



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, April 22, 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 - Bradley Hu - River Eves Elementary

Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Fire Chief Ricky Spencer; Community Development Director Alice Wakefield; Environmental/Public Works Director Stu Moring; Finance Director Keith Lee; Human Resources Director Dan Roach; Recreation and Parks Director Joe Glover; Transportation Director Steve Acenbrak; Transportation Deputy Director David Low; Community Relations Coordinator Karen Zitomer; Water Resources Manager Alice Champagne; Water Resources-Water Distribution Superintendent Chris Boyd; Water Resources-Stormwater Crew Leader Jason Downs; Water Resources-Stormwater Equipment Operator Brady Hill; Water Resources Administrative Assistant Teri Brambilla; Environmental Programs Manager Janet Liberman; Executive Assistant Robyn Kenner; Building Operations Technician Timothy Thompson; Digital Media Designer Joel Vazquez; City Clerk Marlee Press.

CONSENT AGENDA

- Approval of March 25, 2013 Mayor and Council Meeting minutes (detailed minutes to replace Council Brief adopted on April 8, 2013); Approval of April 8, 2013 Mayor and Council Brief.**

Administration

Approved

2. **Approval of an Amendment to the City of Roswell Human Resources Policies and Procedures Manual, Chapter 3, Section 3.11, Entitled "Re-Employment of City of Roswell Retirees."**
Administration
Approved
3. **Approval of a Sewer Easement between the City of Roswell and Fulton County for the East Roswell Library Sanitary Sewer Project.**
Administration
Approved
4. **Approval for the Mayor and/or City Administrator to sign a change order with Frank Suddeth & Sons, Inc. to the River Run Detention Pond Rebuild Project in an amount not to exceed \$4,000 and approval of Budget Amendment 71401-04-22-13 in the amount of \$4,000.**
Environmental / Public Works
Approved
5. **Approval of a Resolution to submit a 2013 Preservation Assistance for Smaller Institutions Grant application to the National Endowment for the Humanities (NEH) in the amount of \$6,000.**
Recreation and Parks
Approved
Enactment No: R2013-04-22
6. **Approval for the Mayor and/or City Administrator to sign a renewal contract with the Georgia Ensemble Theatre (GET) Resident Company for a four-year period.**
Recreation and Parks
Approved

7. **Approval for the Mayor and/or City Administrator to sign a contract with C&G Concrete Construction Company for the Old Mountain Park Sidewalk Construction Project in the amount of \$60,015.**

Transportation

Approved

Approval of the Consent Agenda

A motion was made by Council Member Orlans, seconded by Council Member Igleheart, to approve the Consent Agenda. The motion carried by the following vote:

In Favor: 6

REGULAR AGENDA

Mayor's Report

1. **Recognition of the winners of the 2013 Drippy Dropperson Coloring Book Contest.**

Environmental Programs Manager Janet Liberman came forward and was joined by Stu Moring, Charlie Slade and Axel Martinez. Ms. Liberman said this is the fifth year of sponsoring the Drippy Dropperson Coloring Book Contest and 12 winners were selected from over 140 entries. She invited all of the winners to come forward for recognition and then each winner was presented a t-shirt with their individual drawing printed on it.

The twelve winners from Sweet Apple Elementary, Atlanta Academy, River Eves Elementary, Mountain Park Elementary, Queen of Angels, and Hembree Springs Elementary were recognized as follows:

1. *Emma Gladu*
2. *Emma Johnson*
3. *Kaiya Atkins*
4. *Taylor Brunning*
5. *Varad Gurude*
6. *Angel Umansor*
7. *Ansley Hollingsworth*
8. *Michael Burkett*
9. *Mary Foltz*
10. *Riley Jatcko*
11. *Emma Hirose*
12. *Bradley Hu*

Ms. Liberman acknowledged Bradley Hu, whose drawing was chosen for the cover of the coloring book.

