



City Council Meeting & Public Hearing

NOVEMBER 6, 2023

OFFICIAL MINUTES

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 for said meeting is a matter of public record and is available to be viewed at the City Clerk's office during normal business hours or viewed online at <https://www.youtube.com/user/alpharettagov>.

1. CALL TO ORDER

- Mayor Gilvin called the meeting to order at 6:30 p.m.

2. ROLL CALL

• Council Members

- Mayor Jim Gilvin
- Mayor Pro Tem Dan Merkel
- Donald F. Mitchell
- Douglas J. DeRito
- Jason Binder
- Brian Will

• Council Members Absent

- John Hipes

• Staff

- Chris Lagerbloom, City Administrator
- Molly Esswein, City Attorney
- James Drinkard, Assistant City Administrator
- Lauren Shapiro, City Clerk
- Ryan Thomas, Municipal Project Manager
- Adam Montgomery, Director of Information Technology
- Cris Randall, Director of Human Resources
- 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

3. PLEDGE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

A. Proclamation: National Native American Heritage Month

- Mayor Gilvin presented a proclamation to the local Daughters of the American Revolution Chapter to celebrate National Native American Heritage Month.

B. Proclamation: Veterans Day

- Mayor Gilvin presented a proclamation to the local American Legion Post 201 to acknowledge Veterans Day.

5. CONSENT AGENDA

A. City Council Meeting Minutes (Meeting of 10/16/2023)

Consideration of approval of the City Council Meeting Minutes from the meeting of October 16, 2023.

B. City Council Meeting Minutes (Meeting of 10/23/2023)

Consideration of approval of the City Council Meeting Minutes from October 23, 2023.

C. Alcoholic Beverage License Application

Consideration of approval of the following alcoholic beverage license applications:

1. PH-23-AB-24 C.V.R. Creations LLC

d/b/a Painting with a Twist

11770 Haynes Bridge Road #801 Alpharetta, GA 30009

Art Studio

Change in Business Ownership

Consumption on Premises

Distilled Spirits, Beer, Wine & Sunday Sales

Owner: C.V.R. Creations LLC

Registered Agent: Vinay Balamourougan

2. PH-23-AB-25 The Metropolitan Club, Inc.

5895 Windward Parkway, Alpharetta, GA 30005

Event Venue

Change in Business Ownership

Consumption on Premises

Distilled Spirits, Beer, Wine & Sunday Sales

Owner: The Metropolitan Club, Inc.

Registered Agent: Payam Pourreza

D. Financial Management Report (Month Ending August 31, 2023)

Consideration of approval of the Financial Management Report for the month ending August 31, 2023.

PUBLIC COMMENTS:

- There were no public comments.
- Mayor Pro Tem Merkel asked for the City Council Meeting Minutes (Meeting of 10/16/2023) be removed from the Consent Agenda.
- Council Member Mitchell asked for the City Council Meeting Minutes (Meeting of 10/23/2023) be removed from the Consent Agenda.
- ❖ Council Member DeRito offered a motion to approve the Consent Agenda, with only items C and D.
 - Council Member Will seconded the motion.
 - The motion passed unanimously (6-0).
- ❖ Council Member Will offered a motion to approve the City Council Meeting Minutes (Meeting of 10/16/2023).
 - Council Member Mitchell seconded the motion.
 - The motion passed (5-01, with Mayor Pro Tem Merkel in abstention).
- ❖ Mayor Pro Tem Merkel offered a motion to approve the City Council Meeting Minutes (Meeting of 10/23/2023).
 - Council Member DeRito seconded the motion.
 - The motion passed (5-0-1, with Council Member Mitchell in abstention).

6. NEW BUSINESS

A. Resolution: Retiree Health Plan and Retiree Health Reimbursement Plan

Consideration of adoption of a Resolution amending and restating the Retiree Health Plan and the Retiree Health Reimbursement Plan.

- City Attorney, Molly Esswein, read the resolution aloud.
- Director of Finance, Tom Harris, came forward to present this item.
- The City has offered a Retiree Health Plan since 1999. This plan allowed eligible employees (age 55; 10 years of service) to elect immediately upon termination to continue on the City's medical plan by agreeing to pay 100% of the cost of the premiums. Only a limited number of retirees have elected this option and with new plans available in the open market, better choices are often available.
- By adoption of the resolution, the Retiree Health Plan will cease as a benefit as of July 1, 2023, with the exception of the 6 retirees who elected prior to the said date.
- An operating initiative was approved in the 2024 budget to enhance the retiree health benefit by making structural amendments and increasing the annual funding from 2% to 2.5%. By decreasing the term of the benefit accrual to a 10 year period

(120 monthly benefits accruals that start upon application), re-allocating any surplus assets of the Retiree Health Plan, and utilizing the additional .5% funding (approximately \$175,000) specifically for this Tier 2 benefit, the monthly amount is expected to grow to approximately \$750 (\$9,000/yr). The actual amount will be calculated by an actuary and approved by the Retiree Health Board after adoption of the amended and restated plan by the City Council. This Tier 2 benefit will be available to eligible employees who terminate on or after July 1, 2023.

- No changes are being made to the Tier 1 benefit available for eligible retirees who terminated prior to July 1.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Binder offered a motion to approve the adoption of a Resolution amending and restating the Retiree Health Plan and the Retiree Health Reimbursement Plan.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (6-0).

B. Resolution: Combined Defined Benefit Pension Plan

Consideration of adoption of a Resolution amending and restating the City of Alpharetta Combined Defined Benefit Pension Plan to incorporate previous City Council approved amendments, update the plan for applicable law changes, and to clarify disability and pre-retirement death benefits, as well as other definitions and other changes.

