



Meeting Minutes
Administration and Finance &
Recreation and Parks Committee

Tuesday, February 2, 2010

5:00 PM

Room 220

CALL TO ORDER/ROLL CALL

Present: 7 - Mayor Jere Wood; Council Member Nancy Diamond; Council Member Rich Dippolito; Council Member Jerry Orleans; Council Member Kent Igleheart; Council Member Betty Price and Council Member Becky Wynn

Staff Present: Kay Love – City Administrator; Michael Fischer – Deputy City Administrator; Julia Luke – Finance Director; Joe Glover – Director of Recreation and Parks; Police Chief Ed Williams; Fire Chief Ricky Spencer; Bob Hulseley – Assistant City Attorney; Morgan Rodgers – Assistant Director of Recreation and Parks; Danny Blich – Grants Manager; Julie Brechbill – Community Relations Manager; Jennifer Erdmann – Grants Specialist; Alice Wakefield – Community Development Director; Brad Townsend – Planning and Zoning Director; Clyde Stricklin – Deputy Director of Community Development; Paul Piccirilli – Fire Marshal; Denise Brown – Budget Coordinator; Lynn Williams – Budget Financial Analyst; Vicki Barclay – Code Enforcement Manager; Scott Huffman – GIS Manager; Stuart Moring – Public Works Director; and Marlee Press, Executive Assistant to Council

Addendum to the Agenda

- *Kay Love requested that three proposed addendum items be added to the agenda. The first item was "Discussion of limiting the number of terms a person can serve on the Recreation Commission." The second item was "Consideration of City Sponsorship for 2010 Special Events and Discussion of the Special Events Budget." The third item was "Consideration to award a bid to Aquatic Consulting and Equipment, Inc. for the Roswell Area Park pool filter system in an amount of \$134,900."*

Committee approved adding these items to the agenda.

Minutes of the January 5, 2010 committee meeting were approved.

Administration

Ordinance to Amend Section 2.1.1 of the Code of Ordinances to change Council meeting dates and times

- *This Ordinance will reduce the number of Council meetings from three (3) nights a month to two (2) which would be the 1st and 3rd Monday and change the time of the meetings from 7:30 p.m. to 7:00 p.m.*
- *This was discussed at the January committee meeting. Kay Love said she did an informal poll and sent an email from the East Roswell Forum since it is the largest email tree. She received 15 responses total of the people she contacted. 12 people said it would not impact them and they were in favor of moving the time.*
- *Councilmember Orlans asked if going to 2 meetings a month would increase the time of the those meetings and if it would have an affect on having work sessions. Kay Love said it may be a challenge but on the whole she doesn't see there being a problem in bringing items to a Work Session in a timely manner. Mayor said a council meeting in which there are official vote, need to be on a regular basis. If a special called Work Session is needed (maybe during the budget cycle) it is much easier to plug in a Special Called Work Session than a Special Called M&CC meeting.*
- *Bob Hulsey said if this gets approved it would need to be in effect in April or May since Community Development has advertising requirements and applications are already in the pipeline.*

A motion was made by Council Member Becky Wynn, seconded by Council Member Rich Dippolito, that the time of the meeting change from 7:30 p.m. to 7:00 p.m. Committee approved that the meetings go from 3 meetings to 2 meetings. It was discussed to have the meetings the 1st and 3rd Monday. Council Member Jerry Orlans requested that staff look at the whole year with the holidays and see if it might work better to have the 2nd and 3rd Monday or 2nd and 4th Monday. Kay Love said staff will look at that before it comes to Mayor and Council for the first reading on 2/17/10. The motion carried by the following vote:

In Favor: 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Orlans; Council Member Igleheart; Council Member Price and Council Member Wynn

Amendment to Chapter 13, *Offenses and Miscellaneous Provisions*, of the City of Roswell Code of Ordinances

- *This is an "open container" Ordinance to prohibit a person from having any alcoholic beverages in any open container while on the public streets, sidewalks or rights-of-way, or in any public or semipublic parking facility within the City of Roswell.*
- *Councilmember Orlans said he has just become the liaison for the Administration Department and he has been talking to a variety of people about this issue and there are some unattended consequences for this ordinance if they pass it. He requested not to move forward with this and give him some time to look at it a little further and look at alternate ways of addressing some of the problems that have popped up before adding another regulation that will create other situations.*
- *Mayor said Chief William's point for having an "Open Container" ordinance was from an enforcement standpoint, because there is no way for the PD to enforce an Open Beverage container on Canton Street because they don't know where that drink came from. Mayor said the restaurants like the idea of an Open Container Law because it makes it easier to enforce.*
- *Kay Love said it might be helpful to put people on notice that staff is taking a look at this and that the city will be more stringent in the way the city enforces what is already in the code.*

