



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 Orlans
Council Member Betty Price
Council Member Becky Wynn

Monday, February 25, 2013

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 Orlans, Council Member Betty Price, and Council Member Becky Wynn

Pledge of Allegiance

Dylan Hampton - Boy Scout Troop 429

Mayor Wood recognized Dylan Hampton and welcomed him to the meeting. Dylan introduced himself and said he is attending for his Citizenship in the Community Merit Badge to become a Life Scout and is here taking notes on the water storage tank.

Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Interim Police Chief Rusty Grant; Community Development Director Alice Wakefield; Planning and Zoning Director Brad Townsend; Environmental/Public Works Director Stu Moring; Environmental/Public Works Deputy Director Mark Wolff; Finance Director Keith Lee; Human Resources Director Dan Roach; Recreation and Parks Director Joe Glover; Recreation and Parks Assistant Director Morgan Rodgers; Transportation Director Steve Acenbrak; Community Relations Manager Julie Brechbill; Transportation Land Development Manager Clyde Stricklin; Administrator of Park Services Jeff Pruitt; Water Resources Manager Alice Champagne; Water Resources Engineer Danelle Alloway; Building Operations Technician Timothy Thompson; Digital Media Designer Joel Vazquez; City Clerk Marlee Press.

CONSENT AGENDA

- Approval of January 28, 2013 Mayor and Council Meeting minutes (detailed minutes to replace Council Brief adopted on February 11, 2013); Approval of February 11, 2013 Mayor and Council Brief.**

Administration

Approved

Approval of the Consent Agenda

A motion was made by Council Member Wynn, seconded by Council Member Diamond, to Approve the Consent Agenda. The motion carried by the following vote:

In Favor: 6

REGULAR AGENDA

Mayor's Report

1. **Reading of a Proclamation for Certified Government Financial Managers (CGFM) Month.**

Mayor Wood read the Proclamation stating that The Association of Government Accountants (AGA) is a professional organization, part of the Association of Government Accountants which has a network of 15,000 members in 99 chapters in the United States and around the world and approximately 260 active members representing state, federal, municipal and private sector accountants, audits and financial managers in Georgia. Certified Government Financial Managers (CGFMs) promote quality and ethics in financial management throughout government. The AGA is working to advance government accountability through the CGFM programs. GFM certification requires a sound education background, several years of experience and a solid sense of ethics. Georgia's State Auditor and the Georgia Department of Audits and Accounts recognize the CGFM certification. These Financial Managers serve the public interest in accordance with the highest ethical principles. Georgians are fortunate to have government employees who excel in the workplace. These hardworking men and women demonstrate dependability, initiative and practical stewardship of state resources. Certified Government Financial Managers play an important role among these outstanding professionals. Mayor Jere Wood, on behalf of the City of Roswell, proclaimed the month of March 2013, as Certified Government Financial Managers Month in Georgia.

Mayor Wood asked City Administrator Kay Love to invite the certified government financial managers forward.

Ms. Love said she did not think anyone from the AGA was present. She said that the City of Roswell does not currently have any employees who are CGFM certified; there are some who have other certifications but not for this program. She said another program that compliments this is a CPFO and noted that Finance Director Keith Lee is pursuing that certification and added that she had that certification at one time but has not been re-certified.

Mayor Wood expressed appreciation for all of the certified government financial managers and for the good work that they do.

2. **Approval of a Resolution in Opposition to HB 176, Cell Tower Siting: Infringement on Local Zoning.**

City Attorney David Davidson explained the resolution stating there is a proposal in the legislature that if approved would limit the City from some of the regulation authority that it has over cell tower siting in the City. Under the new legislation, the

City would be prohibited from evaluating an application for a new tower solely based on the availability of potential locations. It would prohibit the City from requiring the removal of the existing towers as a condition of approval of a new tower unless the tower is abandoned. It would prohibit the City from placing height limitations or restrictions on a tower. It would prohibit the City from imposing new surety requirements which are the bonds that ensure that a tower would be removed if a company goes out of business. It would prohibit the City from requiring the tower to be sited on publicly owned land as an alternative to a proposed location that a cell company has come up with. The City would not be able to charge a rental or license fee any higher than the market rate which is something that would have to be agreed on between the cell company and the City and if not the City would be forced to go to mediation. Also, the City would not be able to charge an inspection or review fee for a new tower that is greater than any other fee that is charged for similar activities within the City. He said this bill would severely limit the City's authority.

Council Comment:

Councilmember Wynn asked if there is something also in the bill about 150 days that if the City does not make a decision it would give up the right to do anything with the cell towers. Mr. Davidson replied that if an application comes in and the City does not approve it within 150 days, then it is automatically deemed approved. Councilmember Wynn said if there were several applications then one could actually go over 150 days. Mr. Davidson said that is possible. Councilmember Wynn thanked Mr. Davidson.

Motion: Councilmember Wynn made a motion for Approval of a Resolution in Opposition to HB 176, Cell Tower Siting: Infringement on Local Zoning. Councilmember Dippolito seconded.

Mayor Wood invited public comment.

Public Comment:

Dennis Boyden, Regional Director - External Affairs for AT&T Georgia, said that although this is an industry bill, he is attending on behalf of AT&T not the total industry. He said the industry is in agreement with this bill. From the onset of this bill, there has been a lot of information that is not correct. He said none of the cities throughout the state would lose the authority over zoning in reference to going into communities; it all starts with the same process that they have been doing. He said the 150 day rule does apply. One thing that does not get discussed is that if no agreement can be reached in the 90 day or 150 day timeframe, then the application can simply be denied. The companies cannot force the cities to do anything. The industry is trying to streamline the process and said Mr. Davidson was correct in that they are looking for market rates as they would for any other industry doing business in the City of Roswell. They work closely with the North Fulton region and with municipalities throughout the state and what they are trying to do with this bill is to find consistency throughout the state but there is no guarantee that anything is going to pass. There have been comments suggesting that the cell companies can put towers in residential neighborhoods or wherever they want, but that is not the case; the City is protected and can still legislate. The intent is to streamline the process and market rates and allow companies to provide services to the City and its constituents regardless of what company they use. He said they do not build cell towers just to build cell towers and furthermore they are never going to get that type of approval nor will they seek it. They build cell towers to meet growth capacity that is taking place in the region and North Fulton is certainly an area where growth is taking place. Mr. Boyden had documents for the Mayor and each of Councilmembers that explains the bill from the perspective of the industry. He said if they had not had a chance to read the bill to please do so because there is no intent or desire for this

to be a preemption of a city's authority to regulate ordinances. He thanked Mayor and Council for the opportunity to speak and said they have a long relationship with the City of Roswell and reiterated the importance of realizing that the City does not lose their authority over a wireless company and that the company cannot dictate their terms and conditions to any city in the state.

