



City of Roswell

38 Hill Street
Roswell, Georgia 30075

Meeting Minutes Community Development and Transportation Committee

City Administrator Kay Love
Mayor Jere Wood
Council Member Rich Dippolito
Council Member Lori Henry
Council Member Kent Igleheart
Council Member Jerry Orlans
Council Member Betty Price
Council Member Becky Wynn

Wednesday, November 18, 2009

8:00 AM

Room 220

Meeting was called to order at 8:03 a.m.

CALL TO ORDER/ROLL CALL

Present: 6 - Mayor Jere Wood; Council Member Rich Dippolito; Council Member Lori Henry; Council Member Jerry Orlans; Council Member Betty Price and Council Member Becky Wynn
Absent: 1 - Council Member Kent Igleheart

Staff Present: Kay Love – City Administrator; Michael Fischer - Deputy City Administrator; Alice Wakefield – Community Development Director; Steve Acenbrak – Director of Transportation; Brad Townsend – Planning and Zoning Director; Clyde Stricklin – Deputy Director of Community Development; Bob Hulsey – Assistant City Attorney; Julie Brechbill - Community Relations Manager; Stefanie Dye - Community Development Program Coordinator; Bill Keir – Economic Development Director; David Low – Deputy Director of Transportation; Mike Elliott – Traffic Operations Supervisor; Chris Chovan – Transportation Planning Manager; Franco DeMarco – Engineering Design Manager; Robert Dell Ross – Senior Transportation Engineer; Steven Buckley - Senior Transportation Engineer; Angel Stark – Community Development Administrative Assistant; Kim Weber - Transportation Administrative Assistant; and Marlee Press – Executive Assistant to Council.

Minutes of the October 21, 2009 committee minutes were approved.

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

In Favor: 6 - Mayor Wood; Council Member Dippolito; Council Member Henry; Council Member Orlans; Council Member Price and Council Member Wynn

Addendum to the Agenda

- *Kay Love requested that two addendum items be added to the agenda. The first is "Discussion of the Convoy of Hope Event." This was added at the request of Councilmember Rich Dippolito. The second item is "Discussion of the Operational Review of the Community Development Department." This was added at the request of Councilmember Lori Henry.*

Committee approved adding these two items to the agenda.

Community Development

1.

Swaybranch Drive Property Donation

- *M&CC previously approved the submittal and accepted the contract for a grant to provide a loop water line from Market Place to Warsaw Street along the extended right of way for Swaybranch Drive.*
- *The property for the loop line and extension of the road has been offered as a donation for an easement needed but includes two detention ponds. The road extension would go from Market Place to Swaybranch Drive.*
- *City Council had previously requested clarification of design of the water line for the submitted grant. Council also requested the potential cost for the reconstruction of the two detention ponds that service the Market Place area.*
- *Staff discussed four alternatives to consider. Three options are for reconstruction of the ponds and one option is for removing the ponds. The costs for the options range from \$142,000 to \$385,000. One alternative is to rebuild the ponds as they exist right now, with the two separate ponds. The second alternative is to rebuild them as one pond and meet the minimum requirements as required by the State program. The third alternative is to upgrade them so they provide more retention and better water quality. The fourth alternative is to remove the ponds and to restore the creek the way it was before.*
- *Staff recommended accepting the water line and combining the pond rehabilitation with a future Swaybranch Drive Road connection. There is \$117,627.69 in available CDBG funding currently set aside for the pond part of this project. Kay Love said there is a spending time limit on this money.*
- *This project would qualify for additional CDBG funds in the future. Councilman Dippolito added that this is not just a pond rehab project. This is a connectivity project and a redevelopment incentive.*
- *Clyde Stricklin said the city needs to own the property or get an easement on the property in order to do the waterline. This needs to be done within 120 days. Staff's recommendation is to take the property and include the easement on the property.*

A motion was made by Mayor Jere Wood, seconded by Council Member Rich Dippolito, that the acceptance of the property donation and the easement be approved for the Regular Agenda and placed on the Mayor and City Council agenda for 12/7/2009. The motion carried by the following vote:

In Favor: 6 - Mayor Wood; Council Member Dippolito; Council Member Henry; Council Member Orlans; Council Member Price and Council Member Wynn

