



City Council Meeting & Public Hearing

JULY 11, 2022

Office of the City Clerk

ALPHARETTA CITY HALL

COUNCIL CHAMBERS | 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 video recording of said meeting is a matter of public record and are available to be viewed online at <https://www.youtube.com/user/alpharettagov> or by visiting 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 Dan Merkel
- Donald F. Mitchell
- Brian Will
- Douglas J. DeRito
- John Hipes
- Jason Binder

• Staff

- Bob Regus, City Administrator
- Priya Patel, City Attorney with Jarrard & Davis
- James Drinkard, Asst. City Administrator
- Lauren Shapiro, City Clerk
- Kathi Cook, Director of Community and Economic Development
- Morgan Rodgers, Director of Recreation, Parks, and Cultural Services
- Pete Sewczwicz, Director of Public Works
- Tom Harris, Director of Finance
- Adam Montgomery, Information Security Manager
- Lance Morsell, Economic Development Manager
- Trent Lindgren, Police Major

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 6/27/2022 at 6:30 p.m.)

B. Financial Management Report: Month Ending May 31, 2022

- ❖ Council Member Mitchell offered a motion to approve the Consent Agenda.
 - Council Member Hipes seconded the motion.
 - The motion was approved (6-0-1; as Mayor Pro Tem Merkel abstained since he was not present during the June 27, 2022 City Council meeting).

V. PUBLIC HEARING

A. V-21-33/ Citgo 174 North Main Street Variance

DEFERRED: This item has been deferred by the Applicant to August 15, 2022. It will not be heard or considered during the July 11, 2022 City Council meeting.

Consideration of a variance to reduce the landscape strip along North Main Street from 10' to 2'. The property is located at 1174 North Main Street and is legally described as being located in Land Lot 1252, 2nd District, 2nd Section, Fulton County, Georgia.

VI. NEW BUSINESS

A. Conflict Waiver – City of Alpharetta and Development Authority of Alpharetta

Conflict Waiver Regarding Jarrard & Davis, LLP Joint Representation of the City of Alpharetta and the Development Authority of Alpharetta Related to a Funding Arrangement for a Local Jobs Program.

- City Attorney, Priya Patel, came forward to present this item.
- This conflict waiver would allow Jarrard & Davis to represent both the City of Alpharetta and the Development Authority of Alpharetta related to the funding arrangement for the local jobs program.

Public Comments:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the conflict waiver regarding Jarrard & Davis, LLP joint representation of the City of Alpharetta and the Development Authority of Alpharetta related to a funding arrangement for a local jobs program.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).

B. Jobs Tax Credit IGA

- Economic Development Manager, Lance Morsell, came forward to present this item.
- If approved, this IGA would go before the Development Authority during their July 2022 meeting.

- The grant was originally created in 2014. As this program is currently structured, for each job created in Alpharetta (by a new or expanding business that qualifies for the Georgia Job Tax Credit Program) and for which a current resident of the City of Alpharetta is hired, the City will pay to the business a direct grant of \$250 to \$500 per new employee up to a maximum cumulative amount of \$80,000. The grant may be claimed for eligible new full-time, permanent jobs at the Alpharetta facility and may be claimed in years two and three if the Alpharetta resident continues to be employed.
- This has been vital for the Economic Development toolkit in consulting with corporations considering moving to the City of Alpharetta.

Public Comments:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve the Fourth Amendment to the intergovernmental contract for the Alpharetta Jobs Creation Grant Program for the period July 1, 2022 through June 30, 2023 and to authorize the Mayor to execute all necessary documents.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (7-0).

C. Permanent Construction Easement – McGinnis Ferry Road Widening Project

- City Attorney, Priya Patel, came forward to present this item.
- During the June 27, 2022 City Council meeting, City Attorney, Molly Esswein, presented Mayor and Council with the possibility of a Quit Claim Deed. Mayor instructed the City Attorney to explore alternative options instead of a Quit Claim Deed.
- As an alternative, a permanent construction easement would allow for Forsyth County to complete construction and maintenance of McGinnis Ferry Road, which is needed for the McGinnis Ferry Road Widening project, but it allows Alpharetta to own the underlying land.