Mayor Wood thanked Mr. Boyden for his time and for enlightening Mayor and Council on AT&T's position. He then noted that the City had just signed on with AT&T for cell service and was thankful for their service.

There were no further public comments. The public hearing was closed.

Further Council Comment:

Councilmember Dippolito said he appreciates AT&T's position but disagrees with some of the comments that were made. He said he has read the bill cover to cover and believes it does limit the City's zoning latitude. It doesn't eliminate it all together but it does provide certain allowances that the cellphone companies can make to the towers as much as 10% and 20% in some cases; he said he doesn't have the exact figures available. He said material changes to the towers both in height and width are significant and those types of changes need to come back before the governing body. He said he has a fundamental issue with the bill regardless of the cell tower issue to do with the fact that zoning belongs within the local jurisdiction. He said he fundamentally disagrees with the state trying to get into restricting or making requirements with respect to zoning. He believes each municipality is different and has different requirements and knows their cities and what is appropriate in one area and not appropriate in another; one size does not fit all. He said Mr. Boyden had mentioned that one of the things they are trying to do is get consistency throughout the state and he can understand that from a regulatory standpoint but from a zoning standpoint, there can't be consistency because every area is different. He said he completely supports this resolution and supports opposition to the bill. He said for the record, he is an AT&T customer and uses the cellphone service all the time.

Councilmember Orlans said he agrees with Councilmember Dippolito and he has a problem when the states stick their noses into local legislation and zoning issues. He said also talking about market rates, they can really vary and be determined but it only comes into play if it is on City property. The market rates that they feel are justified in the City of Roswell may not be the same as a market rate in another area. The state should stay out of some things that are local issues. Councilmember Orlans stated that he is also not in favor of the bill.

There were no further comments from Council.

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this Resolution opposing HB 176 be approved.

The motion carried by the following vote:

In Favor: 6

Enactment No: R2013-02-09

Environmental / Public Works Department - Councilmember Kent Igleheart

**3. Approval of Water Plant Raw Water Storage Tank location.
Presented by Stuart Moring, Director of Public
Works/Environmental**

Councilmember Igleheart stated that this is the culmination of a long process and thanked those who have taken part in that process. He said it has taken a lot of individual time from residents and staff. He said there is some new information since the last time based on some meetings and additional work. He thanked Jacobs Engineering Group and the City staff who have worked hard on this over the last week.

Director of Public Works/Environmental Stu Moring said that in December 2011, the City received a withdrawal permit from Georgia EPD for construction of a larger water intake and water treatment plant with an average daily capacity of three (3) million gallons per day with associated intake and raw water storage. He said they have been through a number of studies and alternatives and a number of public hearings and comments and he would not recount all of those, but that information is available if there are questions. He said at a public meeting on January 28, 2013 they received additional public input so that the designers could work to incorporate that into their planning efforts. Subsequently, at the Committee meeting on February 12, 2013, two remaining options for the water storage tank were presented known as Option 1 and Option 2.

Mr. Moring pointed out the current water plant, the recreation office building and shop yard, and Dobbs Drive. He said Option 1 would place the tank largely centered in what is known as the shop yard or operations yard of Recreation and Parks. Mr. Moring said Option 2 would locate the tank in the maintenance yard and surrounding area immediately adjacent to a baseball field and soccer fields. At those meetings and previous public meetings, considerable public input was received with almost overwhelming support of Option 1 as the location. The challenge has been to determine how to relocate the displaced operations from the Recreation and Parks operations yard.

Mr. Moring said the Jacobs staff have been working diligently over the past week and a half to develop an alternative and to evaluate the actual space needs that would be displaced. They primarily came up with what appears to be a layout that satisfies a number of these objectives. He displayed the Jacobs Space Comparison drawing and said the orientation of this plan is different. He pointed out Dobbs Drive, the Recreation and Parks building and noted that the water plant was off the chart and said this is a modification of what was previously shown as Option 1. He pointed out the area of the tank and the area of the Recreation and Parks yard that was indicated in red that would be taken up with that tank location and then displayed another aerial graph (the original Option 1) on the overhead and said from the previous setup which was more conceptual in nature where it was more or less centered in the yard. He put the Space Comparison drawing back on the overhead and said this plan would move the tank eastward towards the boundary of the property beyond where the fence is currently about 30 feet to the east and about 35 feet to the south where it would also pick up a corner of the water resources activity yard. He said the area shown in red would be the lost amount of space in the recreation yard and that has been calculated to be 21,900 square feet. He identified the areas shown in blue which are the areas that could be gained. He said they met on site early last week and determined that an area of parking adjacent to the recreation and parks building

would be available as he pointed out an area shown in blue. He pointed out an additional area that he said could be gained alongside the current storage and another area that skirts the maintenance yard that is also available with the construction of a retaining wall along the lower side. He said all of those pieces together totals 18,900 square feet, still a loss of about 3,000 square feet but through extensive discussions with Recreation and Parks staff, it has been determined that they believe that will be suitable for their needs.

Mr. Moring pointed out another area on the graph and said one important factor is the addition of a gate at one end of the property so that the big trucks can make a straight through pass and don't need room to turn around in the yard. He said there is a major storm sewer facility there which is an impediment that will have to be reconstructed and built around in order to place the gate there. It is a manageable process, but it is not just a question of opening up the gate and paving it.

Mr. Moring displayed the Cost Comparison sheet and noted that it was shown at the Committee meeting on February 12, 2013. He said it has been adjusted with handwritten notes. He said the estimated cost of these modifications for relocation for Recreation and Parks now total \$419,400 as opposed to the previous \$599,500. He said that adjusts the range for the cost of Option 1 to between \$666,000 and \$790,000. He said the range for Option 2 was \$532,000 to \$620,000 and taking the mid points of those two ranges and calculating the difference between those; that difference is now about \$152,000 as compared to the previous differential of \$330,000.