- City Attorney, Molly Esswein, read the resolution aloud.
- Director of Finance, Tom Harris, came forward to present this item.
- The City of Alpharetta Combined Defined Benefit Pension Plan (the "Plan") was closed to new participants as of June 30, 2009. The Plan was amended and restated in 2016.
- Staff recommends amending and restating the Plan to incorporate such previous council-approved amendments and to update the plan for applicable law changes, and to clarify disability benefits and pre-retirement death benefits, as well as other definitions and other changes.
- The following changes are suggested:
 - Incorporation of Prior Plan Amendments, Law Changes, and Conforming Changes. The Plan Restatement incorporates the prior approved amendments to the Plan. The Plan Restatement also makes the other conforming changes to the Plan for consistency with Plan operations, including removing outdated or inoperative Plan provisions and updating applicable IRS dollar limitations to 2023 adjustments.

- Disability Benefit Clarifications. The following clarifications have been made by the Plan Restatement:
 - Revised definition of "Disability Date" to clarify that it only applies for purposes of determining the disability retirement benefit prior to February 29, 2008, as provided in the last paragraph of Article IV, Section 5.
 - Revised definition of "Termination" to clarify that an absence due to a disability does not constitute a Termination of Employment if the participant is entitled to disability retirement benefits under Article IV, Section 5, as if the participant has remained an active employee.
 - Revised disability benefit provisions in Article IV, Section 5, to clarify that a Disabled Participant will continue to accrue Credited Service and eligibility for vesting, retirement, and death benefits.
- Definition of Earnings. The Plan Restatement clarifies the definition of "Earnings" to (A) exclude retention bonuses paid to certain employees pursuant to employment contracts approved by the Mayor and City Council, which provide such bonuses are excluded, and (B) exclude earnings paid while an employee is not eligible to accrue benefits under the Plan.
- Clarification for Eligible Employees. The Plan Restatement clarifies the definitions of "Employee" and "Eligible Employee."
- Pre-Retirement Death Benefit. The Plan Restatement amends provisions in Article VI for the pre-retirement death benefit for a participant who dies during active employment to provide for reductions on an actuarial equivalent basis.
- Minimum Required Distribution Age Increase. The Plan Restatement updates provisions in Article VIII for the SECURE Act and SECURE Act 2.0 law changes, which increased the minimum required distribution age from age 70½ to age 72 and age 73, as applicable.
- Limitation on Benefits. Article IX has been updated to remove outdated Code Section 415 language.
- Savings Clause. The Plan Restatement adds a savings clause for federal and state law applicable to the Plan Article XVIII, Section 1(b).
- Errors in Benefits. Article XVIII, Section 8, has been updated, in light of SECURE Act 2.0, for flexibility for the Pension Committee to make corrections for administrative errors in accordance with current IRS guidance and to correct and recoup overpayments made to participants or beneficiaries.

PUBLIC COMMENTS:

- There were no public comments.

- ❖ Council Member Binder offered a motion to approve the adoption of a Resolution amending and restating the City of Alpharetta Combined Defined Benefit Pension Plan.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

C. Task Order: Fiscal Year 2024 Stormwater Pipe Lining Services

Consideration of approval of a task order to Utility Asset Management, Inc. in the amount of \$305,707.50 for pipe lining services, under the City's On-Call Stormwater Pipe Lining Services contract and authorization for the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to the present this item.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve a task order to Utility Asset Management, Inc. in the amount of \$305,707.50 for pipe lining services, under the City's On-Call Stormwater Pipe Lining Services contract and authorization for the Mayor to execute all necessary documents.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (6-0).

D. Community Project Funding/Congressionally Directed Spending FY2022 Grant for Downtown Bus Shelters

REMOVED: This item has been removed from this agenda by city staff. This item will not be discussed or considered during this meeting.

Consideration of approval to accept the \$150,000 award of the FY22 Congressionally Directed Spending Grant for downtown bus shelters, as well as, appropriate City funding requirements of \$123,600 (constituting the required match, design, and GDOT PE oversight services) and with authorization for the Mayor to execute all necessary documents.

7. PUBLIC COMMENT

- There were no public comments.

8. REPORTS

- Council Member Will shared that the city recently approved a blood cancer screening test. 85 firefighters took advantage of that test (82 came back as a low risk, but 3 were referred to receive baseline metric testing; 3 came back as mild and have been referred to a doctor). This is a great investment in our employees and thank you to the City for doing this.
- Mayor Gilvin shared that he recently spoke to the North Fulton Rotary Club and was questioned about the future development of North Point Mall. Mayor Gilvin said the question came as a result of a video interview Senator Brandon Beach did with Atlanta

Community Profiles. The Mayor shared that Senator Beach is also the Executive Director of True North 400, formerly the North Fulton CID. Mayor Gilvin also shared that Senator Beach is a part of the Fulton County Development Authority. Mayor Gilvin questioned Senator Beach's advocacy for a development project in Forsyth County noting his role with True North 400 and the Fulton County Development Authority. Mayor Gilvin shared that he sent an email to several members of the board of True North 400 with the City Council, and he wanted to report that he has not received a response.

- Council Member Binder shared that he would like to have a work session to evaluate a special services district for the area. It was concluded that a work session would be scheduled at a later date.

9. EXECUTIVE SESSION (IF NEEDED)

- There was not an executive session.

10. ADJOURNMENT

- ❖ Council Member DeRito offered a motion to adjourn the meeting.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (6-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 7:10 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk