



City of Roswell

38 Hill Street
Roswell, Georgia 30075

Meeting Minutes - Final Mayor and City Council

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

Monday, May 17, 2010

7:30 PM

City Hall

WELCOME

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

Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Police Chief Ed Williams; Fire Chief Ricky Spencer; Environmental/Public Works Director Stuart Moring; Recreation, Parks, Historic and Cultural Affairs Director Joe Glover; Director of Community Development Alice Wakefield; Planning and Zoning Director Brad Townsend; Recreation, Parks, Historic and Cultural Affairs Assistant Director Morgan Rodgers; Community Relations Manager Julie Brechbill; Video Producer/Director Amy Kargus; Building Operations Technician Doug Heieren; and City Clerk Sue Creel

Pledge of Allegiance - Kelly Lee

CONSENT AGENDA

1. **Approval of May 10, 2010 Council Brief Minutes.**
Administration and Finance
Approved
2. **Approval for the Mayor and/or City Administrator to sign a contract with The Garland Company for roof and building envelope repair and maintenance at City Hall and the Law Enforcement Center in the amount of \$116,529.**
Administration and Finance
Approved
3. **Approval to renew an Intergovernmental Agreement (IGA)**

with Fulton County, Georgia for Animal Control Services in the amount of \$67,107.08.

Administration and Finance

Approved

4. **Approval of a Resolution to apply for a 2010 Assistance to Firefighters Grant for an electronic incident management system.**

Public Safety

Approved

Enactment No: RES 2010-05-21

5. **Approval of a Resolution to apply for a Regional Assistance to Firefighters Grant for replacement of the Public Safety radio system.**

Public Safety

Approved

Enactment No: RES 2010-05-22

6. **Approval of a Resolution to apply for the Federal Fiscal Year 2010 Bulletproof Vest Partnership (BVP) grant.**

Public Safety

Approved

Enactment No: RES 2010-05-23

7. **Approval for the Mayor and/or City Administrator to sign a contract with P.E. Structures/Artlantic, Inc. to replace plumbing fixtures in the Detention Center in the amount of \$49,750.**

Public Safety

At the request of Council Member Price, this item was removed from the Consent Agenda and heard on the Regular Agenda.

Police Chief Ed Williams stated this contract would allow the Detention Center to replace old and broken porcelain fixtures and to install fixtures in cells that currently do not have them. Councilmember Price expressed concern about the price of \$10,000 per toilet. Chief Williams agreed that it was costly, but said the cost includes installation and repair work.

Councilmember Diamond stated she had toured the Detention Center and had seen the situation. She agreed it was a lot of money, but said it would reduce staff being on call to let a prisoner out to go to the bathroom. Councilmember Price asked how many inmates are currently in cells requiring them to leave to use the bathroom. Chief Williams replied there are five cells and those five cells would receive a fixture.

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: Council Member Diamond, Council Member Wynn, Council Member Orlans, Council Member Igleheart, and Council Member Dippolito voted in favor of the motion. Council Member Price voted against the motion.

In Favor: 5

Opposed: 1

8. **Approval for the Mayor and/or City Administrator to sign a contract with Duncan Pipeline, Inc. for the construction of the stormwater pipe located at the intersection of Myrtle Street and Zion Circle, extending approximately 300 feet south on Zion Circle in the amount of \$71,825.25.**

Public Works

Approved

Approval of the Consent Agenda

A motion was made by Council Member Orlans, seconded by Council Member Wynn, to approve the Consent Agenda with the exception of item #7. The motion carried by the following vote:

In Favor: 6

REGULAR AGENDA

Mayor's Report

Mayor Wood introduced Kelly Lee who is running for Superior Court in Fulton County. Ms. Lee spoke about her qualifications and desire to serve the community.

Councilmember Wynn spoke about the Green Hair Challenge fundraiser for Keep Roswell Beautiful. The winners were Councilmember Jerry Orlans and Police Chief Ed Williams. Environmental/Public Works Director Stuart Moring stated that \$268 was raised with the funds allocated to purchase water conservation kits, which have been given out to residents and Roswell water customers to help reduce their usage of water supply.

1. **Reading of a Proclamation for National Public Works Week.**

Mayor Wood read a Proclamation stating how Public Works are an integral part of citizens' everyday lives for water, streets, public buildings and solid waste collection. Environmental/Public Works Director Stuart Moring spoke about the upcoming truck rodeo, and the luncheons to show appreciation to Public Works' employees. He thanked all the sponsors helping with the truck rodeo.

Mr. Moring displayed a plaque from the Georgia Association of Water Professionals for the Stormwater/Watershed Protection Project of the Year for the Barrington Farms channel restoration. He recognized Water Resources Engineer Alice Champagne who headed up the project. He noted it was a joint effort with Georgia EPD and

Fulton County Water and Sewer Department with Fulton County paying for the project.

2.

Approval of a Resolution in support of the City of Sandy Springs' "Opportunity Zone" Application.

Mayor Wood asked Council to support a Resolution in support of the City of Sandy Springs' "Opportunity Zone" application to the Georgia Department of Community Affairs. He confirmed for Councilmember Orlans that Sandy Springs had passed a Resolution for a contracted zone. Councilmember Wynn asked if all the Mayors were doing this. Mayor Wood replied he did not know, but that Mayor Galombos of Sandy Springs had requested this.

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

Enactment No: RES 2010-05-24

Community Development - Councilmember Betty Price

3.

RZ10-03 Text Amendment regarding real estate directional signs for agent caravans. (Second Reading)

Presented by Bradford D. Townsend, Planning and Zoning Director

Planning and Zoning Director Brad Townsend stated this Text Amendment will put into Section 22.12, "Temporary Signs," language related to real estate directional signs. It will limit placing a real estate caravan sign to between 6:00 p.m. on Mondays and removed by 5:00 p.m. on Tuesdays.

City Attorney David Davidson conducted the second reading of Ordinance to Amend the City of Roswell Zoning Ordinance regarding Real Estate Directional Signs within the City Limits of Roswell. The Ordinance adds a new section to Chapter 22, Section 22.12(b) (10).

A motion was made by Council Member Nancy Diamond, seconded by Council Member Betty Price, that this Item be Approved on Second Reading. The motion carried by the following vote:

In Favor: 6

Enactment No: ORD 2010-05-08

4.

Approval of a Resolution for the creation of the Comprehensive Plan Advisory Committee (CPAC) and appointment of the Committee members.

Presented by Alice Wakefield, Director of Community Development

Director of Community Development Alice Wakefield stated the City's Comprehensive Plan, as mandated by state law, is being updated. The purpose of the CPAC is to provide feedback, advise the planning team, and to help shape the

overall process.

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

In Favor: 6

Public Safety - Councilmember Nancy Diamond

5. Approval of a Resolution to resubmit an application for the US Department of Justice Community Office of Policing Service (COPS) Grant for 2010.

Presented by Ed Williams, Police Chief

Police Chief Ed Williams stated the City did not receive the 2009 grant, and this would re-submit the same application for 2010. The grant is in the amount of \$540,000 for three years and will pay the salary of entry-level officers. The total grant over the three years would be \$1.6 million. The grant does not pay for equipment or training for the officers, but the department has the funds to cover those costs.

Councilmember Price asked if at the conclusion of the grant would the City be required to continue the funding for the positions and if that would be feasible. Chief Williams answered yes saying the department has received grants almost every year since the 1990s. The City commits to retaining the officers, and the grant states that if the City had a need to reduce its force, that could be accomplished through current policies and the new officers could be laid off without penalty.

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

Enactment No: RES 2010-05-26

Recreation and Parks Department - Councilmember Kent Igleheart

6. Approval of an Ordinance to Ban Smoking within City of Roswell Parks. (First Reading)

Presented by Joe Glover, Director

Councilmember Igleheart stated that Council passed an ordinance that would designate smoking areas within City parks. The Recreation Commission and staff tried to create those areas, but it has become apparent how difficult it would be to enforce that ordinance. They, therefore, are recommending a total ban on smoking within City parks. He commented that alcohol is currently banned from City parks, and the two usually go together.

Mayor Wood asked how many locations this would apply to throughout the City. Director of Recreation, Parks, Historic and Cultural Affairs Joe Glover replied it would include all City parks, approximately 25-27 areas. Mayor Wood requested the names of the smaller parks that would be affected. Mr. Glover replied it would include the Heart of Roswell Park, Town Square, Founders Cemetery, the Old Mill Park, the entire Riverwalk, and all the large parks. Mayor Wood asked how visitors would

know smoking is not allowed on the premises. Mr. Glover replied there will be signs posted in various locations to ensure everyone's awareness of the ordinance. Mayor Wood asked how many signs would be needed for the parks. Mr. Glover replied 100-150. Mayor Wood asked the cost of the signs. Mr. Glover replied it would depend on the size and location of each sign; he estimated \$25 per sign. He confirmed there is money in the budget for the signs. Mayor Wood asked the timeframe for installing the signs. Mr. Glover replied two months. Mayor Wood asked when the ordinance would become effective. City Attorney David Davidson replied it would be the date of the second reading, or Council could state the effective date.

Councilmember Diamond asked the punishment if someone is found smoking on City park grounds. Mr. Davidson replied that the person would be asked to stop, and if they do not they are kicked out of the park. If the person is cited, they could be fined up to \$1,000 and up to 90 days in jail as determined by the judge.

Councilmember Orlans asked how a stranger would know drinking is not allowed in a Roswell city park. Mr. Glover replied that entrances and various locations have signs posted. Councilmember Orlans asked if signage for the smoking ban would be handled in a similar fashion. Mr. Glover replied yes.

Councilmember Price stated the estimated cost of the signs is approximately \$3,000-4,000, which she thought was a low estimate. For comparison, she asked the cost of running the spray ground during the summer. Mr. Glover replied \$25,000. Councilmember Price stated that Mayor and Council are charged with providing a healthy environment, but smoking is a legal choice, and although they did not want to encourage smoking, she thought it behooved them to limit an area for smoking. She was not in favor of a total ban.

Councilmember Wynn asked if the no-smoking signs could be made in-house. Mr. Glover replied he has not spoken with the Transportation Department on doing this in their sign shop, but they have made signs for them in the past. Councilmember Wynn stated drinking alcohol is a legal choice, but it is also banned in the parks. She agreed with Councilmember Igleheart that drinking impacted oneself, but smoking impacted others around you. She was in favor of a total ban.

City Attorney David Davidson conducted the first reading of Ordinance to Ban Smoking within City of Roswell Parks. The Ordinance amends Section 14.2.4 (k) of the City of Roswell Code of Ordinances by deleting it in its entirety and substituting the following section in its place: It shall be unlawful for any person to smoke or use any other tobacco product within any City of Roswell park.

Mayor Wood requested the cost of putting up signs, the location of the signs, and the number of signs at the time of the second reading of the Ordinance.

A motion was made by Council Member Kent Igleheart, seconded by Council Member Becky Wynn, that this item be approved on first reading. Council Member Wynn moved to amend the motion to add an effective date to be 60 days after passing to allow time for installation of signage. Council Member Igleheart seconded the amendment. The amended motion carried by the following vote: Council Member Igleheart, Council Member Wynn, Council Member Orlans, Council Member Dippolito, and Council Member Diamond voted in favor of the motion. Council Member Price voted against the motion.

In Favor: 5

Opposed: 1

City Administrator's Report

7. **Approval to move the June 28, 2010 Mayor and Council Meeting to June 21, 2010.**

City Administrator Kay Love explained that the request to move the June 28, 2010 Mayor and Council Meeting to June 21, 2010 was due to the fact there will not be a quorum present on June 28th and was a date for one of the readings for the budget adoption for fiscal year 2011.

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

In Favor: 6

City Attorney's Report

8. **Recommendation for closure to discuss personnel.**

A motion was made by Council Member Kent Igleheart, seconded by Council Member Becky Wynn, 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 8:10 p.m. for a Work Session on the Solid Waste Management Program.