



City of Roswell

38 Hill Street
Roswell, Georgia 30075

Meeting Minutes Mayor and City Council

Mayor Jere Wood
Council Member Nancy Diamond
Council Member Rich Dippolito
Council Member Kent Igleheart
Council Member Jerry Orleans
Council Member Betty Price
Council Member Becky Wynn

Monday, December 27, 2010

7:00 PM

City Hall

WELCOME

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

Staff Present:

City Attorney Bob Hulse; Police Chief Ed Williams; Fire Chief Ricky Spencer; Environmental/Public Works Director Stuart Moring; Planning and Zoning Director Brad Townsend; Strategic Planning and Budgeting Director Keith Lee; Information Technology Director Patrick Dale; Transportation Deputy Director David Low; Water Resources Engineer Alice Champagne; Environmental Programs Manager/Executive Director of Keep Roswell Beautiful Janet Liberman; Community Relations Manager Julie Brechbill; Community Relations Manager Julie Brechbill; Building Operations Technician Tim Thompson; City Clerk Sue Creel.

Pledge of Allegiance

Sue Creel

CONSENT AGENDA

- Approval of December 13, 2010 Council Brief Minutes.**
Administration
Approved
- Approval to issue a Request for Qualifications (RFQ) for the Brand Roswell Program.**
Administration
Approved

- 3. **Approval of a Resolution to accept and approve certain documents relating to the purchase and exchange of certain property on Oxbo Road.**

Administration

Approved

- 4. **Approval of an Amendment to the current Telecommunications Lease Agreement dated November 21, 2005 between the City of Roswell and New Cingular Wireless PCS, LLC for a location upon Hightower Water Tank owned by the City.**

Administration

Councilmember Orlans asked if this is the one that has three (3) locations going to nine (9). City Administrator Kay Love replied they are going from six (6) to nine (9). Councilmember Orlans asked if the city was receiving \$225 per month for the additional three (3). Ms. Love replied \$2,700 annually. Assistant City Attorney Bob Hulseley replied an additional \$200 more a month. Councilmember Orlans stated in the past this seemed to be a small amount for adding three (3) locations to the tower; and asked if there was any background and history information from the Legal Department about this. Mr. Hulseley replied he did not have any information, and that City Attorney David Davidson has that information.

Motion: Councilmember Orlans moved to defer the approval of an Amendment to the current Telecommunications Lease Agreement dated November 21, 2005 between the City of Roswell and New Cingular Wireless PCS, LLC for a location upon Hightower Water Tank owned by the City, and to be placed on the next Regular Mayor and Council Meeting. Councilmember Wynn seconded the motion. There was no public comment. The motion passed unanimously.

At the request of Council Member Orlans, this item was removed from the Consent Agenda to be heard on the Regular Agenda.

A motion was made by Council Member Jerry Orlans, seconded by Council Member Becky Wynn, that this Item be Deferred and placed on the Mayor and City Council agenda for 1/10/2011. The motion carried by the following vote:

In Favor: 6

- 5. **Approval of Phase II of the Tower Cloud, Inc. lease to build fiber on the Hightower Water Tank site which is located on City property.**

Administration

At the request of Council Member Orlans, this item was removed from the Consent Agenda to be heard on the Regular Agenda.

Motion: Councilmember Orlans moved to defer the approval of Phase II of the Tower Cloud, Inc. lease to build fiber on the Hightower Water Tank site which is located on City property, and to be placed on the next Regular Mayor and Council Meeting. Councilmember Dippolito seconded the motion. There was no public comment. The motion passed unanimously.

A motion was made by Council Member Jerry Orlans, seconded by Council Member Rich Dippolito, that this Item be Deferred and placed on the Mayor and City Council agenda for 1/10/2011. The motion carried by the following vote:

In Favor: 6

- 6. **Approval of repairs/Cured In Place Pipe (CIPP) lining of a 42 inch stormwater pipe draining to a pond adjacent to Settindown Drive and approval of Budget Amendment 7110CP-12-27-10 in the amount of \$40,000 for the repair and lining of the pipe and headwall.**

Environmental/Public Works

Approved

- 7. **Approval of the final payment for the purchase and installation of the truck scales for the City of Roswell Transfer Station in an amount not to exceed \$73,575, and approval of Budget Amendment 451F-12-27-10 in the amount of \$73,575.**

Environmental/Public Works

Approved

- 8. **Approval of Budget Amendment 455A-12-27-10 for the Recycling Center in the amount of \$8,000 to complete a building used to hold bales of materials that are awaiting shipment.**

Environmental/Public Works

Approved

9. **Approval for the Mayor and/or City Administrator to sign an agreement with AT&T for the removal of nineteen (19) cable crossings over Alpharetta Highway on the Midtown Streetscape project in the amount of \$8,755.33.**

Transportation

Approved

Approval of the Consent Agenda

Motion: Councilmember Diamond moved to approve the Consent Agenda with the removal of items #4 and #5. Councilmember Wynn seconded the motion. There was no public comment. The motion passed unanimously.