Public Comments

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve the permanent construction easement, as presented by the City Attorney.
 - Council Member Merkel seconded the motion.
 - The motion was approved unanimously (7-0).

D. Discontinuation of Glass Recycling Services

- Director of Finance, Tom Harris, came forward to present this item.
- In accordance with Section 8(d) of the Contract for Services between the City of Alpharetta and BFI Waste Services LLC dated March 4, 2022, the City intends to provide 30-days' notice of its intent to cease glass recycling services.
- About 15-20% of the City uses glass recycling, and glass recycling increases to about 25-30% during holidays. Discontinuation of glass services will result in a reduction of -\$4.07 each month for the City and a reduction of -\$4.19 each month for customers.

- Notice Date: July 13, 2022
- Last day of glass recycling service: August 12, 2022.

City Council Discussion:

- Council Member Hipes shared that for seniors (especially those who do not use glass recycling services) will receive a 26% reduction in cost for their sanitation services.
- Council Member Will asked what percentage of glass is actually recycled.
 - Director Harris shared that 100% of the glass that is placed specifically in the glass recycling bin goes directly to a company that only recycles glass.
- Council Member DeRito shared that we attempted to work with Republic to address glass collection, but Republic failed on their contractual obligations to pick up glass throughout the City. Further, he shared that if we give Republic a 30-day notice, that he would still like to look at other options for a recycling program.
- Council Member Binder shared that he is proud of the City of Alpharetta, and that we are one of the only cities in our area that has curbside glass recycling. Further, he would like to continue the conversation of finding other options for recycling (whether a pick-up service or partnering with another city or even the County).

Public Comments:

- Margaret Culver (1135 Chasewood Trail, Alpharetta, GA 30005)
 - Ms. Culver suggested a monthly glass pick-up service, and she shared that she believes that neither she (nor her neighbors) need glass recycling to be picked up every week.
- Kimberly Davis (407 Michael Drive, Alpharetta, GA 30009)
 - Ms. Davis shared that she was curious to know whether or not businesses recycle glass because that would help contribute to the amount of glass that the city recycles. Ms. Davis also shared that because styrofoam and plastic cannot be placed into the curbside recyclables, she takes them to Publix, and she would like for the city to consider if there may be an area where more people could take recyclable materials.
- Eugene Wallen (representing Strategic Materials at 3050 Roosevelt Highway, College Park, GA 30349)
 - Mr. Wallen shared that the City's recycled glass comes to his facility in College Park, Georgia. Strategic Materials is one of the largest glass recycling companies in North America. Most glass that comes to Strategic Materials is brought from other states. Companies would like to be able to purchase and source more recycled glass, but not enough glass is generated through recycling efforts. Strategic Materials employs about 2,000 people.

- ❖ Council Member Binder offered a motion to approve the discontinuation of glass recycling services with Republic.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (7-0).
 - There was discussion during the motion about the following:
 - Council Member Binder recommended having the Natural Resources Commission look at alternatives and options for recycling.
 - Council Member Hipes shared that this is an important issue to a lot of people. Mayor and Council received several emails from people who were not receiving glass pick up services, and also received a great number of emails of people who wanted to end the glass recycling program.
 - Mayor Pro Tem Merkel shared that this vote tonight is to discontinue a service that is not working, not getting rid of glass recycling completely or forever.
 - Council Member DeRito shared that this vote will be the start of providing a level of service that our residents expect.
 - Mayor Gilvin shared that it was exceptional that the City was offering a curbside pickup service for glass; no other cities in the area are offering that.

E. Submission and Award: FY 2020 Emergency Management Performance Grant

- Police Major, Trent Lingdren, came forward to present this item.
- Staff is recommending that Mayor and Council approve the submission of the FY 2020 Emergency Management Performance Grant application and authorize the Mayor to execute all necessary documents.
- The grant has already been applied for and awarded by the Georgia Emergency Management and Homeland Security Agency (GEMA/HS) in the amount of \$45,950. The items would be purchased initially by the City of Alpharetta, and then, GEMA/HS would reimburse the City for the expenses. The deadline for using these funds is August 31, 2022.
- Funding under this program would be for the North Fulton SWAT Team, comprised of the City of Alpharetta, City of Roswell, and the City of Milton. The items that would be purchased (and reimbursed by the grant) would be the following: (1) Transend Vantage Robot: \$5,970, (2) Wolf Tracker Radar System: \$5,130, and (3) Vantage Robot: \$33,000. The total purchases would be for \$44,100.