****An additional Announcement, Recognition and Acknowledgement were added to the Agenda****

Addition to Agenda: Announcement of the Mayor's Water Conservation Challenge Environmental/Public Works Director Stu Moring announced in conjunction with the Drippy Dropperson contest, the Mayor's H2O Conservation Challenge from April 1-30 as part of the National Mayor's Challenge for Water Conservation. Roswell residents are encouraged to sign a pledge to conserve water and resources. Residents who make the commitment are entered to win environmentally friendly prizes. Mr. Moring said Roswell is in competition with other cities and places number 5 in the nation for our category and for percentage of participation. Residents who want to participate in the challenge can register online on the City of Roswell website by selecting the link to the H2O Conservation Challenge and following the guidelines to mywaterpledge.com.

Mr. Moring then presented a video, "Mayor H2O Conservation Challenge". After playing the video, he noted that it is also available for viewing on the City's website under the H2O Conservation Challenge link.

Mayor Wood congratulated the people who produced the H2O Conservation video.

Addition to Agenda: Special Recognition to Ryan Corley for being a Good Samaritan Fire Chief Spencer said a few weeks ago, Ryan Corley was working a job in one of the City's apartment complexes and heard a scream for help. He immediately rendered aid to a child in distress by performing CPR that had saved the child's life. He said what Ryan had done was admirable and had made the Fire Department's job easier upon their arrival. He expressed appreciation on behalf of the Roswell Fire Department and the City of Roswell.

Mayor Wood asked Ryan where he had learned his emergency procedures. Ryan replied he had taken a course about 15 years ago. He said he is a service technician and has worked for a couple of companies that provided CPR courses. He said they are required to know safety procedures due to the nature of the jobs where people perform water and sewer repair dig ups.

Mayor Wood asked if this is the first time in 15 years that he had the need to use what he had learned. Ryan replied yes sir. Mayor Wood said he is appreciative that he took the course and that he had kept the knowledge after 15 years. He asked for a round of applause in appreciation to Ryan Corley.

Addition to Agenda: Acknowledgement of Boy Scouts Jack Owen and James Owen Mayor Wood acknowledged Boy Scouts Jack Owen and James Owen from Troop #1776 that were attending the meeting and asked them to come forward and introduce themselves. They both said they were working on their Citizenship in the Community Merit Badge.

2. Recognition of Centennial High School for winning five awards at the Model United Nations Conference.

Anna Squires, a senior at Centennial High School said she is part of the Model United Nations team and attending the meeting with other members of the Centennial High School team, Eric Beeler, Nikki Frieman, and Sarah Hanson. She said that Model United Nations is a simulation of the true United Nations and is a program all over the world that middle schools, high schools and some colleges participate in. It is an academic simulation where students meet at tournaments to represent countries of the United Nations and learn about foreign affairs, foreign policy, and negotiations that sharpen their research and debate skills. She said this has been a very exciting year for their team having won five awards at very competitive tournaments. They placed third with an "Honorable Mention" representing the country of France at the Georgia Tech Model United Nations. They won the first place award for "Distinction" at the Southern United States Model United Nations at Emory University with over 2,000 students participating. They also placed first at the University of Georgia Model United Nations conference. At the Harvard Model United Nations Conference, ten students represented Centennial for the first time and won the "Best Small Delegation" which is the premier award for that category and they are extremely pleased about that. She said most recently at the National High School Model United Nations Conference in New York, they also placed first out of 3,000 students. They have had an incredibly exciting year and are here to share their successes with the City of Roswell.

Mayor Wood said the City is very proud of these five awards. He asked the students to talk about what they believe they had done to win all of these awards.

Ann said they have a unique method in their team in that they do not have team captains; instead they have a system of head delegates where a senior delegate will be the liaison between their coach Dr. Eric Medwed and the rest of the team members. The senior delegates coach the team members through the process teaching them public speaking and research tips and encouraging them along the way. She said they are a very self-directed team and bring in friends and other people who they think will be good for their team. They foster a great sense of not seeking awards but seeking to be better citizens of the world and more informed citizens of the world. She said that is the secret to their success.