Mr. Moring said that although this information came to staff late on Friday afternoon, they have reviewed it and discussed it with Councilmembers Igleheart and Orlans and the Recreation Commission Chair. He said although it is not optimum for everyone, staff believes it is an acceptable solution that satisfies a number of concerns and is the best approach for Option 1. He said although it is that much cost differential relative to Option 2. He said staff is requesting Council's consideration and a decision so that the design process can move forward.

Mayor Wood said as he understands this. The decision on Option 1 or Option 2 is in large part driven by the perspective of what these tanks would look like from outside the park as well as from the approach to the park. He said there were some perspectives or renderings of what that might look like and asked Mr. Moring if he had those available to display on the overhead. He said he would like to get everyone focused back on what he is hearing is the issue and to be able to see the different appearances of how the tanks might look in the two locations with the slight difference as he now understands it. He said it is important to go back and take a look at what they are really talking about which is how they would appear from different points of reference in the park.

Mr. Moring said because the staff recommended Option 2 that was the work that was developed in terms of the tank treatment concept.

Mayor Wood said he thinks there are perspectives on both Option 1 and Option 2, but not perhaps on this new Option 1-1/2.

Mr. Moring said he did not have the perspectives on Options 1 and 2. He said that was not available to be done in the timeframe they had.

Mayor Wood said he was not asking for Option 1-1/2. He said he has seen Options 1 and 2 before and asked if he could show those again.

Mr. Moring displayed the Tank Treatment Concepts perspectives of the Option 2 tank looking to the south from the softball field. He pointed out a baseball mural on the lower portion of the tank and said the upper portion of the tank would be painted a sky color so that it would blend into the natural environment.

Mayor Wood asked Mr. Moring to display the perspective for the Option 1 tank.

Mr. Moring displayed the Tank Treatment Concepts perspectives of the Option 1 tank from the same point of reference as was just shown before. He pointed out the Option 2 tank location and the Option 1 tank location behind the trees. Mayor Wood asked if that was looking from the ball field. Mr. Moring confirmed that was correct.

Mayor Wood asked if there are perspectives available from the viewpoint of the closest neighborhood.

Mr. Moring displayed perspectives of the view from the back yard of one of the neighborhood properties. He said the first perspective is the view as it is today without the tanks and then referred to the second perspective and pointed out white dashed outlines of the locations of the Option 1 tank and Option 2 tank as would be seen through the trees.

Mr. Moring displayed another set of perspectives from the viewpoint of the Adult Recreation Center on Grimes Bridge Road. He pointed out the white dashed outline of tank #4 which is the approximate location of Option 2 tank. He then pointed out the white dashed outline of Option 1 tank. Mr. Moring said he realized these perspectives are difficult to see on the overhead screen.

Mayor Wood said it is helpful because they are talking about how these would appear from these points of reference and he wanted that to be on the record.

Mr. Moring displayed the perspectives of the Option 2 tank from the viewpoint of the soccer field and indicated where there would be a mural of a soccer game on one side of the tank. Mayor Wood asked where the #2 tank location would be in respect to that. Mr. Moring indicated an area to the left where it would be effectively screened by the existing evergreen trees. He said they haven't tried to take that particular perspective but the soccer field sits down low and there is a raised area and the Option 1 location has not been an expressed concern so they did not ask that to be addressed.

Council Comment:

Councilmember Dippolito said they had been given some numbers in hard copies of spreadsheets from Jacobs that didn't have a range; they had absolute estimates and asked Mr. Moring if he was familiar with those. Mr. Moring replied yes.

Councilmember Dippolito said the difference between those two estimates is \$110,000 and asked if that is a more accurate number since it is a more recent figure.

Mr. Moring said the costs in the spreadsheets are all for the revised Option 1.

Councilmember Dippolito said that Yard 1 and Yard 2 were on the spreadsheets. Mr. Moring replied yes, there was one spreadsheet that covered the costs of the relocation within this yard, that is to say the new construction that is shown in blue and the gate. Mr. Moring displayed the Space Comparison drawing by Jacobs on the overhead and indicated those areas. He said another spreadsheet was the construction shown in blue relative to the maintenance yard.

Councilmember Price said, "In comparing the two options; I know that the costs for Option 2 were augmented by a perceived need to have a mural on the tank to blend it into the surroundings or at least make it palatable to look at, that I guess we call

public water tank art.” Mr. Moring replied that was correct. Councilmember Price said she wondered why it was put only on Option 2 and not on Option 1, if it was just to have it a totally optional cost regardless of the other considerations. Mr. Moring replied the concerns that were expressed had largely to do with the appearance of the tank under Option 2 and so it was determined that would be one aspect of mitigation of that concern. He said certainly there may be interest for a mural wherever the tank might be located and added they had a limited timeframe and haven’t developed the perspectives that the Mayor was asking about. He indicated an area on the Space Comparison drawing and said the plan is for this tank to be moved over immediately adjacent and said they will lose some of the pine tree cover. He said the plan includes the addition of pine trees alongside Dobbs Court and some additional evergreen trees that would affect some screening but it is not clear that will be required. He said there was concern expressed that they were trying to express additional costs related to Option 1 so they left that cost off. He said Councilmember Price was correct that the cost could be on either of the options and then the cost differential would increase by \$85,000. Councilmember Price said, “So, if you add \$85,000 to that, \$152,000 is really the true cost between the two locations irrespective of any mural.” Mr. Moring replied right that would be about \$237,000.

Councilmember Igleheart said for clarification that he thinks it is screened to a greater extent at Option 1 and would not require the same level of painting. He said then the \$85,000 would not necessarily cross back and forth between them. He said he doesn’t think anyone knows that dollar figure but he didn’t think it was just added on to be the total.

Public Comment:

Chris Watford stated his home address as 205 Shadowbrook Drive. Mr. Watford said he has been following this process along with everyone in his subdivision for as long as it has been going on. He said as a City of Roswell resident he is very appreciative of the way that Mayor and Council have handled the City’s finances. He said he doesn’t always agree with what they do, but from a fiscal standpoint, the City has a great credit rating and bond rating and thinks that the Council makes smart fiscal decisions. He said they are in a really good position financially in large part because of decisions that Council has made. He said this is one of those situations where if you just looked at the numbers of this project, then you might say our fiduciary responsibility is to save money for the City of Roswell which is what they are entrusted to do. He said he understands that. He said he thinks there are other moving parts to this. He said when you begin thinking about a municipal project that has a very direct impact on neighbors and people who use the park then perhaps more money is needed to be spent to mitigate that. He said looking at that amount of money might be different placing the tank in a more expensive location. He said if you take the additional expense and amortize it out over the length of the life of this, which will be here long after we are gone; that is a drop in the bucket. He said this project has potential to have a direct impact on people’s property values at a time when no one needs another hit to that sort of thing. He said the Roswell Recreation and Parks Department has long been a flagship department and is known throughout the state and parts of the country. He said he thinks this park is just another piece of that. He said cost differences aside, this might be a time where it is prudent to spend a little extra money and put the tank in a place that is not so visible.