A motion was made by Council Member Nancy Diamond, seconded by Council Member Becky Wynn, to approve the Consent Agenda (with the exception of Consent Agenda items #4 and #5). The motion carried by the following vote:

In Favor: 6

REGULAR AGENDA

Mayor's Report

1. **Reading of a Proclamation for Bring One for the Chipper.**

Mayor Wood read a proclamation acknowledging that recycling reduces the waste stream, saves tax dollars and improves the environment; and that Roswell is committed to recycling. Mayor Wood recognized; The Keep Roswell Beautiful program; Kiwanis Club of Historic Roswell; the Keep Georgia Beautiful program (part of the Department of Community Affairs); the Davey Tree Expert Company; The Home Depot; and WXIA Television for sponsoring the "Bring One for the Chipper" Christmas Tree Recycling Program. Mayor Wood stated over 8,000 trees were recycled through this program last year. Mayor Wood proclaimed Saturday, January 8, 2011 as "Bring One for the Chipper" day in Roswell and invited all residents to participate.

Mayor Wood called upon Environmental Programs Manager/Executive Director of Keep Roswell Beautiful Janet Liberman to speak about the program. Ms. Liberman stated they are partnering with the Home Depot Stores located at Woodstock Road and Holcomb Bridge Road for the Christmas tree recycling program, and this year strings of Christmas lights will be accepted for recycling.

Administration and Finance Department - Councilmember Jerry Orlans

**2. Appointment of Krista Young as City Solicitor.
Presented by Michael Fischer, Deputy City Administrator**

Deputy City Administrator Michael Fischer stated Mayor and Council have the opportunity to appoint the Solicitor for the City for a two (2) year term based upon the Code of Ordinance for the City of Roswell, and if approved there will be a swearing in ceremony during a public hearing in January, 2011.

Motion: Councilmember Orlans moved for the approval of the appointment of Krista Young as City Solicitor. Councilmember Wynn seconded the motion. There was no public comment. The motion passed unanimously.

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

In Favor: 6

**3. Approval of purchase for the Enterprise Resource Planning (ERP) infrastructure hardware.
Presented by Michael Fischer, Deputy City Administrator**

City Administrator Michael Fischer stated staff is seeking Council approval of \$436,000 for the purchase of the Enterprise Resource Planning (ERP) infrastructure hardware.

Motion: Councilmember Orlans moved for the approval of the purchase for the Enterprise Resource Planning (ERP) infrastructure hardware. Councilmember Wynn seconded the motion. There was no public comment. The motion passed unanimously.

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

In Favor: 6

Environmental / Public Works Department - Councilmember Becky Wynn

4. Approval of a Resolution to establish billing rates associated with the Stormwater Utility Program and approval of the Stormwater Utility Credit Manual.

Presented by Stuart Moring, Director

Environmental/Public Works Director Stuart Moring stated this is the final step for implementing the fee structure, credit manual, and a companion resolution to reduce sanitation rates for both residential and non-residential customers.

Mayor Wood confirmed most customers with the imposition of the stormwater utility program would not see a net increase in their cost. Mr. Moring replied yes, that is correct approximately 64% of residential properties will have either a reduction or no change. Mayor Wood asked how the city would calculate the impervious surface of a residential property. Mr. Moring replied using the GIS mapping system and from Ariel photographs; and will be grouped into tiers; and subdivisions will be assessed with an average. The larger residential and non-residential properties will have an individual assessment. Mayor Wood asked if there was a procedure in place to notify people of this and of their rights. Mr. Moring replied yes, there is a procedure explaining this change and an appeal procedure.

Councilmember Igleheart asked if this sanitation fee is still paid through the current sanitation bill being received; and confirmed most people would pay either the same or less. Mr. Moring replied correct.