Mayor Wood said they are also good citizens of the City of Roswell. He then asked Eric Beeler what he learned from this experience. Eric said whenever you have differences there is always a compromise. He said the best representation he has ever done was when he was Iran and first committee on disarmament in nuclear proliferation. It was a challenging task as he was bombarded by 180 delegates asking if he had nuclear weapons and he had to deny all claims. He said it this is all very interesting and no matter what side you get, you have to represent it and argue it. For example, there could be two delegates, one representing Egypt and one representing the United Kingdom or one representing Saudi Arabia and the other representing China and they must learn that there has to be compromise because one single block or one single region isn't enough to get something done around the world. In that regard it is interesting to see that even in the City of Roswell there are many different types of people and different belief systems and everyone has to find a way to live together in a sense of harmony. That is how the world is and that is how Model United Nations is and that is what it teaches us.

Mayor Wood thanked the students and said everyone could learn a lot from them. Photos were then taken with the Mayor and Council and the Centennial High School

students.

3. Recognition of City of Roswell employees for participation in the Employees Acting on Roswell's Needs (EARN) Program.

City Administrator Kay Love said that the EARN program which is Employees Acting on Roswell's Needs was approved by Mayor and Council last August. The program was created to provide employees an opportunity to explore and introduce ideas which will create cost savings or efficiencies. She said we are excited to have the first three employees here tonight whose ideas have been submitted and approved by the EARN Board comprised of staff members from each of the eight departments. Each person submitting an idea comes before the EARN board with their presentation that explains their ideas and then they work closely with the Finance Department and then the EARN Board deliberates. There are certain specifications of the program regarding cost savings ideas and those employees would be awarded with dollars. For those that have a time or cost efficiency component, the employee could be awarded with time off.

Ms. Love said Julie Brechbill was not able to attend this meeting but the three employees that are present would be recognized. She invited Finance Director Keith Lee and the employees to be recognized to come forward.

Finance Director Keith Lee first recognized Teri Brambilla. He said the City participates in the Metropolitan North Georgia Water Planning District Toilet Rebate Program and the City issues a paper check for those rebates. He said Ms. Brambilla submitted a request that they change from issuing a paper check to giving a rebate on the utility account and that has a direct savings in terms of printing the check and postage as well as the employee's time involved in processing the check request. He said in the future, the City will apply a credit on the utility account for the customer.

Mr. Lee then recognized Jason Downs and Brady Hill who work in the Environmental Public Works Water Resources-Stormwater Department. He said they jointly submitted an idea to begin a recycling program for the pipe that is replaced as part of the Stormwater Utility improvements. Currently the pipe is disposed of at the landfill and in lieu of disposing of the pipe; they will now bring the pipe back to the water plant and place it in a container for pick-up and recycling. This has a direct savings on the landfill cost and will increase revenue as well as an efficiency measure for the employee's time for taking the pipe to the landfill.

Mr. Lee said the third proposal was submitted by Julie Brechbill. Her idea was to change from paper editions to electronic editions of the City's subscription services to newspapers, magazines, newsletters, etc. This has a savings of both direct cost as well as the distribution of the paper copies.

Mr. Lee noted that all three of these submittals had been approved by the EARN Board.

Mayor Wood congratulated all of these employees. He said they are simple ideas but clearly ideas they did not have until they were brought to the attention of the City and the simplicity of the ideas is why it works. He said the great thing about this program is that in government sometimes no one is watching the details or making common sense decisions. The EARN program is a way to bring common sense into the system and saves money and time for all of the citizens. He thanked these employees on behalf of the Mayor and Council and encouraged all employees to bring forward new ideas.

Mayor Wood asked for a round of applause in appreciation for the employees. Photos were then taken with the Mayor and Council.