Janet Russell stated her home address as 260 Willow Springs Drive and stated that she is not affected by this because her neighborhood does not abut this. She said however, she will be affected because she will be paying the bill. She said she has been coming before Council for a year in opposition to the City continuing in the water business and that she wants to go on record stating that she is still opposed.

She said this wouldn't even be an issue if the Council had not voted to continue providing water to 20% of the population. She said they approved a \$16.2 million water revenue bond a few months ago and are now finding out it is going to probably run another \$1 million. She said that 361,000 people in North Fulton County receive their water from Fulton County and only 12,000 receive it from the City of Roswell. She said she is opposed to this and it is time for the City of Roswell to get out of the water business. She said also that she was at the work session when Mr. Joe Glover talked about having to relocate all of the park's maintenance trucks to Hembree Park if this water treatment plant is there. She said that means all of those vehicles will have to be transferring through the City from Hembree Park to the river every day and there are already enough problems with traffic in this town. She asked how much that will cost and said she knows it can't be built into the Recreation and Parks operations yard budget. She said they were told the City would have an increase in an automatic hookup fee to Fulton County that would be \$38,000 for the sewer at Hembree Park for the increase of usage. She said the whole project has not been thought out at all and they are totally clueless. She said what everyone just heard was all smoking mirrors as Mr. Moring danced around the issues. She said she is still opposed to this and the City is making a very bad decision. She said she has heard five lame excuses as to why the City needs to stay in the water business and none of them hold water.

Councilmember Igleheart said for clarification that what Mr. Moring was showing as the changes that would be made to the property at Waller Park is that they will not need to shift operations to Hembree. He said the key point is that they are there and will continue to be there.

Tom Erdmanczyk stated his home address as 245 Stonebridge Trail and said he has lived there twenty-five years and his street is the next one after Meadowood Drive which is adjacent to the park. He said his children have grown up playing in this park that is their neighborhood park. He said he has followed this process with interest and is in favor of Option 1. He said his water comes from the City of Roswell and it is very good water and thanked the City for that. He said what the plans can't take into account is the effect that Option 2 would have on the park by putting a tank where the residents would have to see it. He said they have to take their children there for sports but it discourages them from going there to use the playground because there are prettier playgrounds and it discourages residents from walking their dogs there because there are prettier places to walk their dogs. He said in effect, the park becomes devalued and that devaluation is more than worth \$152,000, the difference calculated between the two options. He said he hopes Council will consider the effect on the park's usage and the type of people that they would like to use the park. He said he wants his neighbors to be comfortable using the park and to think it is a pretty place.

Seth Freeman stated his home address as 285 Meadowood Drive. He thanked Mayor and Council for opening up this process and allowing the community to be heard on this issue. He thanked Mr. Watford for his comments and said he made some very elegant and clearly stated points and that he wouldn't rehash them in the interest of saving time. He said he would like to reiterate one point about the visibility of the tank. He said he has stated numerous times through the process that this is not just a matter of visibility; it is a matter of the presence of where the tank will be located. He said they can show various displays of the visibility from different locations but when you are physically in a car or walking in a park, one sees a multitude of viewpoints and it is a matter of the feeling of that object and where it is; not just how it looks from any given angle. He noted that his community is very much in favor of Option 1 and they hope that Council votes in favor of that option.

Mayor Wood said for clarification there are Options 1, 2, and 1-1/2 and asked if the community has an opinion on Option 1-1/2.

Mr. Freeman replied that Option 1-1/2 is what he is referring to and said that the staff and the consultants have done very good work on a very short time schedule trying to make Option 1 in a manner that satisfies all of the numerous constraints and considerations that have to be taken into account with this very large project with a lot of different factors involved. He said Option 1-1/2 is the result of very good critical thinking and thanked them for that.

Lee Fleck stated his address as Martins Landing. He displayed a spreadsheet of the Fiscal Capacity Analysis on the overhead and said some may remember that this presentation was the foundation on which this entire project was approved and is based on the City's consultant's analysis of the fiscal capacity and the fact that there would be a coverage ratio that was acceptable by the City's existing protocols. Mr. Fleck displayed another spreadsheet on the overhead and said he took the analysis and spread it out over twenty years and said he is comfortable with that and there is a legitimate favorable variance over the twenty year terms of this project. He said within a couple of weeks after this presentation was made, Kay Love wrote him and said that these consultants had grossly misstated the interest rate and as a matter of fact the interest rate for this loan was almost twice that. Therefore, the principal and the interest for this loan went from \$900,000 to almost \$1.1 million annually in principal and debt service. That would actually bring the coverage ratio down to the City's minimum of 150%. He said he hoped Ms. Love remembers those email exchanges they had. He said what is interesting about this presentation and the point he is going to make is that this is not only in the same fiscal year; he is going to show it is in exactly the same fiscal quarter. Looking at FY-2012 which the City just completed, the analysis shows that revenues of \$3.5 million and expenses of \$2.8 million gives you an advance of almost \$650,000 annually. The City's financial report came out last week and while the revenues are \$3.5 million, the expenses are significantly more than that; not \$2.9 million but actually \$3.4 million. The \$700,000 in operational income that the City anticipated is now only \$144,000. So the very first year of this project, the City is already one half million dollars behind. When talking about Option 1 versus Option 2 versus Option 3, you are now adding an additional half million dollars which means that you are actually not going to be able to maintain your coverage ratio which was the premise that you had all voted for this water plant. He said his contention is that there could be citizens who are not located near Waller Park but might consider themselves injured parties from the fact that your numbers don't live up to your own requirements. In such a case they could actually find injunction and stop this entire project. Before you decide to take on another half million dollars of expenses, you better go back and redo all your numbers for the entire project.