A motion was made by Mayor Jere Wood, seconded by Council Member Becky Wynn, that this "Open Container" ordinance be deferred and placed on the Administration and Finance & Recreation and Parks Committee agenda for 3/2/2010. Council Member Jerry Orlans wants more time to look into this and look at different avenues before moving forward with this. The motion carried by the following vote:

In Favor: 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Orlans; Council Member Igleheart; Council Member Price and Council Member Wynn

Amendment to Chapter 3, *Alcoholic Beverages*, of the City of Roswell Code of Ordinances

- *This amendment is necessary because of the state law changes. There are other elements of housekeeping in the ordinance.*
- *Changes to the Ordinance include: 1) Distance from churches, schools, etc. (Exhibit A); 2) Age requirements (Exhibit B) – this is to bring us into compliance with the state Supreme Court; and 3) Fingerprinting and background check requirements (Ex.C). GBI said everyone has to go through this private entity. The Police Department has been sending everyone over to the new state required facility.*

A motion was made by Mayor Jere Wood, seconded by Council Member Becky Wynn, that this amendment to Chapter 3, Alcoholic Beverages, be approved for the Regular Agenda and placed on the Mayor and City Council agenda for the first reading on 2/17/2010. This will bring our ordinance back into compliance with State Regulations. The motion carried by the following vote:

In Favor: 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Orlans; Council Member Igleheart; Council Member Price and Council Member Wynn

Section 3.7.3, Restaurant, regarding seating capacity requirements for limited and full pouring alcoholic beverage licenses

- *There are some licensing, compliance, and enforcement challenges with the way the current Ordinance is written regarding restaurant seating capacity for limited pouring (which has a 40 seat requirement) vs. full pouring (which has a 60 seating requirement) alcoholic beverage licenses. There has been discussion of the methodology used to define seating capacity related to the type of license, building code requirements, and fire code requirements. Staff is currently trying to find an appropriate way to mitigate having bars acting as a restaurant or visa versa.*
- *Bob Hulsey said one possible solution is using percentage is rather than a fixed number of tables because you level the playing field for small establishments vs. large establishments.*
- *Staff was requested to look at what other cities have done, like tying it to square footage ratio or maximum capacities. Legal was unable to find any other city with a seating at table requirement. It is done either by square footage or it isn't even mentioned at all. These places rely on the majority of the revenue coming from food purchases vs. alcohol which is what Roswell currently has.*
- *When staff met one of the things they came up with to ensure that it is a sit down restaurant vs a bar, is to draft something that says that 51% of their seating has to be at tables and the percentage would be of the maximum occupancy under the life safety code or building code, whichever is greater.*
- *Councilmember Orlans said they need to keep in mind that Roswell's mission is to have Roswell be a family place. He added that if a higher number of seats is required for the full pouring license that helps take care of the bars. He said another issue is the percentage of receipts because that is hard to enforce unless there is auditing.*
- *Mayor Wood stated he likes Legal's idea of tying the revenues and the percentages of tables. Councilmember Diamond agrees with the percentages of tables. Councilmember Wynn agrees with the percentage because it does level the playing field.*
- *Kay Love stated a problem staff is having is about the violation of the maximum occupancy because the ones who are most successful are the ones who are in constant violation. Communication needs to be done with the places in violation and let them know it is their responsibility to maintain.*
- *Mayor Wood stated that it looks like the committee is moving towards percentage. He suggested that staff have more conversations with restaurant owners with bars.*

A motion was made by Mayor Jere Wood, seconded by Council Member Jerry Orlans, that this item regarding seating capacity requirements be deferred and be placed on the Administration and Finance & Recreation and Parks Committee agenda when staff collects more information. Staff will talk to more restaurant owners about what they think would be an appropriate number. The motion carried by the following vote:

In Favor: 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Orlans; Council Member Igleheart; Council Member Price and Council Member Wynn

2010 Census Public Information Plan - Guidance

- *There was discussion of the public information plan to educate the community about the importance of filling out the US Census form and returning the completed form by April 1, 2010.*
- *Staff has already started many of the things on the plan. The webpage is up on the home page with links to the federal information about the census. Letters have been sent out to principals and churches and faith based organizations on why the census is so important.*
- *The push will be in mid-March. Kay Love stated one of the challenges is reaching out to the Hispanic community and the transients and their plan to use the crime free housing program to help out.*
- *Mayor Wood also suggested that Recreation and Parks help by putting the information out in brochures and through the many programs reminding people about the importance of the Census.*
- *Staff will continue to use the plan developed to educate the community about the importance of filling out the US Census form and returning the completed form by April 1, 2010.*

Status Report of American Recovery and Reinvestment Act of 2009 Stimulus Funding

- *Danny Blicht said there are a few outstanding grant applications that he has not heard back about yet. He said we are getting to the end of our eligibility run and that the city will have received close to \$3M.*

Danny Blicht will continue keeping the committee updated monthly on different grant possibilities.