Public Comments:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve the submission of the FY 2020 Emergency Management Performance Grant application and to authorize the Mayor to execute all necessary documents.

- Council Member Hipes seconded the motion.
- The motion was approved unanimously (7-0).
- City Attorney, Priya Patel, recommended a dollar amount to be attached to the motion, so that the authorized amount is clear. The grant amount for FY 2020 is \$45,950.00, and the purchase price of the equipment is \$44,100.00
- ❖ Council Member Binder offered a motion to reconsider the approval of the submission of the FY 2020 Emergency Management Performance Grant application.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (7-0).

Public Comments:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve of the submission of the FY 2020 Emergency Management Performance Grant application in the amount of \$45,950.00, although the City will only utilize \$44,100.00 and to authorize the Mayor to execute all necessary documents.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (7-0).
 - There was discussion during the motion about the following:
 - Council Member Mitchell asked why the approval is for \$45,950.00 when the amount needed is \$44,100.00.
 - Police Major Lindgren shared that the SWAT team used less for their equipment than the ceiling of the grant amount.

F. Submission and Award: FY 2021 Emergency Management Performance Grant

- Police Major, Trent Lingdren, came forward to present this item.
- Staff is recommending that Mayor and Council approve the submission of the FY 2021 Emergency Management Performance Grant application and authorize the Mayor to execute all necessary documents.
- The grant has already been applied for and awarded by the Georgia Emergency Management and Homeland Security Agency (GEMA/HS) in the amount of \$22,500. The items would be purchased initially by the City of Alpharetta, and then, GEMA/HS would reimburse the City for the expenses. The deadline for using these funds is September 30, 2023.
- Funding under this program would be for the North Fulton SWAT Team, comprised of the City of Alpharetta, City of Roswell, and the City of Milton. The items that would be purchased and reimbursed by the grant would be the following: (1) Tactical Electronics Door Camera Kit \$18,965.32 and (2) Viking Tactics Breaching Tools \$3,325 for a total of \$22,290.32.

Public Comments:

- There were no public comments.

City Council Discussion:

- Council Member Hipes shared that he is unclear on the amount for the grant.
- Mayor Gilvin asked whether or not a dollar amount is required for this motion and the previous motion.
 - City Attorney, Priya Patel, recommended a dollar amount to be attached to the motion so that the authorized amount is clear, and further recommended that this item be tabled until later in the meeting.
- ❖ Council Member Binder offered a motion to table submission and award of FY 2021 Emergency Management Performance Grant.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (7-0).
- ❖ Council Member Mitchell offered a motion to remove submission and award of FY 2021 Emergency Management Performance Grant off of the table.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (7-0).
- City Attorney, Priya Patel, suggested that Mayor and Council offer a motion to approve the submission for the purchase of equipment in the amount to \$22,290.32
- The grant amount for FY 2021 is \$22,500.00, and the purchase price of the equipment is \$22,290.32.

Public Comments:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve the submission of the FY 2021 Emergency Management Performance Grant application in an amount of \$22,500.00 although the City will only utilize \$22,290.32 and to authorize the Mayor to execute all necessary documents.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (7-0).

G. Alpharetta Community Center Gym Floor Replacement / Moisture Barrier

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Staff is recommending that Mayor and Council approve the award of a contract for replacement of the Alpharetta Community Center Gym Floor to Success Sports Surfacing, LLC (under the competitively procured Sourcewell contract #060518-CSC-1) in the amount of \$175,000.00 and authorize the Mayor to execute all necessary documents.
- The Alpharetta Community Center gym floor needs a major overhaul. The gym floor is 25+ years old and has been sanded and refinished as many times as possible.