Community Development - Councilmember Nancy Diamond

4. **Approval of an appeal to the Article 7.1, Standard Construction Specifications, Section 2.1.6A of the City of Roswell Code of Ordinances. (This item was deferred from the April 8, 2013 Mayor and City Council meeting)**
Presented by Alice Wakefield, Director of Community Development

Director of Community Development Alice Wakefield presented this item stating this is a request from Kelvin A. McDuffie who lives at 775 Winnmark Court and is appealing Section 2.1.6A of the Standard Construction Specifications which does not allow for second curb cuts on lots that are less than 200 feet. Mr. McDuffie would like to install a circular driveway and two options have been presented to Council. The preferred option is Option 1 where there is a second curb cut. For Option 2, Mr. McDuffie would not need to appeal the standard but that gives him limited circulation for his vehicles. Ms. Wakefield said staff recommends approval. Roswell's Department of Transportation has reviewed the design and has no concerns with this request.

Council Comment:

Councilmember Diamond asked if this is approved would Council need to choose one of the options. Ms. Wakefield replied no, that Mr. McDuffie would just need to obtain an encroachment permit from the Department of Transportation.

Public comments were invited. No public comments were made.

A motion was made by Council Member Diamond, seconded by Council Member Price, that this appeal be approved in order for the applicant to have a circular drive with two driveways on his property. The motion carried by the following vote:

In Favor: 6

5. **Approval of an Amendment to Chapter 5, Building and Construction, Section 5.3.1 (a) - Building and Technical Codes, of the City of Roswell Code of Ordinances. (Second Reading)**
Presented by Alice Wakefield, Community Development Director

Director of Community Development Alice Wakefield presented this item stating this is the Second Reading for an Amendment to Chapter 5 of Building and Construction Codes. This request is for approval of the National Green Building Standards. She said she had included in the proposed ordinance that this is voluntary for applicants seeking green certification. This request is an item that the City needs to have in order to pursue the gold certification through the Atlanta Regional Commission (ARC). She emphasized this is truly a voluntary ordinance and only required if a builder determines that they want to pursue the gold certification. She said staff recommends approval of this amendment.

City Attorney David Davidson conducted the second reading of AN ORDINANCE TO

AMEND CHAPTER 5 – BUILDING AND CONSTRUCTION, SECTION 5.3.1 (a), OF THE CITY OF ROSWELL CODE OF ORDINANCES stating: pursuant to their authority, the Mayor and City Council adopt the following ordinance:

1.

Section 5.3.1 (a) - Building and Technical Codes – Adoption by Reference of the Roswell Code of Ordinances is hereby amended by adding the following to read as follows:

The following code is adopted insofar as it does not conflict with the Georgia State Minimum Standard Codes.

(13) National Green Building Standards - voluntary for those applicants seeking green certification.

Mr. Davidson noted that if approved this would be the second reading.

There were no questions from Council. Public comments were invited. No public comments were made.

A motion was made by Council Member Diamond, seconded by Council Member Dippolito, that this Amendment to Section 5.3.1 (a) to add the National Green Building Standards be approved on Second Reading. The motion carried by the following vote:

In Favor: 6

Enactment No: ORD 2013-04-02

6.

Approval of a Resolution for a Voluntary Building Green Policy to support the recertification application for the Atlanta Regional Commission's (ARC) Green Communities Program.

Presented by Alice Wakefield, Community Development Director

Director of Community Development Alice Wakefield presented this item stating this is a resolution establishing a voluntary green building policy for the City of Roswell. This would further assist the City in pursuing the gold certification through the Atlanta Regional Commission (ARC). The proposed resolution includes the following incentives: expedited review, reduction of building permit fees by 15%, and marketing incentives including recognition at a Council Meeting. She said staff recommends approval.

Council Comment:

Councilmember Price said she has reluctance on this because some of our incentives might be coercion to something that may be onerous on a business. She said she is all in favor of businesses and residences being as green as possible but it is not always possible to meet these standards. She said we do have a goal to be a green City and that is admirable but she said she is worried that too much pressure might be put on the businesses that they can't manage.