FY10 Monthly Budget Status Report

- *This is the sixth month of the fiscal year. The sales tax did come in for December which ended up being \$1.6M which is an excellent amount. That is 17% over last January by \$250,000.*
- *Our revenues are still meeting expectations except for Recreation Participation Fund and Hotel/Motel which is a little bit low.*
- *Expenditures overall are meeting expectations at about 48%.*
- *The city is right at budget on both revenues and expenditures at this timeframe.*
- *Staff is still working on the fines and forfeitures since those are running behind.*

Staff will update the committee on a monthly basis.

Procedure for prayer at the beginning of Council meetings

- *Councilmember Price brought this forward because she said the Council meetings have been a little contentious so she wanted to see if there was any way to start the meetings off with some additional boosts to people's mood. She added that Cobb County has done it and has been able to respect the variety of religions and it has upheld court scrutiny.*
- *Mayor said he could support this as long as it doesn't put another burden upon staff. He said if Council believes in this and wants to move forward with this that Council needs to accept responsibility for this and make the commitment to this by saying the prayer themselves or having them get someone assigned to saying the prayer.*
- *Councilmember Orlans doesn't feel it would be a burden on staff. Councilmember Dippolito said it would be too difficult to try to have 7 people try to coordinate this.*

A motion was made by Council Member Jerry Orlans, seconded by Mayor Jere Wood, that this item regarding prayer at the beginning of Council meetings be deferred and placed on the Administration and Finance & Recreation and Parks Committee agenda for 3/2/2010. Council Member Betty Price will work on some more ideas on how to get this to work and report back next month. The motion carried by the following vote:

In Favor: 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Orlans; Council Member Igleheart; Council Member Price and Council Member Wynn

Staff participation in Council member Committees and Task Forces

- *Kay Love is requesting clarification and guidance of staff participation/resources used in the support of committees and task forces initiated by individual Councilmembers. With new Committee liaison assignments there has been some staff confusion regarding the department/functional areas. She wanted to know if each Council member plans to create a committee or task force and desire staff support/resources? Staff support and involvement in such committees and task forces should be approved/sanctioned by the Mayor and Council. She also needs some guidance on the appropriate level of staff participation.*
- *Kay Love also brought up the point that as a Councilmember embarks upon a controversial project, if that is not the desire of the Council as a whole, she is concerned about staff being caught in and spending time with something that may not be sanctioned in totality.*
- *Mayor said that if staff is involved, it needs to be a committee that is Council supported delegating staff time to that and if they are going to have staff going to these committee meetings, that it needs to be sanctioned by the Council and it needs to be open to all the elected officials and the general public. He does not think staff should go to any more committee meetings unless it is sanctioned by council and the entire Council is invited. Councilmember Igleheart said that both his Green Ribbon Committee and Councilmember Dippolito's Blue Ribbon committee had previously been sanctioned by Mayor and Council. Councilmember Dippolito added that there is a lot of value in having an advisory committee. There has been value to the staff as well as to the public because there has been that opportunity for that interaction.*
- *Mayor made a motion that meetings do not have to be advertised unless 3 Council members come. If staff time is being involved, Council needs to authorize the staff time being involved in the Advisory committees and that it be open to all Council members. Councilmember Igleheart said not to go with that motion for now but if Council wants to re-up their committees, they will justify that to Council and let them vote to sanction it again.*
- *Kay Love said staff won't be attending anything until she hears some guidance on these committees.*

This item regarding committees and task forces initiated by individual Council members was deferred to the Administration and Finance & Recreation and Parks Committee on 3/2/2010.

Recreation and Parks

Award a bid to Hasley Recreation and Design, Inc. (Miracle) for the construction of a New Playground at Garrard Landing Park in an amount of \$124,500

- *Invitation Bid #09R-320 was issued and eight (8) bidders were received ranging from \$98,102.22 to \$124,500. Hasley Recreation and Design, Inc. (Miracle) followed all bid specifications and provided more equipment and a better design for the bid amount than the other vendors. Funds are available in FY 2010 in the amount of \$125,000. This will add another phase to the park.*

A motion was made by Council Member Kent Igleheart, seconded by Mayor Jere Wood, that awarding the bid to Hasley Recreation and Design, Inc. (Miracle) be approved for the Regular Agenda and placed on the Mayor and City Council agenda for 2/17/2010. The motion carried by the following vote:

