



City Council Meeting & Public Hearing

APRIL 15, 2024

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
- Brian Will
- Fergal M. Brady
- Donald F. Mitchell
- Douglas J. DeRito
- John Hipes

• Staff

- Chris Lagerbloom, City Administrator
- Molly Esswein, City Attorney
- Lauren Shapiro, City Clerk
- James Drinkard, Assistant City Administrator
- Adam Montgomery, Director of Information Technology
- Brooke Lappin, Director of Courts
- Cris Randall, Director of Human Resources
- John Robison, Director of Public Safety
- Kathi Cook, Director of Community & Economic Development
- Morgan Rodgers, Director of Recreation, Parks & Cultural Arts Services
- Pete Sewczwicz, Director of Public Works

- Tom Harris, Director of Finance

3. PLEDGE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

A. Proclamation: Innovation Academy Fencing Team

- Mayor Gilvin presented Coach Bill Donges and the Innovation Academy Fencing Team with a proclamation to acknowledge their successful fencing season.

5. WORK SESSION ITEMS

A. Union Hill Park Design and Parking Proposal

Review of the existing design for Union Hill Park and consideration of a new design to allow for the potential of more parking at Union Hill Park

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Swings, a slide, and a play area would be removed to create an additional parking for the Union Hill Park Event Venue and for the Greenway trailhead access.
- Adding additional parking is estimated for this project to be under budget.

CITY COUNCIL DISCUSSION

- Council Member Hipes shared that by creating additional parking, that would help increase attendance at Alpharetta Music Events or other uses under the covered space.
- Council Member DeRito asked if this change would change the parks bond.
- Council Member Brady shared that he would like to see if we could add some sort of outdoor experience there, and not have just a flat parking area.
- Council Member Mitchell asked about landscaping.

6. CONSENT AGENDA

A. City Council Meeting Minutes (Meeting of 3/25/2024)

Consideration of approval of the City Council meeting minutes from the meeting of March 25, 2024.

B. Alcoholic Beverage License Application

Consideration of approval of the following alcoholic beverage license application:

1. PH-24-AB-05 RHE 01, LLC d/b/a The Metropolitan Club

5895 Windward Parkway, Suite 100, Alpharetta, GA 30005

Change in Ownership

Eating Establishment

Consumption on Premises

Distilled Spirits, Beer, Wine & Sunday Sales

Owner: RHE 01, LLC

Registered Agent: Sunil Reddy

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the Consent Agenda.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).

7. NEW BUSINESS

A. Invitation to Bid 24-018: Contract Award for Windward Parkway Drainage Improvements

Consideration of approval of a contract award of ITB 24-018 to Backbone Infrastructure, LLC for the construction of drainage improvements along Windward Parkway for an amount not to exceed \$383,506.00 and with authorization for the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- The Windward Parkway Drainage Improvement Project is part of an overall project to increase pedestrian access to the Greenway. This project includes the replacement of storm structures and redirection of storm runoff to alleviate erosion issues downstream of the bridge across Big Creek. The overall project includes construction of a sidewalk from the Greenway tunnel to Big Creek, pedestrian bridges at Big Creek and the unnamed tributary of Big Creek to the east, and drainage improvements along Windward Parkway frontages of 1000, 1005, 2015 and 2025 Compass Pointe Drive.
- The item under consideration is the award of a contract for complete construction of the Windward Parkway Drainage Improvements project. The project scope includes, but is not limited to, furnishing of all materials, labor, and equipment, to perform demolition and reconstruction of existing sidewalk, installation of storm sewer system materials (including but not limited to structures, pipe, and bedding), installation of curb and gutter, tree removal, grading, utility re-location, erosion control, traffic control, and stabilization of disturbed soils.
- Procurement for this project was initiated through Invitation to Bid (ITB 24-018), that was issued on February 1, 2024, with a response deadline of February 29, 2024. A total of six proposals were received. After evaluation and verifying the submitted bids, staff from the Public Works Department met with representatives of Backbone Infrastructure LLC (Backbone), as the low bidder, on Wednesday, March 20, 2024.

