



City of Roswell

38 Hill Street
Roswell, Georgia 30075

Meeting Minutes - Final Mayor and City Council

Mayor Jere Wood
Council Member Rich Dippolito
Council Member Lori Henry
Council Member Kent Igleheart
Council Member Jerry Orleans
Council Member David Tolleson
Council Member Becky Wynn

Monday, June 1, 2009

7:30 PM

City Hall

WELCOME

Present: 7 - Mayor Jere Wood, Council Member Rich Dippolito, Council Member Lori Henry, Council Member Kent Igleheart, Council Member Jerry Orleans, Council Member David Tolleson, and Council Member Becky Wynn

Staff Present: City Administrator Kay Love; Assistant City Attorney Bob Hulse; Environmental/Public Works Director Stuart Moring; Police Chief Ed Williams; Fire Chief Ricky Spencer; Transportation Director Steve Acenbrak; Recreation, Parks, Historic and Cultural Affairs Director Joe Glover; Recreation, Parks, Historic and Cultural Affairs Assistant Director Morgan Rodgers; Finance Director Julia Luke; Deputy Director of Community Development Clyde Stricklin; Economic Development Manager William Keir; Strategic Planning and Budgeting Director Mike Erwin; Strategic Planner/Budget Analyst Denise Brown; Financial Analyst Lynn Williams; Community Information Coordinator Kimberly Johnson; Building Operations Technician Doug Heieren; and City Clerk Sue Creel

Pledge of Allegiance - Eric Sinsley

Eric Sinsley; Recreation and Parks Athletic Supervisor Ben Wood noted that Eric had qualified to compete in the Junior Olympic National Championships and had finished 7th in the nation.

Roswell Criterium: Michael Johnson, Roswell Velo Race Director, thanked Council for their continued support. He said the event was a great success and presented Council with plaques personally autographed by the pro men and women winners, Tina Pick and Tom Soladay. Mayor Wood thanked Roswell Historic Criterium, Roswell Velo, and Bike Roswell for putting on the race and helping the citizens and businesses of Roswell.

CONSENT AGENDA

1. **Approval of May 14, 2009 Special Called Meeting Minutes and approval of May 18, 2009 Council Brief Minutes.**

A motion was made by Council Member Rich Dippolito, seconded by Council Member Becky Wynn, that the Consent Agenda be Approved. The motion carried 6-0.

REGULAR AGENDA

Mayor's Report

1. **Approval of the FY 2010 Budget for the City of Roswell, Georgia in the amount of \$104,088,592. (First Reading of Budget Ordinance)**

Assistant City Attorney Bob Hulsey conducted the first reading of an ordinance adopting a budget for the fiscal year 2010 for each fund of the City of Roswell, Georgia, pursuant to Article VI, Chapter 6 of the Charter of the City, beginning July 1, 2009, and ending June 30, 2010.

The ordinance adopts a budget for Fiscal Year 2010, as described below:

General Fund	\$ 61,388,996
Confiscated Assets Fund	\$ 296,529
E-911 Fund	\$ 1,508,279
Soil Erosion Fund	\$ 100
Cemetery Care Fund	\$ 23,500
Leita Thompson Fund	\$ 62,500
Hotel/Motel Fund	\$ 525,509
Solid Waste Fund	\$ 10,047,968
Water and Sewer Fund	\$ 4,319,158
Recreation Participation Fund	\$ 3,948,041
Group Benefits Fund	\$ 7,647,500
Risk/Liability Fund	\$ 1,050,000
Worker's Compensation Fund	\$ 1,273,050
Impact Fee Fund	\$ 339,615
Capital Projects Fund	\$ 5,469,318
Debt Service Fund	\$ 6,188,529
Total Expenditure Budget	\$104,088,592

A millage rate of 5.455 mills is established as part of the approved budget based on the estimated digest of Fulton County. The millage rate has a component of 4.059 for the General Fund and a 1.396 component for the General Obligation Bond Debt Fund. The millage rate may be adjusted at a future date based on receipt of a certified digest.

The budget fixes the number of established full-time positions of the City at 619. That number may only be increased or decreased through approval of Mayor and Council. The budget adopts a policy of keeping, at minimum, 25% of budgeted expenditures

for the General Fund within fund balance at the end of each fiscal year. The budget also adopts a policy of keeping, at minimum, 16.67% of budgeted expenditures for the Solid Waste Fund within fund balance at the end of each fiscal year. The budget adopts a policy of keeping, at minimum, 16.67% of budgeted expenditures for the Water Fund within the fund balance at the end of each fiscal year.