Michael Vickery stated his home address as 335 Meadowood Drive. He said he has been a City of Roswell water customer for 54 years. He said he and his wife have been a part of this process through meetings and other things since it started about a year ago. He said he has seen the tank move to about five different locations and one directly affects him that is behind his house and he has the best view of any of the tanks except for his neighbor who lives just on the other side of him. He said he and his wife are in favor of Option 1-1/2 and they hope Council will vote for that tank location.

There were no further public comments. The public hearing was closed.

Council Comment:

Councilmember Dippolito said they have had a lot of discussion about the visibility of

the tank and Mr. Freeman mentioned the importance of the presence of the tank which is a great description because it is more than just seeing it from a distance. It is how it feels within the context of the park which has always been critically important. He said also critically important is that this tank will be there for probably sixty years because the existing water facility has been there for sixty years so he imagines this will also be there that long and it is critically important to locate it properly. And placing the tank among the ball fields eliminates any flexibility that the City may want to have in the future within the next sixty years with the usability of the park. Not just visibility but the location is important because it minimizes the flexibility. Option 1-1/2 pulls it back within the other facilities, the existing structures that are unlikely to move and contains all of those permanent structures in a confined area. From a usability standpoint, that makes a very big difference. Another important factor is the cost and \$152,000 is a lot of money. The overall project is over \$16 million, that difference in cost is less than 1% of the overall cost. In construction projects, there is usually a contingency of up to 5%, so this number could move a little bit more or less. He said he is confident with the staff engineers and the consultants that this will come in well below budget and he doesn't think that will be an issue. The overall point is that this is a very small amount in the overall budget. The impacts of preserving park land and usability of the park is worth the extra money. Councilmember Dippolito stated that he is in support of Option 1-1/2.

Stu Moring said from a design standpoint, this is just viewed as an adjustment to Option 1.

Mayor Wood said for clarity he would like to use Option 1-1/2 because there were three options on the table.

Mr. Moring said the reason he wants to make the point is that other conditions may dictate that it shift ten (10) feet one way or the other. It is not going to shift to the Option 2 location but they do not view it as a separate concept.

Councilmember Dippolito said anywhere between Option 1 and Option 1-1/2 is okay with him.

Councilmember Wynn said she agrees with Councilmember Dippolito. She thanked staff, the consultants and Councilmembers Orlans and Igleheart for their hard work finding an option that works for everyone. She said it is not optimal for everyone but it is a good compromise and thanked them for the work they did and for the flexibility they had and their open-mindedness to find a solution to the problem. She also thanked the community and recognized Seth Freeman, Michael Vickery and Chris Watford. She said she started as a community advocate and it is amazing what can happen when the dialogue gets going with city or county officials. She expressed her appreciation to them for their patience and for compromising during the process of finding something that they could support and for coming here to express their support. Councilmember Wynn stated she is in support of between Option 1 and 1-1/2.

Councilmember Diamond said it seems in the last few months there have been a number of occasions to talk about short term savings versus long term best interest. She said she doesn't know anyone who moved to Roswell because it is the cheapest place to live, but the City looks for value to every dollar spent. The protection of the City's parks is a huge priority and always has been. She said on a secondary level, this has pointed out a need to address the maintenance of the existing parks and the Recreation Commission would like for there to be more discussion about that and Waller Park is at the top of the list since they are one of the older parks. There is room for master planning and upgrading all of that. She agreed that it likely looks like

the City has spent more money here but the reality is that long term there is no question that this is in the best interest of the parks, the neighborhood and the value to the City. Councilmember Diamond stated that she is also in support of between Option 1 and Option 1-1/2.

Councilmember Price said, "Thank you. I know we have been talking about this for a long time. I think the fact that we are in the water business is undisputed. That is not part of our discussion tonight. We have already determined that we are going to do a new water facility and also this reservoir tank. In my calculations, taking just the base tank at \$2.8 million, the additional cost of Option 1 over Option 2 not counting any mural, is really about in the nature of a quarter of a million dollars. It is really more than the \$152,000. That is about an increase of 10% in the cost. I think intuitively when we look at Option 1, it just feels better. Option 2 is like trying to put a round peg in a square hole. Really the question left for us is, is it worth 10% more on the price of the tank to put it in a more preferable location. I think that is what it boils down to. I certainly haven't heard any objection based on that cost alone in addition to put it in the preferable option aesthetically and for other reasons. I am delighted that we have been able to figure out a way to keep all the maintenance vehicles onsite and not have to go to another location which was going to be a lot more expensive. I think I will support this but keeping in mind it is a 10% increase in cost."

Councilmember Orlans thanked the citizens for their involvement and how they got involved and not just being critical but trying to help work towards solutions. He also thanked the staff and the consultants. He said since a meeting they had last Wednesday morning, they have done a lot in just two to three days to get what we asked for. The key was trying to keep things in that location. For the Parks Department, moving to Hembree was just not an option and we have come to a good solution and they are going to work with the loss of about 3,000 square feet. He said the Commission Chairman has been involved and it comes down to trying to work the best value for everyone; the citizens, the parks and the staff and the needs they have in operations. He said he thinks this is a good option to go with.

Mayor Wood said all of the councilmembers have been heard from except for Councilmember Igleheart and asked if he had a motion.

Councilmember Igleheart noted that everyone had said everything he was going to say with the exception of two things. He thanked the community who are very involved in this and they have been in discussions for a long time and a lot of them are present at this meeting. He recognized Seth Freeman and said he knows more about this than anyone on the Council and said that is very impressive to have someone spend that much time and he thanked him for that. He said additionally, the staff has done a lot of give and take on a many things and there are some things in this that they don't really want to do but they have figured out how to make it work. He also recognized Elias Mageaes and Jacobs Engineering Group and said he is impressed with the work they have done and noted that they are the group that will be designing and building the entire project and they have taken everything we said and figured out how to make things work. He said that bodes well for the entire length of this process and what it will be in the end. He said the ultimate thing is in looking at the value of this. He said his goal all along has been to look at this park and the surrounding area as the gem that it can be for the Groveway area and the City has spent over a year working on what that entire area can be. This is the anchor of that and there is so much that can be made out of this. He said having a tank as was said before that has some great presence could take away from that. This will allow us to have an option as we go forward to do a lot of things. He said that the next item on this agenda is about the master plan and noted that he is going to defer that discussion for a couple of weeks because the meeting they had to talk

about the master plan is how they actually came up with what came forward tonight and they didn't get to the master plan. His ultimate goal is to work towards that and said he looks forward to having the involvement of the community and the staff and others working on that in the future. He said for clarification that Option 1 or whatever they want to call it is where he is going, but noted as Mr. Moring had said that the location may shift a bit.