Mayor Wood asked Councilmember Price if it would help with her decision if there were specific language that would make it clear that this is a voluntary program.

Ms. Wakefield read the title of the resolution, "Resolution to Establish a Voluntary Building Green Policy to Support the Building Green Incentive Program and the Use of Community Solar Elements" and said it is entirely voluntary and entirely up to that builder to pursue the green certification. It is not something that the City is requiring

or insisting that a builder pursue.

Mayor Wood said it is in the title but sometimes titles can be misleading. He asked if there is language in the ordinance that makes it clear that this is voluntary.

Councilmember Price said her issue is not with the voluntary nature of it but it is the incentives that may be coercive.

Mayor Wood said then they might feel if they are not getting the incentives then they are somehow coerced because other people are getting incentives.

Councilmember Price said that is correct. Mayor Wood apologized and said he had misunderstood but he does now understand her objection.

Councilmember Dippolito asked if the fee rebate is 15% of the fee. Ms. Wakefield replied it is 15% of the building permit fee. Councilmember Dippolito asked what is typical for a house. Ms. Wakefield replied roughly \$1,500 to \$2,000. Councilmember Dippolito said then they would get a \$300 rebate and their costs are probably in the tens of thousands for building green. Ms. Wakefield replied that is correct. Councilmember Dippolito said it is really a token gesture, it is not significant. Ms. Wakefield said it is not a significant incentive. Councilmember Dippolito said he is not criticizing but is only trying to acknowledge the fact that although it is an incentive, it is really not a financial advantage for them to do this. It is really something they would do because they want to have a green building. Ms. Wakefield said it is something that they truly desire.

Councilmember Price asked if there is anything in the proposed ordinance that would limit or govern the incentives or is that something that could be changed any time. Mayor Wood said Council could either add to or detract from these at any time but not once an incentive is earned. He said he doesn't think it could be done after the fact. It would affect any after the date of the change and added that is true of any ordinance and any decision that Council makes. Councilmember Price said but the incentives are not spelled out in the ordinance. Ms. Wakefield replied that the incentives are stated in the resolution. Councilmember Price asked if that is part of the permanent ordinance that would require a Council change. Ms. Wakefield replied yes it would require change by Council. Mayor Wood said the City sets fees by resolution, not by ordinance so that it does not take two readings. He said in this case Council could change incentives by resolution just as they can change fees by resolution but they both would go through the same process. Councilmember Price said that is her concern. Mayor Wood said he understands her concern.

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

A motion was made by Council Member Diamond, seconded by Council Member Wynn, that this Resolution for a Voluntary Building Green Policy to support the Building Green Incentive Program be approved. Council Members Diamond, Dippolito, Igleheart, Orlans and Wynn voted in favor of the motion. Council Member Price opposed. The motion carried by the following vote:

In Favor: 5

Opposed: 1

Enactment No: R2013-04-23

Transportation Department - Councilmember Betty Price

7. **Approval for the Mayor and/or City Administrator to sign a contract with Parsons Brinkerhoff for design of the new SR400 Northbound Early Off-Ramp Project in the amount of \$476,919.**

Presented by Steve Acenbrak, Director of Transportation

Director of Transportation Steve Acenbrak presented this item. He displayed a graphic on the overhead and pointed out SR400 and the intersection of SR140/Holcomb Bridge Road to the north. He said their corridor study identified a number of improvements that they would like to do to relieve congestion and improve the economic viability of this extremely busy corridor and intersection and that a member of the staff, Transportation Planner Andrew Antweiler, had developed a concept of an early off ramp. He said currently there is a northbound off ramp which leads to eastbound Holcomb Bridge Road. He said if the traffic is split early then traffic that wants to get to Market Boulevard for example would not have to intersperse with the SR140 traffic and that would alleviate some of the congestion. There are a number of very valuable aspects to this project that include improving traffic flow, improving the economic viability of the area, shortening travel times for some of the residents and a reduction in air pollution. The City put out a solicitation for the design of this project and they received 16 proposals. There was a qualifications based selection and four firms were short listed and staff believes the most qualified firm is Parsons Brinkerhoff. He pointed out that in the interview process they did some research with the Georgia Department of Transportation (GDOT) and to their knowledge this is possibly the first early off ramp in the state of Georgia. Staff believes this will be a very valuable project for the City.