Councilmember Dippolito asked about non-residential properties that receive a credit of \$11.85, and is this only in the cases where someone also uses the City of Roswell Sanitation purposes for trash collection; what happens if they use another carrier. Mr. Moring replied there would not be a credit. Councilmember Igleheart asked if it is a large number of non-residential properties that do not use the City of Roswell Sanitation Services. Mr. Moring replied it is not a lot about 100. Councilmember Igleheart stated his understanding is that the City of Roswell rates are competitive, and asked if most people use the City of Roswell Sanitation Services. Mr. Moring replied yes, and people who use dumpster service are required to use the City of Roswell Service. An alternative service can only be used if they have a compactor unit or other facilities the city cannot service.

Councilmember Wynn wanted to stress this is a basic bill before any credits, and this will start July 1, 2011. Mr. Moring replied yes.

Councilmember Price asked if the program will generate \$2.8M and the reduction in the solid waste fund is \$1.29M, and asked how the difference is going to be made up. City Administrator Kay Love replied part of the difference is made up in what the city currently funds now for the stormwater program out of the general funds and would now be paid for by the city with this rate.

Motion: Councilmember Wynn moved for the approval of a Resolution to establish billing rates associated with the Stormwater Utility Program and approval of the Stormwater Utility Manual. Councilmember Diamond seconded the motion. There was no public comment.

VOTE: In favor: Councilmember Diamond, Councilmember Dippolito, Councilmember Igleheart, Councilmember Orleans, Councilmember Wynn. Opposed: Councilmember Price. The motion passed 5-1.

A motion was made by Council Member Becky Wynn, seconded by Council Member Nancy Diamond, that this Item be Approved. The motion carried by the following vote: Council Members Wynn, Diamond, Orleans, Igleheart, and Dippolito voted in favor of the motion. Council Member Price voted against the motion.

In Favor: 5

Opposed: 1

5. Approval of a Resolution to reduce residential and non-residential Sanitation Fees effective July 1, 2011.

Presented by Stuart Moring, Director

Environmental/Public Works Director Stuart Moring stated this Resolution would reduce sanitation fees by the equivalent one (1) ERU or \$3.95 per month for residential properties and three (3) ERU or \$11.85 per month for non-residential properties; and will take effect July 1, 2011.

Motion: Councilmember Wynn moved for the approval of a Resolution to reduce residential and non-residential Sanitation Fees effective July 1, 2011. Councilmember Igleheart seconded the motion. There was no public comment. The motion passed unanimously.

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

In Favor: 6

6. **Approval to amend Article 24.5, Water and Sewer, of the Code of Ordinances of the City of Roswell. (First Reading)**
Presented by Stuart Moring, Director

Environmental/Public Works Director Stuart Moring stated the city is part of the Metropolitan North Georgia Water Planning District and under the conservation requirements there are changes needed to stay current with the EPD permit.

Assistant City Attorney Bob Hulseley read; "an Ordinance amending Article 24.5, Water and Sewer, to add state mandated water restriction provisions and provisions related to private decentralized waste water systems. Purpose and intent of this section is to reduce water consumption from commercial car wash facilities by requiring all new conveyor car washes to install operations and recycled water systems; the remainder of the Ordinance is incorporated herein."

Councilmember Price is concerned about the section of enforcement, and asked if this is construed as a revenue generator. Mr. Moring replied, no that is not the intent. This is to develop conservation practices throughout the community. Councilmember Price asked how Environmental/Public Works would be the enforcement authority. Mr. Moring replied there is an environmental enforcement officer, who is state certified as a code enforcement person, and in extreme cases the Police Department could be called. Councilmember Price asked for clarification of "the authorizing of other departments deemed necessary to support enforcement", and asked if that means code enforcement or law enforcement. Mr. Hulseley replied it means law enforcement if necessary and this follows what is currently used with residential and commercial cut-offs for water.

Motion: Councilmember Wynn moved for the approval to amend Article 24.5, Water and Sewer, of the Code of Ordinances of the City of Roswell. (First Reading) Councilmember Orlans seconded the motion. There was no public comment. The motion passed unanimously.

