the contract for Fire Station Renovations at 81,83, and 85 to Harmon Solutions, LLC. in the amount of \$158,641.00 and authorize the Mayor to execute all necessary documents. Approval of this requisition executes an expenditure authorized as part of the FY 21 Capital Budget.
- This years' Fire Station Renovations will be the third round of improvements to multiple Fire Houses throughout the City. Collaboratively working with Public Safety, Public Works issued a bid to continue the multi-year renovations and upgrades to bathrooms and kitchens.
- Award of this contract is for renovations to Fire Stations 81, 83, and 85.

- Fire Station 81 upgrades will include full renovations to the bunkhouse bathroom and half bath located in the dayroom.
- Fire Station 83 will receive new flooring in the kitchen, dayroom, and front office along with upgrading the existing single oven to a double wall oven. Fire Station 83's existing cabinetry will be refurbished and modified for the installation of a new double oven.
- Station 85 will be receiving a full bunkhouse bathroom renovation and new flooring in the kitchen and dayroom. All bathroom renovations will consist of new toilets, vanities, mirrors, plumbing fixtures, floors, partitions, exhaust fans, painting, and LED lighting. Flooring replacement will consist of removing the existing floor and replacing with a Sika Epoxy floor application, preferred by public safety, to provide longevity and be aesthetically pleasing.
- The work will be phased by each station, meaning work cannot commence at another Station until all work outlined in the scope for each specific Station is complete. This will provide less time facilities are down and lessen the inconveniences to the firefighters during the renovations.
- The project was advertised for competitive bids on January 21, 2021. The closing date for bids was March 18, 2021 and the City received a total of three bids from the following:

<u>Bidder</u>	<u>Total</u>
Harmon Solutions, LLC.	\$158,641.00
Prime Contractors, Inc.	\$167,758.40
Crown Retail Services, Inc.	\$176,256.00

- Staff verified references and comparable work provided by the contractor (Harmon Solutions LLC). The referenced work provided included renovations and 100% build outs to a Pediatrics office, Georgia Power facility, and Mall food court retail space. After meeting and verifying references, staff feels confident that the contractor can perform the work outlined in the scope and be accomplished in the time period established in the contract (180 days).

Public Comment

- No Public Comment
- ❖ Mayor Pro Tem Mitchell offered a motion to award the contract for Fire Station Renovations at 81, 83, and 85 to Harmon Solutions, LLC. in an amount not to exceed \$158,641.00 and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Hipes
 - The motion was approved unanimously (6-0)

B. Public Safety Vehicle Replacements

- City Administrator, Bob Regus, came forward to present this item.
- This request is for the replacement of four vehicles and two motorcycles in our fleet (totaling \$248,446.80 including upfitting) that qualify for replacement under departmental guidelines including:
 - Three (3) 2021 Ford F-150 XL (4-wheel drive) pickup trucks from Wade Ford, Inc. in an amount totaling \$101,900.00, representing the lowest of four (4) solicited quotes.
 - One (1) 2021 Dodge Pursuit Durango (AWD) SUV from Troncalli Automotive Group, Inc. in an amount totaling \$34,554.00, representing the lowest of three (3) solicited quotes
 - Two (2) Harley Davidson Motorcycles from Killer Creek Harley Davidson in an amount totaling \$51,992.80 representing the lowest of two (2) solicited quotes.
- Approval to expend up to \$60,000.00 for estimated costs associated with acquisition and installation of the necessary emergency equipment (upfitting).
- 2021 Vehicle Replacements (Approvals To-Date):
 - As approved in the FY 2021 budget, the Department of Public Safety planned to purchase and outfit for service eight (8) vehicles and two (2) motorcycles at a cost not to exceed \$465,000.
 - To date, four (4) 2021 Ford F-150 XL pickup trucks have been ordered from Wade Ford in an amount totaling \$135,704. Additionally, \$50,000 was secured for the upfitting equipment costs for said vehicles using the City's contract partner Dana Safety Supply. Total approved to-date = \$185,704.
- 2021 Vehicle Replacements (This Request)
 - The Department is now requesting to replace the remaining four (4) vehicles and two (2) motorcycles included within the approved 2021 Capital allocation as follows:
 - Three (3) 2021 Ford F-150 XL (4-wheel drive) pickup trucks from Wade Ford, Inc. in an amount totaling \$101,900.00, representing the lowest of four (4) solicited quotes (attached).
 - One (1) 2021 Dodge Pursuit Durango (AWD) SUV from Troncalli Automotive Group, Inc. in an amount totaling \$34,554.00, representing the lowest of three (3) solicited quotes (attached).
 - Two (2) Harley Davidson Motorcycles from Killer Creek Harley Davidson in an amount totaling \$51,992.80 representing the lowest of two (2) solicited quotes (attached).
- Due to the changing needs of personnel (Admin, Training, and the Community Services Unit's necessity to transport equipment, bicycles, and tow trailers; Criminal Investigation Division for operational purposes, etc.), the replacement request is comprised of pickup trucks. Although the Department has purchased the Ford Police Utility SUV to date, the request to purchase the Dodge Durango is to evaluate this vehicle in a "Patrol" capacity due to annual increases in the state contract sales price for the Ford Police Utility SUV. Goal is to determine if the Durango can be a viable cost-effective alternative.