PUBLIC COMMENTS:

- There were no public comments.

- ❖ Council Member DeRito offered a motion to approve a contract award of ITB 24-018 to Backbone Infrastructure, LLC for the construction of drainage improvements along Windward Parkway for an amount not to exceed \$383,506.00 and with authorization of Mayor to execute all necessary documents.

- Mayor Pro Tem Merkel seconded the motion.
- The motion was approved unanimously (7-0).

B. Invitation to Bid 24-013: Webb Bridge Park Sanitary Sewer Connection

Consideration of approval of a contract award for ITB 24-013 to Sol Construction, LLC for the construction of Webb Bridge Park Sewer Connection in an amount not to exceed \$423,732.00 and with authorization for the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- As conceptual design work for the conversion of the upper soccer fields to a synthetic surface progressed, it was determined that the existing septic system servicing the soccer field restroom building has failed. Existing soil conditions combined with the desired synthetic turf field footprint are not conducive to installing a new septic system.
- On June 19, 2023, the City awarded a contract to Prime Engineering for the design and permitting of the sewer connection. The plans were approved by Fulton County on December 12, 2023.
- The award of ITB #24-013 is for the construction of a sanitary sewer connection from the Webb Bridge Park soccer field restroom building to Fulton County's sanitary sewer system. The sewer connection will be achieved through the installation of a low-pressure force main system. The scope of work includes the installation of a pump station adjacent to the restroom building and approximately 1600 linear feet of HDPE force main.
- On January 4, 2024, ITB 24-013 for the construction of the Webb Bridge Park Sewer Connection was issued. On February 22, 2024, a total of two bids were received in response to this invitation to bid.
- The apparent low bidder, Sol Construction LLC, is an experienced contractor that has successfully completed projects of similar scopes and currently holds a contract with Fulton County to provide on-call wastewater system construction.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve a contract award for ITB 24-013 to Sol Construction, LLC for the construction of Webb Bridge Park Sewer

Connection in an amount not to exceed \$423,732.00 and with authorization for the Mayor to execute all necessary documents.

- Council Member Brady seconded the motion.
- The motion was approved unanimously (7-0).

C. Purchase Approval: Public Safety Vehicles

Consideration of approval of the purchase of fifteen (15) 2024 Chevrolet Tahoes in the amount of \$821,490.40 and the upfitting of these vehicles from Dana Safety Supply Inc. in the amount of \$364,570.81 (utilizing the City's competitively procured On-Call Public Safety Vehicle Upfitting contract), and with authorization for the Mayor to execute all necessary documents.

- Director of Public Safety, John Robison, came forward to present this item.
- The Department of Public Safety seeks approval to purchase fifteen (15) 2024 Chevrolet Tahoes, as Police Pursuit Vehicles (PPV) from Hendrick Chevrolet. Additionally, approval is sought for the upfitting of the fifteen (15) vehicles to be completed by Dana Safety Supply Inc. through the City's On-Call Public Safety Vehicle Upfitting contract.
- The fifteen vehicles includes: eleven (11) patrol vehicles, two (2) K9 vehicles, and two (2) administration vehicles.
- In February 2023, patrol Ford Explorers were ordered but were delayed in production and carried over to 2024 models, and previous attempts to order through Hardy Chevrolet were unsuccessful due to insufficient allotment. Rick Hendrick Chevrolet in Buford, Georgia, has confirmed the availability of Tahoe Police Pursuit Vehicles (PPV).
- Wade Ford provided pricing for the 2025 Ford Explorer Police Interceptor at \$48,311. The state contract pricing for a patrol-optioned 2024 Chevrolet Tahoe PPV is \$54,690, with the Hendrick Chevrolet invoice at \$54,761.90, a difference of \$70.91.