Motion: Councilmember Igleheart made a motion for Approval of Water Plant Raw Water Storage Tank location, Option 1, as shown on drawing designated as "Space Comparison – Jacobs, February 22, 2013". Councilmember Orlans seconded.

Mayor Wood asked Mr. Moring to display Option 1 on the overhead and asked Councilmember Igleheart to confirm that is what he considers to be Option 1. Mr. Moring displayed the Space Comparison drawing on the overhead. Mayor Wood asked Councilmember Igleheart if that is what he is deeming as Option 1. Councilmember Igleheart confirmed that is correct and said for clarification that it may shift a bit from there. Mr. Moring said that is correct and for the record it is on the drawing designated as "Space Comparison – Jacobs, February 22, 2013".

A motion was made by Council Member Igleheart, seconded by Council Member Orlans, that Option 1 be approved for the water plant raw water storage tank location. Stu Moring added for the record that this option is on the drawing designated "space comparison - Jacobs February 22, 2013."

The motion carried by the following vote:

In Favor: 6

4. Approval of Budget Amendment 55561200-02-25-13 and the addition of a scope of work to the Jacobs Engineering Group, Inc. contract to develop a master plan for the Waller Park area in an amount not to exceed of \$14,500.

Presented by Stuart Moring, Director of Public Works/Environmental

Councilmember Igleheart said as he had just mentioned, this item will be deferred to the March 11, 2013 regular Mayor and City Council meeting because there has not been time to finalize the details.

A motion was made by Council Member Igleheart, seconded by Council Member Orlans, that this item regarding the master plan for the Waller Park area be deferred and be placed on the Mayor and City Council agenda for 3/11/2013.

The motion carried by the following vote:

In Favor: 6

5. Approval for the Mayor and/or City Administrator to sign a change order with Wade Coots Company, Inc. to the Worthington Drive Capital Improvement Project (CIP) in the amount of \$33,784.37.

Presented by Stuart Moring, Director of Public Works/Environmental

Director of Public Works/Environmental Stuart Moring said this is for construction of a very necessary storm water pipe because of the nature of the work, there was only one point of access, so the timing of the work was critical. Once the work was started, it was realized that the location of the Fulton County water line was different than what had been shown. Therefore, there was a need for a change order. The guidance at the time was to defer all of the change orders until the end of the project. However, by the time the project was completed, the City had switched to a new accounting system with MUNIS and so once full payments were reached, it automatically closed out the project. Therefore, Mayor and Council approval is needed to approve the change order in the amount of \$33,784.37. The project cost is still approximately \$40,000 under budget.

There were no questions from Council. Public comments were invited. None were made.

A motion was made by Council Member Igleheart, seconded by Council Member Orlans, that this change order for the replacement of a drainage culvert on Worthington Drive be approved.

The motion carried by the following vote:

In Favor: 6

Administration and Finance Department - Councilmember Rich Dippolito

6. Approval of the City's Debt Management Policy.

Presented by Keith Lee, Finance Director

Finance Director Keith Lee presented this item stating he would be presenting the Debt Management Policy which is one of the five key elements that rating agencies examine when they evaluate the credit worthiness of cities and counties. The other four include administrative, financial, economic, and legal restrictions.

Mr. Lee first read a statement from Moody's regarding the strengths of the City and their official findings for the AAA rating that stated, "Three of the strengths of this City includes sizeable tax base with above average socio-economic factors. Historically ample reserves bolstered by former fiscal policies including fund balance, targets and five-year forecasts and management debt burden."

Mr. Lee continued with his presentation and said he is essentially codifying what the City has been doing for a number of years, which is not allowing debt to get out of control. He said that the intent of this policy is to commit to full and complete financial disclosure; to establish a funding plan for the Capital Improvement Plans that are approved annually; to establish debt levels that the state establishes at 10% of the assessed value of the digest which is \$440 million that the City has never approached. The policy also establishes two benchmarks; 15% of the general expenses as well as \$2,000 per capita in total debt; and a repayment of 60% of the

debt within ten (10) years. The current \$10 million 2013 series has an average principal payback of 5.5 years so it is consistent with our own practices. The policy describes the professional services of financial advisors, bond councils and underwriters and talks about the various types of transactions that the City will undertake and how they will be negotiated or competitively bid. It also describes the uses of leases, lines and letters of credits, and anticipation notes.

Mayor Wood asked if it is fair to say that if this is passed, it will be viewed favorably by bond rating agencies now and in the future. Mr. Lee responded, "Yes sir."

Council Comment:

Councilmember Price said she is assuming that this is sort of a generic template and asked where it came from. Mr. Lee replied there is a model that comes from the Association of Public Treasurers of the United States and Canada as well as the Government Finance Officers Association. They are guidelines of financial policies that both of those organizations have. Councilmember Price asked if anything was changed that might be specific to Roswell. Mr. Lee replied something that might be specific to Roswell would be the debt limits, the 15% and the \$2,000. Both of those are considered moderate debt limits by Standard & Poor's Corporation. Councilmember Price asked what page that is on. Mr. Lee replied that the benchmarks are on page 6. Councilmember Price asked if that is a different figure from what is sometimes used. Mr. Lee replied it is specific to an organization's desire to pass a debt or a debt management policy. Councilmember Price asked if there is anything in this policy that is different from what the City is actually doing. Mr. Lee replied that it formalizes a Capital Improvement Plan such that they identify the funding plan that is associated with that Capital Improvement Plan. He said it talks about pay as you go which is the City's current method of capital planning. It has lease options which would not exceed the life of the asset which is the current practice. It talks about bond anticipation notes and the City has not issued those but they are options that the City could take in the future. Councilmember Price asked if anything that is done based on this policy would come to Council first. Mr. Lee replied, yes if they are issuing debt, is coming to this Council first. Councilmember Price thanked Mr. Lee.

Mayor Wood said he thinks it is fair to say that if the City is violating this policy, then they would first need to revoke this policy. If we are in compliance with this policy, it still would take a vote to take any action but we wouldn't have to overcome this policy to take action.