In Favor: 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Orleans; Council Member Igleheart; Council Member Price and Council Member Wynn

Apply for the 2010 Preserve America Implementation Projects Grant

- *This is a continuation of the original Preserve America grant program which funded the Comprehensive Interpretive Plan and Joint Marketing Plan for Barrington Hall, Bulloch Hall and Smith Plantation. The total project cost is \$75,300. The projects include audio recordings in 4 rooms per house, development of living history tours, live history tour performances, engage authors to write one story per site, advertisement, public relations contract and creation of an ambassador program. The grant requires a 100% match; therefore the grant application is for \$37,650 with a City match of \$37,650. The application deadline is February 12, 2010.*

A motion was made by Council Member Becky Wynn, seconded by Council Member Kent Igleheart, that applying for the 2010 Preserve American Implementation Projects Grant be approved for the Regular Agenda and placed on the Mayor and City Council agenda for 2/17/2010. The motion carried by the following vote:

In Favor: 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Orleans; Council Member Igleheart; Council Member Price and Council Member Wynn

Award a bid to Aquatic Consulting and Equipment, Inc. for the Roswell Area Park pool filter system in an amount of \$134,900

- *Invitation to Bid #10R-330 was issued and eight (8) bids were received ranging from \$134,900 to 182,208.34. Aquatic Consulting & Equipment, Inc. was the lowest responsive, responsible bidder in the amount of \$134,900.*
- *The pool is in dire need for the pool filter. Staff wants to get this project done before the pool season begins.*

A motion was made by Mayor Jere Wood, seconded by Council Member Becky Wynn, that awarding the bid to Aquatic Consulting and Equipment, Inc. be approved and it was also approved to place this item on the Consent Agenda of the Mayor and City Council Zoning meeting for 2/8/2010. The motion carried by the following vote:

In Favor: 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Orleans; Council Member Igleheart; Council Member Price and Council Member Wynn

Finance

Investment Report

- *The Current year portfolio is down below where it was last year. A lot of the city's securities that are being called are because of where the interest rates are right now. The city has had up to \$10M that has either matured or has been called.*
- *Staff is looking for step securities which means those interest rates will go up about every 6 months so we don't lock ourselves in. The downside is if the economy does not pick up, these will be called.*

Staff is being very diligent to look at the best rates and will keep the committee updated on a monthly basis.

Administration (cont.)

Limiting the number of terms a person can serve on the Recreation Commission

- *The Ordinance passed at the February 2, 2010 M&CC meeting limits the number of terms for the BZA, DRB, HPC, PC, and Construction Board of Adjustment and Appeals with each term being 3 years and the Board member can serve up to 3 terms or 9 years. Legal said in order to limit the number of terms a person can serve on the Recreation Commission, Section 14.1.1, Recreation Commission, should be amended.*
- *Presently the Recreation Commission has 5 year terms. Council was asked if they wanted to keep it at 3 terms that a member can serve which would be a 15 year term limit or change it to 2 terms which would be a 10 year term limit which would be closer in line with the other Boards.*

A motion was made by Council Member Betty Price, seconded by Council Member Becky Wynn, that the Ordinance be amended to limit the number of terms a person can serve on the Recreation Commission to 2 terms (a maximum of 10 years). This will be placed on the Mayor and City Council Regular agenda for 2/17/2010. The motion carried by the following vote:

In Favor: 5 - Mayor Wood; Council Member Diamond; Council Member Igleheart; Council Member Price and Council Member Wynn

City Sponsorship for 2010 Special Events and discussion of the Special Events Budget

- *At the Community Development and Transportation committee meeting on 1/27/10 there was discussion of city sponsorship for the Chattahoochee Nature Center for their 2010 events and discussion of the Special Events budget. Staff was requested to review previous history of city sponsorship for not for profit organizations and bring back information to the 2/2/10 committee regarding the compliance with the Special Events policy.*
- *The Budget piece was requested by Councilmember Orlans.*
- *Councilmember Orlans left the meeting before this item was discussed so this item has been deferred to the 2/24/10 Community Development and Transportation Committee meeting.*

A motion was made by Council Member Becky Wynn, seconded by Mayor Jere Wood, that the City Sponsorship for the 2010 Special Events and the discussion of the Special Events Budget be deferred and placed on the Community Development and Transportation Committee agenda for 2/24/2010. Council Member Jerry Orlans requested the information on the budget and he left the meeting before this item was discussed. The motion carried by the following vote:

In Favor: 5 - Mayor Wood; Council Member Diamond; Council Member Igleheart; Council Member Price and Council Member Wynn

Meeting adjourned t 8:44 p.m.