PUBLIC COMMENTS:

- There were no public comments.
 - Council Member Will offered a motion to approve the purchase of fifteen (15) 2024 Chevrolet Tahoes in the amount of \$821,490.40 and the upfitting of these vehicles from Dana Safety Supply Inc. in the amount of \$364,570.81 (utilizing the City's competitively procured On-Call Public Safety Upfitting contract), and with authorization for the Mayor to execute all necessary documents.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (7-0).

D. Purchase Approval: Replacement of Uninterrupted Power Supply (UPS)

Consideration of approval of the purchase of an Uninterrupted Power Supply replacement from Southern Computer Warehouse under the State of Georgia technology contract (#99999-SPD0000172-14) in the amount of \$64,827.17 and with authorization for the Mayor to execute all necessary documents.

- Director of Information Technology, Adam Montgomery, came forward to present this item.
- An Uninterrupted Power Supply, or UPS, is part of the power system for the City's data center. The UPS system is designed to provide power for critical loads, which include IT equipment and other essential infrastructure. The UPS system serves as a bridge between the utility power and the backup generator, which provides long-term power backup. The UPS system is responsible for providing uninterrupted power to the critical loads until the backup generator comes online to support the critical load.
- The current UPS was installed in 2011 and has served the City well, but it has reached the end of its lifecycle. The manufacturer no longer supports the unit, and Schneider will no longer warranty or service it after August 2024. This request will replace that unit with a new UPS that will be more efficient and provide better battery performance.
- The Uninterrupted Power Supply will be procured through Southern Computer Warehouse (SCW) using State of Georgia technology contract 99999-SPD0000172-014. SCW and Schneider have been managing and servicing the current UPS, and we would like to keep this relationship.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Mitchell offered a motion to approve the purchase of an Uninterrupted Power Supply replacement from Southern computer Warehouse under the State of Georgia technology contract (#99999-SPD0000172-14) in the amount of \$64,827.17 and with authorization for the Mayor to execute all necessary documents.
 - Council Member Will seconded the motion.
 - The motion passed unanimously (7-0).

E. 2024-2025 Citywide Group Medical, Dental, Vision, Disability, and Life Insurance Coverages

Consideration of approval of the award for Plan Year, 2024-2025 the City's group Medical and Dental coverage to Cigna; Vision coverage to Eye Med, and Life and Disability coverage to New York Life and with authorization for the Mayor to execute all necessary documents.

- Director of Finance, Tom Harris, came forward to present this item.
- The City's Broker of record, Alliant Insurance Services (8th largest global brokerage firm), solicited proposals from the market (Anthem, UHC, Aetna) for our medical and other related coverage. After months of negotiations, our current carrier, Cigna, is the recommended provider for both Medical (4.9% in rates) and Dental (0%) for plan year 2023/2024. After credits of \$200k that Cigna will apply directly against claims next year, the effective increase in premiums will be approximately 2.4%.
- Eye-Med is the recommended carrier for vision care. They proposed a 0% increase.
- NY Life proposed a 0% increase in their Basic Life /AD&D; Short Term Disability; and Long Term Disability coverages.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Brady offered a motion to approve the award for Plan Year, 2024-2025 the City's group Medical and Dental coverage to Cigna; Vision coverage to Eye Med, and Life and Disability coverage to New York Life and with authorization for the Mayor to execute all necessary documents.
 - Council Member Mitchell seconded the motion.
 - The motion passed unanimously (7-0).

F. Memorandum of Understanding: Lionheart WORKS and Crabapple Government Center Facility Usage

Consideration of approval of the Memorandum of Understanding between Lionheart LifeCenter and the City of Alpharetta for Lionheart WORKS to continue to rent space within the Crabapple Government Center and with authorization for the Mayor to execute all necessary documents.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Lionheart WORKS is an Alpharetta-based non-profit human service organization founded in 2000, and is a vocational training program that provides special needs individuals 18 years and older with real work experiences while teaching basic employment skills.
- Since 2000, the program has grown quickly. In 2020, the City of Alpharetta was able to rent space for the Lionheart WORKS program to operate out of the Crabapple Center. With this expansion, Lionheart WORKS has been able to greatly increase the number of participants and the number of work sites. There have been no issues related to Lionheart WORKS utilizing the space at the Crabapple Government Center.