Mayor Wood asked Council if there were any questions, comments, or amendments they wished to make to the budget before voting on it.

Amendment: Councilman Igleheart moved to add \$500,000 to capital projects for the ERP Program. Councilwoman Wynn seconded the motion. There was no public comment. The motion passed unanimously.

Mayor Wood asked for clarification of the ERP and where the funding would come from. City Administrator Kay Love replied that it is the computer software system that covers financial, payroll, personnel, business licensing, and all transactional modules exclusive of police computer dispatch. It is one time capital that is currently unfunded.

Amendment: Councilman Igleheart moved to add \$437,000 for a fire engine. Councilwoman Wynn seconded the motion. There was no public comment. The motion passed unanimously.

Amendment: Councilman Igleheart moved to add \$890,000 for the Grimes Bridge/Norcross/Warsaw Intersection Improvement Project. Councilman Tolleson seconded the motion. There was no public comment. The motion passed unanimously.

Amendment: Councilman Igleheart moved to add \$1,771,957 for the Old Alabama/Old Alabama Connector Intersection Improvement Project. Councilwoman Wynn seconded the motion.

Public Comment:

Emil Walcek, 760 Gable Ridge Road, Roswell, asked Council when they were going to get to the budget cuts as opposed to the additions. Mayor Wood replied that it is up to Council to propose budget cuts. He was currently asking for amendments, which could be either an addition or a cut.

Councilman Orleans asked Transportation Director Steve Acenbrak to explain how the Old Alabama Connector Intersection Improvement Project fits into what GDOT is looking at along that intersection, and should it be considered at this time or after more information comes forward. Mr. Acenbrak replied that the Old Alabama Connector Project is an on-going project. There is \$1.7 million in the general fund and \$457,000 in impact fee money that can be applied to the project. There have been recent developments with the design; the consultant, Mulkey, has done core samples of the road and the results are the entire roadbed needs to be reconstructed. The current estimate is significantly higher than the \$1.7 million. Staff has been asked to re-look at what can be achieved with the \$1.7 million.

Withdrawal of Amendment: Councilman Igleheart withdrew his amendment. Councilwoman Wynn withdrew her second.

Amendment: Councilman Igleheart moved for a cut of the vacant position of land disturbance inspector for \$51,176.48. Councilman Dippolito seconded the motion. There was no public comment.

Mayor Wood asked why there was an opening, if staff felt they needed this position or could handle the cut without significantly reducing the workflow. Deputy Director of Community Development Clyde Stricklin responded that the position is currently vacant because of a transfer to the Transportation Department. He said with land development down, they could handle the shortfall with the current staff.

Vote on Amendment: The motion passed unanimously.

Amendment: Councilwoman Wynn moved for the addition of Holcomb Bridge Road at Highway 9 in the amount of \$444,865. She said the City is trying to pursue stimulus package phase II money for that, but due to the uncertainty of the stimulus money coming in, she recommended keeping this in the budget until there is a confirmation and a receipt of the money, then it could go back into the Reserve Fund. Councilman Tolleson seconded the motion. There was no public comment.

Councilman Dippolito asked the status of the Holcomb Bridge Road Project and the potential funds from the Federal Government. Mr. Acenbrak replied that the project is currently on tract and is currently funded with a congressional earmark.

Councilwoman Henry asked if there was any reason why the funding couldn't be held off pulling this out of reserves when needed.

Councilwoman Wynn stated she wanted to make sure the money is earmarked for this project and then go forward.

Vote: The motion in favor of the amendment passed 4 - 2. Councilman Orlans, Councilman Tolleson, Councilwoman Wynn, and Councilman Dippolito voted to approve the amendment. Councilwoman Henry and Councilman Igleheart voted against the amendment.

Amendment: Councilman Orlans moved for one-time capital for the Oxbo Road Realignment Intersection Improvement in the amount of \$400,000. The intersection includes Oxbo/Elm Street, and Pleasant Hill. Councilwoman Wynn seconded the motion. There was no public comment.

Councilman Igleheart stated the reason the others were brought forward was because they were almost complete and would make a major impact; the Oxbo Road Realignment Project is not.

Councilman Dippolito asked what the immediate need for funding of this project is and the projection over the next 12 months that it would be needed. Mr. Acenbrak replied that a motion was approved a few weeks ago to do the data base prep. Currently they are in the process of surveying and doing the data base elements to do the design work, but the project is a long way from actual construction. He estimated six months to complete the preliminary work, and then they will bring it back to Council.