Mayor Wood asked for an estimated total cost for construction and design. Mr. Acenbrak replied \$500,000 was budgeted for the design and they estimate the construction price to be around \$3 million. The estimated timeline for construction completion is the summer of 2015. This is a bond project and staff is anxious to move forward with this as quickly as possible.

Council Comment:

Councilmember Price asked if the construction cost is covered in the bond as well. Mr. Acenbrak replied it is paid for by the bond. Councilmember Price said then it is all encompassed with the bond monies that have already been approved.

There was no further discussion by Council. Public comments were invited. No comments were made.

After the vote, Mayor Wood complemented Andrew Antweiler and the Roswell Transportation Department. He thanked City Council for approving this project and the citizens of Roswell for approving the bond issue. He said this will be a great project and a model for the State of Georgia.

A motion was made by Council Member Price, seconded by Council Member Dippolito, that this contract with Parsons Brinkerhoff be approved. The motion carried by the following vote:

In Favor: 6

City Attorney's Report

8. **Approval for the Mayor and/or City Administrator to sign a renewal contract with Trident Insurance Services, LLC for property and casualty insurance for the period May 1, 2013 to April 30, 2014 in the amount of \$695,290 to include National Flood Insurance Program coverage and Catastrophic Inmate Medical coverage.**

Mayor Wood asked if competitive pricing had been sought for this. City Attorney David Davidson replied yes through the City's broker, they went out for proposals and received two quotes and said that Trident Insurance Services was by far the lowest quote. Mr. Davidson said that staff is comfortable with the services that they have provided over the past couple of years and recommends moving forward with Trident.

Council Comment:

Councilmember Price asked how the National Flood Insurance Program compares to what the City has had previously. Mr. Davidson replied that the National Flood Insurance is a requirement in order to keep River Landing insured through Trident. Councilmember Price asked since when. Mr. Davidson replied he believes it has been for the last two years. Councilmember Price asked how that compares to a private insurance. Mr. Davidson replied that the City has flood insurance but are also required to have the national flood insurance to the maximum amount which is \$12,000 and then the Trident insurance would pick up anything over that amount. Councilmember Price asked where the extra \$12,000 goes and if this is a federal program. Mr. Davidson replied it is a federal program. Councilmember Price said then it goes to Uncle Sam. Mr. Davidson replied honestly he was not sure. Councilmember Price said she was just trying to figure out if the City's insurance was not adequate or is it just a requirement. Mr. Davidson replied the City is required to have it in order to have the City's insurance cover the building because it is in a flood plain. Councilmember Price said once again coercion more or less. Mayor Wood said it is the only insurance available so if the City doesn't get the federal insurance then the flood insurance is not available.

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

A motion was made by Council Member Wynn, seconded by Council Member Diamond, that this renewal contract with Trident be approved. The motion carried by the following vote:

In Favor: 6

9. **Recommendation for closure to discuss personnel and real estate.**

There was no motion or second. Mayor Wood said there is a Council majority in favor of closure to discuss personnel and real estate.

Councilmember Price requested a point of personal privilege. She encouraged everyone to view an exhibit that is a historical depiction of women in Roswell created by Teresa Killian for a Girl Scout Gold Award. The exhibit is on display in the City Hall rotunda.

Adjournment

After no further business, the Mayor and Council meeting of Monday, April 22, 2013 adjourned at 7:45 p.m.