- Lionheart WORKS pays \$100 per month to the City of Alpharetta for their utilization.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the Memorandum of Understanding between Lionheart LifeCenter and the City of Alpharetta for Lionheart WORKS to continue to rent space within the Crabapple Government Center and with authorization for the Mayor to execute all necessary documents.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion passed unanimously (7-0).

G. Premises Usage Agreement: Alpharetta First Methodist Church for 2024 Taste of Alpharetta Parking

Consideration of approval of a Premises Usage Agreement between the City of Alpharetta and Alpharetta First Methodist Church, Inc. permitting the use of the Cumming Street Parking Lot for the 2024 Taste of Alpharetta and with authorization for the Mayor to execute all necessary documents.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- As in years past, the City of Alpharetta is requesting a usage agreement for the Alpharetta First Methodist Church parking lot for the annual Taste of Alpharetta event on May 9th, 2024, from 8:00am-11:59pm. Due to the attendance of this event, additional parking, beyond existing public parking, is required to accommodate the attendees of the event.
- There is no charge for the City to utilize this parking lot, unless additional clean-up of the property is required, which will be billed at \$30.00 per hour.
- Council Member Hipes disclosed that he is a Board Member at the Alpharetta First Methodist Church.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve a Premises Usage Agreement between the City of Alpharetta and Alpharetta Methodist Church, Inc. permitting the use of the Cumming Street Parking Lot for the 2024 Taste of Alpharetta and with authorization for the Mayor to execute all necessary documents.
 - Council Member Brady seconded the motion.
 - The motion passed unanimously (7-0).

H. Memorandum of Understanding: City of Alpharetta and North Point Mall – The Spotlight Community Stage

Consideration of approval of the Memorandum of Understanding between REEP-RTL-NPM GA LLC (d/b/a North Point Mall) and the City of Alpharetta for use of a vacant space within North Point Mall for the purpose of an indoor community stage and to authorize the Mayor to execute all necessary documentation.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- The City of Alpharetta has a need for a performance space that can seat up to 150 attendees. The Recreation, Parks & Cultural Services Department has been preparing and looking for an indoor location to set up a flexible performance space for cultural events. Alpharetta does not currently have a similar indoor space for cultural events.
- The City approached North Point Mall about the possibility of utilizing existing, empty retail space. The leadership of the Mall was excited about the possibility. They felt that it would be an ideal usage of the space for a Community Theater with a seating capacity of up to 150 attendees.
- Usage of the stage would include but not be limited to City Programs (i.e.- Improv Classes or Movie Star Camp), Art Leader Groups (i.e.- ACT 1 Theater Performances or Alpharetta Symphony Orchestra- Quartet) and Third-Party Applications (Cultural Events – Diwali).
- While North Point Mall will not charge for rental of the space, the City would be financially responsible for the cost of utilities and trash service. The equipment, lighting, and staging equipment purchased by the City for the proposed performance space is entirely modular to allow the items to be relocated to another location or repurposed if North Point Mall or the City of Alpharetta should decide the partnership is no longer beneficial.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the Memorandum of Understanding between REEP-RTL-NPM GA LLC (d/b/a North Point Mall) and the City of Alpharetta for use of a vacant space within North Point Mall for the purpose of an indoor community stage and to authorize the Mayor to execute all necessary documentation.
 - Council Member Mitchell seconded the motion.
 - The motion was unanimously approved (7-0).