Councilmember Dippolito asked if it is fair to say that this is just a list of best practices that the City has been following; this is putting them in writing and formalizing them so there is a written document to show the underwriters. Mr. Lee replied yes, it shows the underwriters and rating agencies to show that we act the way that we say we act. Councilmember Dippolito thanked Mr. Lee.

There was no further Council comment. Public comments were invited. No public comments were made.

A motion was made by Council Member Dippolito, seconded by Council Member Diamond, that this Policy be approved. The purpose of the policy is to establish conditions for the managed use of debt and to create policies and procedures that minimize the City's debt service and issuance costs, obtain and retain the highest practical credit rating, and to maintain full and complete financial disclosure and reporting.

The motion carried by the following vote:

In Favor: 6

7. Approval to convert ten (10) vehicles to Propane AutoGas and approval of Budget Amendment 35015000-02-25-13 in the amount of \$59,000.

Presented by Michael Fischer, Deputy City Administrator

Deputy City Administrator Michael Fischer said this is an exciting opportunity for the City. He said they have wanted to take advantage of some alternate fuels for the City vehicles and Propane AutoGas is one that Councilmember Igleheart brought up years ago and the City has been looking at it and had some good partners to help with this including Alliance Auto Gas who was a major help in putting these numbers together and helping with some of the estimates and determining the best path to take. What is presented here is an opportunity to convert ten F150 vehicles to get into the door with this technology. This is something the City will be interested in doing for replacement vehicles in the future. He said these ten vehicles would have a combined two-generation savings for the remainder of the life of these vehicles plus taking the capital that was purchased to put into these vehicles and moving them into a second vehicle for a full ten-year life span of about \$93,000 for the City. This is a clean burning more efficient fuel and the cost are much less per gallon than gasoline that increases every day. He said to do these conversions and to save roughly \$93,000 over the life of these vehicles and then the next generation to come is something to look forward to and then possibly expanding it into other vehicles and also some equipment in the City that are very good candidates for propane. He said staff is asking for approval of a Budget Amendment of \$59,000 to get this started and there is some savings that could be used to possibly allocate for funding in the future. He said staff is asking for approval of these ten vehicles to start and the \$59,000 to have them converted.

Council Comment:

Councilmember Price said this has been talked about a lot in Committee meetings and thinks most of their questions have been answered. She asked if it is easy to purchase propane and are there a number of competitors for that. Mr. Fischer said there are a lot of competitors. Alliance Auto Gas is one of the big players and said he had met them at a conference where they were proposing do some education through an outreach program that would go through the procurement process, but there is competition out there and they are well aware of that since they work in this industry all the time. He said they are willing to educate and help out. He said there will be a process to go through and there will be more than ample supply when the time comes. Councilmember Price expressed concern about converting cars that have already used about half of their life with the City and the wisdom of that as opposed to doing it in new additions to the fleet. Mr. Fisher said both can be done. The nice thing about looking at what they did is that the City has vehicles that still have 5-7 years remaining in their life. He said if those ten (10) can be converted as a group; even with that conversion, at the end of their life cycle, there is still a saving of almost \$5,000. Financially, it makes sense to put the money in and start it now. He said when the equipment is moved over to the next ten vehicles that come through; being a V-8 moves over to a V-8, the cost for that transfer is only about half of the up-front cost because we still get to use the majority of the equipment; the fuel lines themselves we won't change, but the valve, the computer, those kinds of things can change over. So, the cost is about half as much when we go to the next generation and of course the savings will be over the ten years when we do that. So, at about a five year process, we can still save money on the vehicles.

Councilmember Dippolito asked from a purchasing standpoint, if we are locking

ourselves in twelve months at a time for gas pricing. Mr. Fischer replied that can be done and we want to. Councilmember Dippolito said we are not committing for ten years to any particular vendor at a given price. Mr. Fischer replied that was correct and said we are locking it into a twelve-month period. Councilmember Dippolito said since this is a sustainable initiative and that is a focus for the City in the coming budget year and something that the Administration Department is focusing on, asked if once these are gotten up and going can they be tied in with an educational program where the City could partner with a propane company to make this available to the public and let them know what the City is doing and show them how it works. He said there may be people in the community who have an interest in learning about this. Mr. Fischer said there is a representative from Alliance Auto Gas here at the meeting to observe and said he thinks they would love to have an opportunity to do some education. He said they are in the process of wanting to expand this and they see the value in it and the City would certainly be partnering with whoever the vendor is to educate the community not only in this but hopefully in some other alternatives moving forward. Councilmember Dippolito said that would be great and thanked Mr. Fischer.

There was no further Council comment. Public comments were invited. No public comments were made.

A motion was made by Council Member Dippolito, seconded by Council Member Igleheart, that the conversion of ten vehicles to Propane AutoGas and the budget amendment be approved. Ten vehicles have been analyzed for conversion to Propane AutoGas with a two generation life savings of \$93,653.61. The capital investment of \$59,000 is required to convert the first ten vehicles at \$5,900 per vehicle and is included in the life savings calculation.

The motion carried by the following vote:

In Favor: 6

Recreation and Parks Department - Councilmember Jerry Orlans

8. Approval of a Budget Amendment 55561200-02-25-13 in the amount of \$86,283 to purchase a 2014 Blue Bird School Bus. Presented by Joe Glover, Director of Recreation and Parks and Historic and Cultural Affairs

Councilmember Orlans said this will replace an existing 1988 bus. He asked Director of Recreation and Parks and Historic and Cultural Affairs Joe Glover to provide further details.

Mayor Wood asked who uses this school bus. Mr. Glover replied it will mainly be used for the summer day camp program. There are approximately 350-500 children in any given week transported from Waller Park Recreation Center and East Roswell Recreation Center to the swimming pool or to other events such as the bowling alley, skating rinks and other locations. He said the City has been transporting children for a number of years and when surplus buses were received from the Fulton County Board of Education that really opened up the City's camp program. He said however, those buses are no longer safe to use. He said the City had not planned to buy another bus this year and planned to put it into next year's budget but the Chief Mechanic at the City garage pronounced this one dead and said that it should not be driven.

Mayor Wood said then that is the urgency. Mr. Glover replied that is correct.

Council Comment:

Councilmember Dippolito asked if this is a diesel or gasoline engine. Mr. Glover replied it is diesel. Councilmember Dippolito said then there is no converting to propane. Mr. Glover replied he didn't think so. Councilmember Dippolito asked the speaker to come to the microphone who spoke from the floor.