2. Text Amendment for the definition of companion animals

- *The issue of companion animals has been reviewed by staff related to a complaint. The Code in Section 8.1.1(h) contains a definition of companion animals that staff would like to include and expand the allowable animals to include pygmy goats and Vietnamese potbelly pigs in the Zoning Ordinance. The section would now read: "Companion animal means a domesticated animal kept as a pet for pleasure rather than utility. Pets include, but are not limited to, birds, cats, dogs, hamsters, horses, mice, reptiles, pygmy goats, Vietnamese potbelly pigs, domesticated wild animals, exotic animals and other animals associated with man's environment." This ordinance eliminates the language for livestock, and clarifies a section of the code for the allowance of livestock on E1 or acre property. It also states that the permitted locations for companion animals are all of the residential zoning districts.*
- *Staff clarified that poultry is not and cannot be companion animal. Poultry is defined separately, so it is not included in the same definition. The Poultry Ordinance has a complete definition of what poultry includes and the usages and additional criteria with keeping poultry on residential property.*
- *There were still questions that needed to be addressed about certain animals allowed and not allowed. Mayor suggested that staff cross reference the state rules which would clarify some of these problems.*

This text amendment was deferred to the Community Development and Transportation committee meeting on 1/27/2010. Staff will work on the language more and staff was also requested to cross reference the state laws on this issue.

3. Changes to allowed Construction Activity hours for residential properties

- *Legal proposed the following wording to be added to City Code Section 5.1.13 to exempt homeowners doing their own construction work: "The foregoing provisions shall not apply to any person performing construction activity at his or her own residence, but such persons are subject to the noise restrictions set out in Section 8.8.3 (s) of this Code."*

A motion was made by Council Member Rich Dippolito, seconded by Mayor Jere Wood, that changes to the Code of Ordinances regarding allowed construction activity hours for residential properties be approved for the Regular Agenda and placed on the Mayor and City Council Zoning agenda for 12/14/2009. The motion carried by the following vote:

In Favor: 6 - Mayor Wood; Council Member Dippolito; Council Member Henry; Council Member Orlans; Council Member Price and Council Member Wynn

4. CDBG Expenditure Status Report

- HUD requires CDBG recipients to keep no more than a 1.5:1 ratio of their allocation on hand at any time. Fulton County has consistently met this requirement, but has been steadily creeping up to the limit in the past year and is now above the ratio. HUD told the County to bring their expenditure level up so that their accounts meet the 1.5 requirement by November 1 or face sanctions. Fulton County has contacted Roswell staff about the city's expenditure rates and timely spending of CDBG funding. The City currently has over \$1.4M of unexpended CDBG funding. County staff requests that Roswell come up with approximately \$400,000 in spending that can occur within the next 30 days (preferably) or at least a solid plan for expending this amount within 60-90 days.
- Staff has drafted a letter with the City's plan of action for a more timely expenditure of its CDBG funding. Staff outlined the plans for: 1) The Oak Street project including invoices staff is waiting for from Georgia Power and AT&T; 2) The Opal and Thomas Drive Waterline projects which is currently in the design phase; and 3) The Warsaw Waterline project which is also in the design phase.
- Councilman Dippolito asked if this CDBG money could be spent on Swaybranch if needed. Alice Wakefield said that is a possibility if there is time to allocate the money but Kay Love said it is likely to be quicker to use the money for Oak Street.

5. Discussion of Pedestrian Kiosk Design

- Staff has been working with local graphic design firm, LORENC+YOO DESIGN on the design for the map panel and event panel copy for the pedestrian kiosks. The consultant prepared a preliminary design and reduced the copy height from 6ft by 3 ft to 5 ft by 3 ft for a better field of vision.
- Another issue is the production and installation of the map and event copy. Once installed, the map can be updated and changed out every 2-3 years. The question is whether to change the panels in-house or contract with a consultant to make those changes. Based on the research done, it would be cheaper to do it in-house and staff would have more control over it. One side is a location map and the other side will show the events happening in a particular quarter. There will be a kiosk going in at Oak Street, Canton Street and the Town Square.
- The sign production equipment purchased with the Preserve America grant funds is capable of printing the graphic, but the graphics files need to be either created in-house or contracted out.

Committee approved of the kiosk panel design for the bidding documents. The height will be reduced to 5 feet by 3 feet for a better field of vision. Committee also approved of the panels being produced in-house if possible rather than being outsourced.