I. Grant Agreement: Arts Alpharetta and Bi-Yearly Outdoor Sculpture Exhibit / Art On-Loan Project

Consideration and approval of the FY2024-2025 bi-yearly agreement between the City of Alpharetta and Arts Alpharetta, Inc., for the curation and installation of a public outdoor art sculpture exhibit and to authorize the Mayor to execute all necessary documentation.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- The Department of Recreation, Parks, and Cultural Services partners with Arts Alpharetta, Inc. to curate outdoor and indoor exhibits throughout the City of Alpharetta. The Outdoor On-Loan Sculpture Exhibit changes names and themes every two years. The first exhibit, installed 2018 was titled Miscellany, the second exhibit was Omnium Gatherum, and the third, which is currently on display, is Medley.
- Due to the challenges presented from the COVID pandemic, the outdoor on-loan exhibit was scaled back to include only (5) sculptures stationed in Brooke Street Park, Goswick Park, and Wills Park. To date, the exhibit's remaining 2-5 sculptures in sections of Downtown Alpharetta and along the Alpha Loop (at Thompson Street) have designated locations but remain unfunded.
- In 2018, the first agreement with Arts Alpharetta, Inc. was approved for \$85,000 to install all sculptures for the exhibit and was intended to be an annual agreement. The recurrence of a yearly project proved too frequent and not sustainable for Arts Alpharetta, Inc. and in 2020, the agreement was revised to a bi-yearly agreement, resulting in a division of the expense across two fiscal years. By 2021, the initiative was scaled back on account of available funding and has yet to receive the funding needed to bring the exhibit back to its original footprint.
- The new FY2024-2025 Bi-Yearly Outdoor On-Loan Agreement outlines a total expense of \$90,000 for the newest exhibit in the hopes of finally installing all of the sculptures planned for the initiative. \$69,500 in available funding currently exists in the Department's capital funds allocated for the initiative.
- The Department is currently requesting \$45,000 in Fiscal Year 2025 capital funding to fully realize the outdoor on-loan program under the new agreement. Payments would be made in (3) installations as per the agreement and in alignment with fiscal year appropriations.
- Riff would be the theme for the fourth exhibit. In conjunction with Alpharetta's "Alpharetta Music City" initiative, Riff represents a repeated phrase in music, free-styling, and an individual artistic expression often described as freelance. RIFF can also be an acronym for Representing Inspiration in Free Form, with a tone of independence within the theme.

- The agreement would be valid for a period of (2) years, with the exhibit on display for calendar years 2024-2025,, after which the City and Arts Alpharetta, Inc. may discuss a fifth outdoor on-loan exhibit for Fiscal Years 2026-2027, calendar years 2026-2028.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Mitchell offered a motion to approve the FY2024-2025 bi-yearly agreement between the City of Alpharetta and Arts Alpharetta, Inc., for the curation and installation of a public outdoor art sculpture exhibit and to authorize the Mayor to execute all necessary documentation.
 - Council Member Hipes seconded the motion.
 - The motion passed unanimously (7-0).

8. PUBLIC COMMENT

- There were no public comments.

9. REPORTS

- Director Rodgers came forward to share images of the Community Theater logo and floor plans for the theater at North Point Mall.
- Council Member Hipes reported that the opening day of the Farmer's Market was well attended, we had a return of a sculpture, "The Visitor" to Brooke Street Park, and he announced that City Attorney, Molly Esswein, became a partner at the law firm of Jarrard & Davis.

10. EXECUTIVE SESSION (IF NECESSARY)

- ❖ Council Member DeRito offered a motion to adjourn to Executive Session for the purposes of litigation.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).
 - Mayor Gilvin recessed the meeting at 7:34 p.m.
- ❖ Council Member Will offered a motion to reconvene the meeting.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (7-0).
 - Mayor Gilvin reconvened the meeting at 7:55 p.m.

11. ADJOURNMENT

- ❖ Council Member Mitchell offered a motion to adjourn the meeting.
 - Council Member Will 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 7:56 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Lauren Shapiro". The signature is written in a cursive, flowing style.

Lauren Shapiro, City Clerk