Mayor Wood asked if the project is going to need money within the next 12 months. Ms. Love responded that since the project is currently in the preliminary concept mode, there will be the need of additional funding in fiscal year 2010. She said there isn't just partial funding; there are constructional obligations for the tasks that need to happen. The project has been segmented so there could be a mid-year budget adjustment.

Withdrawal of Amendment: Councilman Orlans withdrew his amendment.

Mayor Wood asked Ms. Love to recap the amendments. Ms. Love recapped the amendments as follows: an addition of \$500,000 for the ERP Computer System; \$437,000 to purchase a fire engine; \$890,000 for the Grimes Bridge/Norcross/Warsaw Intersection Improvement Project; reduction of \$51,176 to eliminate the vacant land disturbance inspector position; and an addition of \$444,865 for the Holcomb Bridge Road/Highway 9 Intersection Improvement.

Public Comment:

Lee Fleck of Martins Landing asked for a summation of all of the additions and if the funding is coming from reserves. He asked if these additions brought the reserves from \$3.3 million up to \$5.4 million, so it brought the total usage from \$7.2 million \$9.3 million. He noted he was glad the fire truck was added back into the Fire Department. Ms. Love responded that the total is \$2.1 million with the money coming from the general fund reserves; the usage will increase from \$7.2 million to \$9.3 million.

A motion was made by Council Member Kent Igleheart, seconded by Council Member David Tolleson, that this Item be Approved with amendments on First Reading and placed on the Mayor and City Council agenda for 6/15/2009. The motion carried by the following vote:

In Favor: 6

2. Approval of the Millage Rate of 5.455 mills for the FY 2010 Budget.

(First Reading of Millage Rate Ordinance)

Assistant City Attorney Bob Hulsey conducted the first reading of the ordinance to adopt the millage rate. The ordinance establishes a millage rate of 5.455. The millage rate has a component of 4.059 for the general fund, operating and capital improvements budget, and a 1.396 mills component for servicing bonded indebtedness. The millage rate may require adjustment upon approval of a certified tax digest for the year 2009.

Public Comment:

Lee Fleck, Martins Landing, asked for an explanation of the disparity between the population figure used for the millage rate and the population figure used for everything else the City speaks about. He noted that the crimes stats index in the budget says the population is 87,000, not 101,000, which is a 15% disparity. He asked if the statement of per capita is based on population. Mayor Wood replied that the millage rate is the same as last year and asked Ms. Love to answer if the millage rate is affected by the population. Ms. Love responded that the millage rate is not affected by population.

A motion was made by Council Member Kent Igleheart, seconded by Council Member David Tolleson, that this Item be Approved on First Reading and placed on the Mayor and City Council agenda for 6/15/2009. The motion carried by the following vote:

In Favor: 6

Administration-Finance - Councilmember Kent Igleheart

3. Approval of an Amendment to the Purchasing Ordinance for Sustainability Initiatives. *(Second Reading)*

Presented by Julia Luke, Finance Director

Finance Director Julia Luke stated that this is an amendment to the Purchasing Ordinance that staff has been working on with ARC Green Communities Guidelines. This adds Section 2.78 promoting sustainability to Article 2.7. It also has other changes in Section 2.72, Definitions, and 2.74, Powers and Duties of the Purchasing Manager.

Assistant City Attorney Bob Hulseley conducted the second reading of the Ordinance to Amend Chapter 2, Administration, Article 2.7, Purchasing, of the Code of Ordinances of the City of Roswell. The ordinance amends Chapter 2, Article 2.7, Purchasing, of the Code of Ordinances in order to comply with guidelines of the Green Communities Program promulgated by the Atlanta Regional Commission (ARC). The ordinance states that sustainability means reducing the amount of resources used, as well as reducing the amount of waste and emissions produced in order to limit the environmental impact or ecological footprint. The City will improve sustainability efforts through an environmentally preferred purchasing program that provides for the present generation and needs of the organization while honoring the past and allowing for the needs of future generations.

Councilman Orleans noted that several Councilmembers had expressed concern about putting the City into a bind going in only one direction on items that might be costly. He noted that Section 3 states encourage protection of the environment by showing preference for the procurement of sustainable products and services. Paragraph C states Energy Star rated equipment and appliances when possible to do so and to purchase recycled, so forth. He wanted to make sure the wording gave flexibility and not getting into a bind regarding costs. Mr. Hulseley responded that the wording gave flexibility.