- As a general guide for replacement, the Department uses 100,000 to 110,000 service miles for Patrol vehicles, years of service and higher mileage (a goal of 120,000 miles or more) for Administrative vehicles, years of service (between 6-8 years) and a minimum of 15,000 miles for Motorcycles and a repair cost to vehicle value analysis, if any of the aforementioned are not met.
- It is the Department's preference and current plan that all vehicles be all-wheel or 4-wheel drive for the emergency response capabilities, the associated safety factors, and the possible inclement weather situations. The pickup trucks and SUV will be replacing two (2) sedans and two (2) SUVs that have met the above disposal thresholds.
- Approval is also requested to expend an amount not to exceed \$60,000 for estimated costs associated with purchasing and installing necessary emergency equipment for the said vehicles (e.g., emergency lighting, consoles, computer stands, radios, weapon racks, prisoner transport systems, graphics, etc.). As a practice, the Department recycles emergency equipment from older vehicles and installs it into newly purchased vehicles whenever possible and/or applicable. Due to the age and type of equipment installed in the disposal vehicles, it will not be possible or applicable to reuse it. Funding for this initiative is requested from existing appropriations within the Department's Capital Fleet Replacement, as per the FY 2021 budget. The City's upfitting contract vendor (Dana Safety Supply) will be utilized for this initiative.
- Quote Details Competitive quotes were obtained for this request to purchase with the results as follows:
 - 2021 Ford F-150 XL (4-wheel drive):
 - Wade Ford, Inc. (\$33,804 /\$34,292) *note: short bed/long bed option, respectively.
 - Allan Vigil Ford-Lincoln (\$37,040/\$37,930) *note: state contract holder.
 - Billy Howell Ford (\$40,137/\$40,689) *note: short bed/long bed option, respectively.
 - Angela Krause (\$44,242.28/NA) *note: quote was not itemized, did not designate whether short or long bed option.
 - 2021 Dodge Pursuit Durango:
 - Troncalli Automotive Group, Inc. (\$34,554).
 - Atkins Ford/Dodge/Jeep/Chrysler (\$34,623).
 - Ginn Chrysler/Jeep/Dodge (\$36,045).
 - 2021 Harley Davidson Motorcycle:
 - Killer Creek Harley Davidson (\$25,996.40)
 - Falcons Fury Harley Davidson (\$27,213.56)
 - Harley Davidson of Atlanta (no submission)

Public Comment

- No Public Comment

- ❖ Council Member Hipes offered a motion to approve the replacement of four vehicles and two motorcycles in our fleet in an amount not to exceed \$248,446.80, including upfitting
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously (6-0)

C. Alpharetta Wedding Venues

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Staff is recommending that Mayor and Council approve the presented wedding venue concepts in an amount not to exceed \$44,000 and authorize the Mayor to execute all necessary documents.
- With assistance from the Alpharetta Convention and Visitors Bureau, staff reviewed possible sites to be used as wedding venues on city-owned property. Four (4) locations were selected and presented during the February 22nd City Council Meeting as a workshop item. After feedback from Council, staff is recommending that we utilize the following three City properties for wedding venues: the Mansell House, the Alpharetta Arts Center, and the lawn at Brooke Street Park (aka the formal garden).
- Weddings have been identified as a significant market segment for Alpharetta Hotels. These locations could help with bringing more weddings, hotel room nights and general business to Alpharetta. The attached report has a current overview of the three sites and improvements necessary to use these sites as potential wedding venues.

Location	Estimated Costs of Improvements
Mansell House	\$11,500
Arts Center	\$25,000
Lawn at Brooke Street Park	\$7,500
Total estimated cost of improvements	\$44,000

- Council Member Richard stated that she is opposed to the installations of gates in the entryways to the formal garden in Brooke Street Park and believes that we may encounter an issue with adding the pavers in the park. Mayor Pro Tem Mitchell is also opposed to adding the pavers in the garden as well as the installation of gates in the entryway.
- Council Member Merkel is concerned about the limited parking available at the Alpharetta Arts Center, staff being responsible for walk-throughs at the locations, load in/load out locations for these city facilities as well as who will be responsible for clean up during and after the event.
- Matt Mitchell from Matt Mitchell Design came forward to speak on behalf of the presentation.

Public Comment

- Ruth Ann Tatum, 250 Pebble Trail, Alpharetta, GA, 30009, came forward to ask if we are intending to complete this work as three separate projects or all at once.

- ❖ Council Member Merkel offered a motion to table this item
 - The motion received a second from Council Member Burnett
 - The motion was approved unanimously (6-0)

VIII. PUBLIC COMMENT

- Theresa Hardin, 180 Burnett Way, Alpharetta, GA, 30009, came forward to address her concerns regarding the City owned property that is for sale along Old Milton Pkwy.

IX. REPORTS

- Council Member Richard announced the next CZIM meeting is Wednesday, April 14th at 6:00 PM via Zoom Meetings.
- Council Member Burnett thanked Director of Finance, Tom Harris, for helping to defeat HB 328 as it relates to reducing franchise fees paid to municipalities.
- City Administrator, Bob Regus, came forward to remind Mayor and Council that we will be discussing the bond issue for parks and TSPLOST at upcoming City Council Meetings.

X. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Council Member Merkel offered a motion to adjourn into Executive Session
 - The motion received a second from Council Member Hipes
 - The motion was approved unanimously (6-0)
- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting into Executive Session at 7:37 P.M.

Respectfully submitted,


Erin Cobb, City Clerk