A motion was made by Council Member Becky Wynn, seconded by Council Member Jerry Orlans, that this Item be Approved on First Reading and placed on the Mayor and City Council agenda for 1/10/2011. The motion carried by the following vote:

In Favor: 6

Public Safety - Councilmember Nancy Diamond

7. **Approval for the Mayor and/or City Administrator to sign a contract with CorrectHealth Roswell, LLC for inmate medical services for the Roswell Detention Center in the amount of \$142,698.20.**

Presented by Ed Williams, Police Chief

Police Chief Ed Williams stated if approved this would be a renewal of the current contract and health care provider for the same services currently being received for the detention center.

Councilmember Orlans asked if this is a service the city bids out. Chief Williams replied this was a competitive bid process and awarded to CorrectHealth Roswell, LLC in 2008, and felt it was advantageous to stay with the same vendor as the contract allowed. Mayor Wood asked if the price is the same. Chief Williams replied the price is up. City Administrator Kay Love replied when the city entered in with the contract in 2008 the price was \$137,000 with contractual language for an annual inflator based on the CPI and the original term was two (2) years with options to renew for additional one (1) year terms.

Motion: Councilmember Diamond moved for the approval for the Mayor and/or City Administrator to sign a contract with CorrectHealth Roswell, LLC for inmate medical services for the Roswell Detention Center in the amount of \$142,698.20.

Councilmember Wynn seconded the motion. There was no public comment. The motion passed unanimously.

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

In Favor: 6

8. **Approval of renaming of certain streets with similar or confusing names.**

Presented by Ed Williams, Police Chief

Police Chief Ed Williams stated this process started several months ago to identify and notify Mayor and Council, and the public of the renaming of certain streets. There were three (3) public meetings, where input was received from the public. The list of streets are those where the residents were in favor of the change. Some street names will be fixed with new software for the 911 Center, and asks that any changes not be made until the new software is installed.

Councilmember Price confirmed all the residents on the streets listed are in favor to the change. Chief Williams replied all input has been positive and everyone that has responded is in favor of the change, and not everyone has responded. He stated letters were sent to each address and no negative responses have been received. Councilmember Price asked about the financial impact saying not applicable. Chief Williams apologized for the oversight, and said there would be the cost of remaking the signs, which the city would do in-house.

Motion: Councilmember Diamond moved for the approval of renaming certain streets with similar or confusing names. Councilmember Dippolito seconded the motion. The motion passed unanimously.

Public Comment:

A resident from Creekwood Crossing East said he had suggested having the numbers placed on the signs at the intersections to help direct traffic. Ms. Love replied that his suggestion is currently being implemented in places where the numbers will help direct traffic.

A motion was made by Council Member Nancy Diamond, seconded by Council Member Rich Dippolito, that this Item be Approved. The motion carried by the following vote:

In Favor: 6

Transportation Department - Councilmember Rich Dippolito

9. **Approval for the Mayor and/or City Administrator to sign a contract with Reynolds, Smith and Hillis, Inc. (RS&H) for the Hardscrabble Green Loop Phase 1 design project in the amount of \$562,046.83.**

Presented by Steve Acenbrak, Director

Transportation Deputy Director David Low stated staff recommends the award of the design contract to Reynolds, Smith and Hills, Inc. for the Hardscrabble Green Loop Phase I design project in the amount of \$562,046.83. Mayor Wood asked what the area the project included. Mr. Low replied it will be a sidewalk and multi-use trail along Hardscrabble and includes intersection improvements along Hardscrabble at east and west Chaffin and Wexford, and sidewalk improvements on one side of the south leg of East Chaffin. Mayor Wood asked where the funding was coming from. Mr. Low replied the city is receiving \$2.1M in High Priority Project (HPP) money that is already in the TIP, and \$688,614.15 in city funds. Mayor Wood asked if the city funds are from impact fees. Mr. Low confirmed they are.

Motion: Councilmember Dippolito moved for the approval for the Mayor and/or City Administrator to sign a contract with Reynolds, Smith and Hills, Inc. (RS&H) for the Hardscrabble Green Loop Phase I design project in the amount of \$562,046.83. Councilmember Wynn seconded the motion. There was no public comment. The motion passed unanimously.

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

City Attorney's Report**10. Recommendation for closure to discuss litigation and personnel.**

Assistant City Attorney Bob Hulseley recommended closure to discuss litigation, personnel and the acquisition of real estate.

Motion: Councilmember Wynn moved for the Recommendation for closure to discuss litigation and personnel. Councilmember Dippolito seconded the motion. There was no public comment. The motion passed unanimously.

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

In Favor: 6

Adjournment

The meeting adjourned at 7:40 p.m.