In Favor: 6 - Mayor Wood; Council Member Dippolito; Council Member Henry; Council Member Orleans; Council Member Price and Council Member Wynn

6. Public hearing notification requirements for rezoning and other applications

- *Roswell currently provides notification to surrounding property owners related to Rezoning and Conditional Use in the newspaper, a sign posted on the property, and a letter mailed to surrounding owners abutting the property in question. The cost of the notification is paid for by the City at between \$400 and \$900 per application. In an effort to reach the largest number of people in the most effective way staff is looking to expand the current methods of public notification.*
- *Staff plans to include the Nixle mass notification system setup by the Fire Department to inform subscribers of community information on rezonings and other applications that have public hearings. Staff will also use the HOA email listing to notify them of public hearings on applications in the area. The City's website has current agenda and minutes for all the public meetings.*
- *Staff is revising the format of the current rezoning staff report to look like the Sandy Springs staff report. Staff finds the proposed format will be an improvement in the graphics and layout of information to be used by M&CC.*
- *Councilman Dippolito said he had staff take a look at this because one of the common things heard particularly with a rezoning is people say they didn't even know this was going on and they live right down the street. Staff wants to look to see what they can do better and what is working and not working. Staff would like to work on the signs and make them easier to understand and read. Another idea discussed was changing the color of the signs depending upon what type of rezoning is being advertised. Staff will also be looking at the fees and to quantify it better so more of the cost of the notification signs is passed on to the applicant.*
- *Alice Wakefield had suggested a postcard being sent out for notification purposes rather than a letter.*

A motion was made by Council Member Rich Dippolito, seconded by Council Member Becky Wynn, that the initiation of the Text Amendment for the notification requirements for rezoning and other applications be approved for the Regular Agenda and placed on the Mayor and City Council agenda for 12/7/2009. The amendment will reflect a radius change to a 300 foot radius notification to property owners; using colored signs for the physical sign notification; and looking at the appropriate application fees. If appropriate, staff will change the staff reports to do something similar to Sandy Springs. The formatting of the signs will be changed similar to Sandy Springs. Notification vehicles will be used more: Nixle, website, Roswell E-newsletter, HOA notifications and postcards vs. letter. Councilman Dippolito would like to see the revisions to the signs come back to committee one more time before it is implemented. The motion carried by the following vote:

In Favor: 6 - Mayor Wood; Council Member Dippolito; Council Member Henry; Council Member Orlans; Council Member Price and Council Member Wynn

7. 2010 Convoy of Hope Event

- *Councilman Dippolito said he was approached by a group of people who have been working together since the event last year to try to keep the community involved and getting everybody involved in community events, particularly non-profit events. They would like to have another Convoy of Hope this year on a smaller scale but not involve the Convoy of Hope group. Councilman Dippolito said they will call it the Roswell Day of Hope.*
- *Councilman Dippolito said they are breaking away from the Convoy of Hope because it is too expensive. They would like to go out to the local community and get people to donate food for the food giveaway rather than buy the food from Convoy of Hope. They would also scale back the entertainment.*
- *Councilman Dippolito suggested using City Hall as the location for the event. Mayor Wood suggested that they look at the possibility of moving the event into one of the empty shopping centers especially if they have a large parking lot. Councilman Dippolito said one of the good things about having the event at City Hall is that a lot of the people could walk to it. He will look into Mayor Wood's suggestion and other options.*

This will be brought back to committee when a Special Event permit is submitted.

8. Operational Review of the Community Development Department

- *Councilwoman Henry said she wanted to bring this up because there has been much discussion about Roswell not being business friendly because there are so many processes people have to go through to get permits. It became clear there were issues with code enforcement as far as being adversary as opposed to partnering with the community.*
- *Councilwoman Henry suggested that now that there is a new Community Development Director, she should be given the chance to re-tool the department and get it functioning the way the citizens are expecting it to function.*
- *Councilwoman Henry requested that staff recommend a course of action and to keep the Council informed on a monthly basis at the Committee level so Council can respond to citizens.*
- *Jean Rearick, the City Engineer said the city received a grant and the city has accepted the challenge to review the process for the land disturbance permit and to take that and spend 3 days going through the process.*
- *Kay Love said staff's commitment everyday is customer service and she appreciates the collaborative approach. She requested that staff have the opportunity to work on this and come back to Council and inform them on what has been done and what should be done.*
- *Councilman Dippolito said there is internal discussion going on, but it needs to be brought to the Council level to ensure that everything is happening in the right direction.*

The Operational Review of the Community Development Department was discussed. Staff was requested to work on a general course of action and keep Council informed at the committee level. This will be brought back to the committee on 12/16/2010.

Transportation

9. Award a contract to Urey Companies for the Crabapple Road at Rucker Road Construction Contract in the amount of \$613,999

- *A Bid was issued for the construction of the Crabapple/Rucker Intersection Project. Fourteen (14) bids were received ranging from \$613,999 to \$960,629. Urey Companies was the lowest responsive responsible bidder in the amount of \$613,999.*
- *The project scope includes the realignment of Rucker Road to Crabapple Road, adding left turn lanes at each approach, drainage improvements, water line relocation and traffic signal upgrade.*
- *Once this is approved by M&CC staff will issue a Notice to Proceed. Due to the holidays, construction will start after the first part of the year.*

A motion was made by Council Member Becky Wynn, seconded by Mayor Jere Wood, that the award of the contract for the Crabapple Road at Rucker Road Construction project be approved for the Regular Agenda and placed on the Mayor and City Council agenda for 12/7/2009. The motion carried by the following vote:

In Favor: 6 - Mayor Wood; Council Member Dippolito; Council Member Henry; Council Member Orleans; Council Member Price and Council Member Wynn

10.

Riverwalk Emergency Access Project

- *At the October 21, 2009 committee meeting staff was asked to look at Subdivisions with only one entrance. Eight (8) neighborhoods were identified by Community Development. All of these neighborhoods were built before Section 19.2.4 Access was adopted into our City Code preventing neighborhoods from being built without inter-parcel access. The Riverwalk Condominium complex was identified as the first priority of the eight since the entrance to the complex can become impassible by vehicular traffic and emergency vehicles when the Chattahoochee River spills over its banks during intense storm events.*
- *The City has received a request from the homeowners association to reconstruct an old access road from the top of the hill down to River View Trail, an internal circulation road, to be utilized by Public Safety and emergency response personnel equipment during times when Azalea Drive is flooded and impassable.*
- *Staff did a title search on the property and when it was dedicated in 1984, when the plat was formed, an easement was supposed to be dedicated to the city for emergency access, which was never done. The HOA has indicated that they are willing to sign an easement to grant the city the right to do this.*
- *If the City builds the road, there will need to be public access to the road. If the HOA does not want public access to the road, then they will need to fund the cost of constructing an access road and grant a temporary easement to the city for emergency use. Staff said the cost of the survey would be around \$5,000 and around \$60,000 to build the road.*
- *Bob Hulsey said if a public road is connected to another public road the road they are discussing cannot be gated. The city would also then be responsible for maintaining that access road up to the neighborhood.*
- *Jean Rearick suggested making this like a greenway trail and put a bollard at each end that the Fire Department could remove and say it's not for vehicle access. It is for pedestrian and bicycle access and non-motorized but the Fire Department still would have the ability to access the road.*

The proposed Riverwalk Emergency Access project was deferred to the Community Development and Transportation Committee on 12/16/2009. Staff was requested to go back to the HOA to get their input about the connectivity issue.

11.

SR 9 Earmark at Chattahoochee River Bridge

- *Staff has been working closely with GDOT and FHWA to determine what type of project(s) could be programmed using the earmark funding designated for SR 9 at the Chattahoochee River Bridge. Previous attempts to get the funding programmed for the overall SR 9 corridor have proved fruitless due to the FHWA requirement that the earmark be spent on the bridge itself and not any other location. Staff was successful in gaining FHWA approval to move forward with a conceptual project developed in-house to rehabilitate the bridge to provide pedestrian and bicycle accommodations. This would address many connectivity and safety issues for multi-modal use across the Chattahoochee River.*
- *The proposed new 10-foot multi-use sidepath for use by pedestrians and bicycles built adjacent to each side of the existing bridge would tie into the existing Riverwalk trail system and existing and proposed sidewalks in Sandy Springs. An intergovernmental agreement with Sandy Springs for the southern connection would be needed.*
- *Staff has begun a multi-faceted effort to clarify a number of issues regarding the earmark funds, including coordinating with ARC and GDOT to get the project and earmark funding into the region's TIP, working on a concept report, and determining costs of design and construction of the proposed project, as well as the mechanics of accessing the funds.*
- *Staff was recently informed by GDOT that there will be a local match required for the Earmark funding. The local match will follow the typical 80/20 split format. The \$3M will constitute GDOT's 80%. The city's 20% could be as much as \$725,125, yielding a total of \$3,725,125 available.*
- *Mayor said since this bridge is benefiting Roswell and Sandy Springs he recommended that 10% of the local funding come from Roswell and 10% come from Sandy Springs.*
- *Councilwoman Wynn was a little disappointed with the 80/20 split because this \$3M was always earmarked for rehabilitation or repair the bridge. She would like staff to talk to Brandon Beach one more time for assistance with this funding issue.*
- *Staff said if the city doesn't get all the funding needed, the city can get the 20% match back. Staff was just requesting to have this project put in the Transportation Improvement Program (TIP). The TIP is the city's commitment that Roswell wants to do the project.*

Committee approved to move forward with the project. Mayor Wood will speak with Mayor Galambos from Sandy Springs about doing this as a joint project and split the cost with Roswell. Staff will go to Brandon Beach for his assistance with funding. They also approved moving forward with hiring a consultant for the design. Mayor Wood said the commitment to do the project should be with the condition that Sandy Springs comes on board with the project.

Meeting adjourned at 10:10 a.m.