A motion was made by Council Member Kent Igleheart, seconded by Council Member Rich Dippolito, that this Item be Approved on Second Reading. The motion carried by the following vote:

In Favor: 6

Enactment No: ORD 2009-06-05

Community Development - Councilmember Rich Dippolito

4. **Approval of the "Find It All - Roswell, GA" Marketing Program and approval of Budget Amendment 7006-06-01-09 in the amount of \$56,550.**

Presented by Kathleen Field, Director

Deputy Directory of Community Development Clyde Stricklin stated that this is a marketing program for which the department was directed to find money in the existing budget to cover expenses.

Historic Roswell Convention and Visitors Bureau (CVB) Executive Director Dotty Etris stated this is a program to encourage people, especially Roswell people, to shop locally. It is a partnership program with the CVB, the Economic Development Department, and local merchants throughout Roswell, not just the Historic District. There are t-shirts, bumper stickers, self-cling stickers, candy bars, etc. to market the program and help advertise it. It is for all businesses, not just retail.

A motion was made by Council Member Rich Dippolito, seconded by Council Member Becky Wynn, that this Item be Approved. The motion carried by the

following vote:

In Favor: 6

Public Safety - Councilmember Lori Henry

5. **Approval of a Resolution to apply for a U.S. Department of Justice, FY 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Local Formula proposal in the amount of \$23,958 and to authorize a Memorandum of Understanding (MOU).**

Presented by Ed Williams, Police Chief

Police Chief Williams stated this is the regular annual Byrne Grant that is requested each year and not to be confused with an earlier Byrne Grant that was part of the American Recovery and Reinvestment Act. The intended use for the money is digital radio upgrade, which is what Council approved last time.

Councilwoman Henry asked Chief Williams to speak about "Cops and Rodders" held over the weekend. Chief Williams responded that officers had donated their time and no tax money was spent on this. Businesses agreed to the car show and donated all funds needed to put the program together with radio time and commercial time also donated. He called the show a great success saying they planned to do it again next year.

A motion was made by Council Member Lori Henry, seconded by Council Member Jerry Orleans, that this Item be Approved. The motion carried by the following vote:

In Favor: 6

Enactment No: RES 2009-06-28

Transportation Department - Councilmember Becky Wynn

6. **Approval for the Mayor and/or City Administrator to sign a Memorandum of Understanding (MOU) with Fulton County for reimbursement for the cost of the relocation of three (3) waterlines related to the Crabapple Road/Rucker Road Intersection Improvement Project in the amount of \$347,803.**

Presented by Steve Acenbrak, Director

Transportation Director Steve Acenbrak stated that Engineering Design Manager Franco DeMarco met with Fulton County to negotiate the Crabapple Road Intersection Project that needs three Fulton County waterlines moved. Fulton County has agreed to pay for the design and reimburse the City for the entire construction for the relocation of the waterlines associated with the intersection improvement.

A motion was made by Council Member Becky Wynn, seconded by Council Member David Tolleson, that this Item be Approved. The motion carried by the following vote:

In Favor: 6

City Attorney's Report**7. Consideration of Mayor's Veto.**

City Attorney David Davidson stated that under Charter Section Ch. 3.160 (3), an action vetoed by the Mayor shall automatically be on the agenda at the next regular meeting of the City Council for reconsideration. The Mayor vetoed RZ08-17 at the May 14, 2009 Mayor and Council Special Called Meeting. The Council is required by Charter to reconsider RZ08-17 at this meeting. At the May 18, 2009 Council meeting, Council voted to defer the vote on overriding the Mayor's veto until June 29, 2009. In order to meet the requirements of the Charter, this item will continue to be placed on the Council Agenda until the vote.

A motion was made by Council Member Rich Dippolito, seconded by Council Member Jerry Orlans, that this Item be Deferred and placed on the Mayor and City Council agenda for 6/29/2009. The motion carried by the following vote:

In Favor: 6

8. Recommendation for closure to discuss personnel.

A motion was made by Council Member Becky Wynn, seconded by Council Member Jerry Orlans, that this Item be Approved. The motion carried by the following vote:

In Favor: 6

Adjournment

After no further business, the Regular Meeting adjourned at 8:37 p.m. for a Work Session with David Freedman, P.E., Director of Engineering and Construction with the Georgia Department of Natural Resources speaking about LEED government buildings.