Derek Whaley stated his home address as 396 Piedmont Avenue in Atlanta and that he currently does not reside in the City of Roswell. Mr. Whaley said in reference to Blue Bird, that Hall County did a test project of twenty (20) propane buses and they are very satisfied with them and they are looking to increase that to about eighty (80) for 2013 primarily because of the savings but also because they liked what they were teaching their children by improving the air quality and reducing emissions and also the diesel wasn't working well for them. He said it would be interesting once they get these ten vehicles up and going to see the true savings with them. He said other things such as lawn mowers and school buses and other department vehicles could be converted. He said Sandy Springs has about fifty-five (55) of these vehicles in their Fire Department, City administration, and Police Department.

Further Council Comment:

Councilmember Wynn said she was thankful that the bus had died because she road on it about three years ago and she thought it was horrific.

Councilmember Price asked if there is any residual value of this bus or any creative use for recycling it. Mayor Wood suggested public art. Mr. Glover said that it might bring a little money at the junk yard for scrap metal, but that they certainly want to get rid of it as soon as possible. Mayor Wood said they would certainly look into maximizing the surplus value of this bus.

There was no further Council comment. Public comments were invited. No public comments were made.

A motion was made by Council Member Orlans, seconded by Council Member Wynn, that this budget amendment be approved. This budget amendment will provide funding to purchase a 2014 Blue Bird school bus to replace the existing 1988 bus that was given to the City from Fulton County Board of Education 12 years ago. This bus is used to transport children participating in the summer day camps.

The motion carried by the following vote:

In Favor: 6

City Attorney's Report

- 9. Initiation of a settlement agreement for RZ12-05, CV12-02, 12160 Etris Road, EAH Investments, Land Lot 1236. Presented by David Davidson, City Attorney and Bradford D. Townsend, Planning & Zoning Director**

City Attorney David Davidson stated that Mayor and Council approved the rezoning on this property to R-1 last August allowing for single-family homes subject to fifteen (15) conditions. The applicant sued the City and is currently in the middle of litigation and after discussions with the surrounding neighborhoods, the applicant offered to

dismiss the lawsuit if the Council would approve a new zoning on the property that would be part R-2 and part R-1.

Mayor Wood asked what neighborhoods are in support of the City settling this. Mr. Davidson said Councilmember Diamond has that information.

Councilmember Diamond said they have spoken regularly with the residents on Kent Road and with one property owner on the north side as well as the Wexford homeowners association who were a little less involved on this round but have certainly been following the process and has indicated as much. She said also Edenwilde and most extensively Hamilton Commons.

Mayor Wood asked if it is the homeowners associations for Edenwilde and Hamilton Commons that are supporting this. Councilmember Diamond said yes that it is their leadership and they have been talking with the neighbors. She said they will still have public hearings for them to come to the Planning Commission and Mayor and Council meetings. She said they have come up with a list of conditions that they would support to move this forward.

Planning & Zoning Director Brad Townsend displayed the site plan and pointed out Etris Road, Kent Road and said there are three single-family homes on the east side that would remain R-1 designation and the R-2 designation would all be to the west. The individual lots that back up to Hamilton Commons would be increased in size to be comparable to the Hamilton Commons location. He said he also believes there is a front setback variance that would push those homes away from Hamilton Commons and closer to the streets.

Council Comment:

Councilmember Diamond said that a question had come up this afternoon and she asked if the road to Kent was an open road or a fire access on the original approval. She said the neighbors had requested that it be an emergency access only. Mr. Townsend replied that he thinks there was a request from the Transportation Department originally that they would improve the road and include that as a secondary access in and out of the development. He thinks it has only been with the discussion with the settlement that it has been limited to emergency only. Councilmember Diamond said that was her question because she thought originally it was only an emergency access. She asked if as written now that it is a full access. Mr. Townsend replied he believes that is the way the approval of the original R-1 was. Councilmember Diamond said she would like to verify that when they get to that point.

Councilmember Price said at the north end there is still a dead end to potentially connect to something else. Mr. Townsend replied that is correct; it is a future connection from that point to a future property. Councilmember Price said it doesn't look like it can do a whole lot. Mr. Townsend asked in reference to what. Councilmember Price said the front lot to the east of it looks very small. Mr. Townsend said the road would probably be designed to be a cul-de-sac there and probably looking at similar lots to the three along that location.

Mayor Wood asked if it is their preference for it to come off of this street versus having access to the public road. Mr. Townsend replied yes, they would prefer them coming from this location instead of accessing directly onto Kent or Etris. Mayor Wood asked if the City has the authority to enforce that. Mr. Townsend replied yes when that development comes in.

Councilmember Wynn asked for clarification from Mr. Davidson if this still has to go

through the entire process except for the neighborhood meeting or is that still part of the process. Mr. Davidson replied this is a complete rezoning under the City's code; that is the only way it could be rezoned. The City is requesting an expedited process. Councilmember Wynn said she would like to see the process as to how much time is being cut off of this. Mr. Townsend replied about thirty (30) days by combining the neighborhood meeting and the Planning Commission meeting and if this is initiated tonight, would be on March 19, 2013. The neighborhood meeting would be before the Planning Commission meeting and then the Mayor and Council Meeting would be scheduled for April 8, 2013.

Councilmember Dippolito asked if the City is including right-of-way for the 30' buffer for the future northern connection and said on the drawing it looks like there are two lines that are continued right-of-way. Mr. Townsend said it is continued right-of-way to that end of the property. Councilmember Dippolito said then that would be dedicated to the City for a future connection. Mr. Townsend replied yes that is the intent.

There was no further Council comment. Public comments were invited. No public comments were made.

A motion was made by Council Member Diamond, seconded by Council Member Orlans, that this Initiation of a settlement agreement to rezone 16.69 acres of property at Etris Road/Kent Road from R-1c to R-1 and R-2 for a 27 lot single family development be approved. This rezoning will go to Planning Commission on March 19, 2013 with the Neighborhood meeting the same night. It will come to the April 8, 2013 Mayor and Council meeting.

The motion carried by the following vote:

In Favor: 6

10. Recommendation for closure to discuss personnel, litigation and real estate.

A motion was made by Council Member Price, seconded by Council Member Dippolito, that recommendation for closure be Approved.

The motion carried by the following vote:

In Favor: 6

Adjournment - After no further business, the Mayor and Council meeting of Monday, February 25, 2013 adjourned at 8:37 p.m.