- Utilization of this contract provides a solution that is within budget and also provides the necessary time savings to ensure project completion by the beginning of the 2022 Youth Basketball season.
- The recommended vendor, Success Sports Surfacing, LLC, is a subcontractor for Connor Sport International, LLC, which was one of the vendors awarded through the RFP for Athletic Surfacing that resulted in Sourcewell contract #060518-CSC-1.

Public Comments:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the award of a contract for replacement of the Alpharetta Community Center Gym Floor to Success Sports Surfacing, LLC (under the competitively procured Sourcewell contract #060518-CSC-1) in the amount of \$175,000.00 and to authorize the Mayor to execute all necessary documents.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (7-0).

H. Recurring Synthetic Turf Field Replacement (Field 4 at Wills Park)

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Staff is recommending that Mayor and Council approve the award of a contract for replacement of the synthetic turf at Wills Park Field 4 to Sprinturf LLC (under the competitively procured Sourcewell contract #031622-HLC) in the amount of \$492,610.00 and authorize the Mayor to execute all necessary documents.
- The turf was installed in 2009, and the average life of a turf field is 8-10 years. Understanding that the overall wear and tear for this field would be less than our rectangular fields, we scheduled it to be replaced at 10 years. The infield reached its life capacity 2 years ago and must be replaced.
- Sprinturf has been awarded four (4) previous turf projects along with the renovation of the Town Green. When the advertisement for bids for the replacement of Turf 2 at North Park was issued, Sprinturf was the only company that responded and quoted. All projects have been completed on time and on budget.
- FY 2023 funding for this initiative totaled \$550,000.

Public Comments:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the award of a contract for replacement of the synthetic turf at Wills Park Field 4 to Sprinturf LLC (under the competitively procured Sourcewell contract #031622-HLC) in the amount of \$492,610.00 and authorize the Mayor to execute all necessary documents.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (7-0).

VII. PUBLIC COMMENT

- Madhu Chaterjee and Seema Kohli (both representing the company, Vendorship, which is located at 2972 Webb Bridge Road, Suite 102, Alpharetta, GA 30009)
 - Ms. Chaterjee and Ms. Kohli came forward on behalf of Tech Alpharetta company Vendorship, to give thanks to the Mayor and City Council for their commitment, leadership, contributions to Tech Alpharetta.

VIII. REPORTS

- City Administrator, Bob Regus, shared that during the June 27, 2022 City Council meeting, the Mayor and City Council gave Mr. Regus and the City Attorney the authority to identify a third-party to conduct an investigation regarding allegations that served as the subject matter of Judicial Qualifications Commission's investigation of the Alpharetta Municipal Court Judge, Barry Zimmerman. Mr. Regus shared that he emailed Mayor and City Council last week and stated that Randy Rich will conduct this investigation.
- Council Member Mitchell gave thanks to Morgan Rodgers and the Department of Parks, Recreation, and Cultural Services for the July 4th Fireworks Event. Although it rained, the parks looked great. He further gave thanks to Webb Bridge Road Fire Station for explaining to a visitor the process of becoming a fire fighter. This visitor from Connecticut was blown away by their generosity.
- Mayor Gilvin gave thanks to the city's police officers. Mayor Gilvin shared that he received a call from a gentleman who observed, on the sidewalk in front of Avalon, one of our police officers approach who he believed to be a homeless gentleman. Instead of conducting an investigatory stop as he initially believed, the police officer provided pizzas and a bag of food to the man.
- Council Member Will gave thanks to the police team that flew to New Jersey for a recruiting event this past week. This recruiting effort brought back 32 applications for police officers to help fill our vacant public safety positions.

IX. RECESS TO EXECUTIVE SESSION

A. Executive Session

- ❖ Council Member Hipes offered a motion to recess to executive session.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (7-0).
- Mayor Gilvin recessed the meeting at 7:58 p.m.

X. RECONVENE CITY COUNCIL MEETING

- Mayor Gilvin reconvened the meeting at 8:07 p.m. and announced that no action was taken during Executive Session.

XI. ADJOURNMENT

- ❖ Mayor Pro Tem Merkel offered a motion to adjourn the meeting.

- Council Member DeRito seconded the motion.
- The motion was approved unanimously (7-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 8:07 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk