



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, March 28, 2011

7:00 PM

City Hall

WELCOME

Present: 6 - Mayor Jere Wood, Council Member Nancy Diamond, Council Member Rich Dippolito, Council Member Jerry Orlans, Council Member Betty Price, and Council Member Becky Wynn

Absent: 1 - Council Member Kent Igleheart

Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Police Chief Dwayne Orrick; Fire Chief Ricky Spencer; Environmental/Public Works Director Stuart Moring; Transportation Director Steve Acenbrak; Recreation, Parks, Historic and Cultural Affairs Director Joe Glover; Director of Community Development Alice Wakefield; Finance Director Julia Luke; Human Resource Director Dan Roach; Environmental Deputy Director Yvonne Douglas; Environmental Programs Manager/Executive Director of Keep Roswell Beautiful Janet Liberman; Land Development Manager Clyde Stricklin; Transportation Planning Manager Chris Chovan; Community Relations Manager Julie Brechbill; Events Coordinator Mayor's Office Jennie Bushey; Building Operations Technician Doug Heieren; City Clerk Marlee Press.

Pledge of Allegiance - Boy Scout Pack #629, Den #11

CONSENT AGENDA

1. **Approval of January 31, 2011 Open Forum Council Meeting Minutes (detailed minutes to replace Council Brief minutes adopted on February 14, 2011); Approval of January 31, 2011 Special Called Council Meeting Minutes (detailed minutes to replace Council Brief minutes adopted on February 14, 2011); Approval of February 22, 2011 Special Called Council Meeting Minutes (detailed minutes to replace Council Brief minutes adopted on February 14, 2011); Approval of February 28, 2011 Council Meeting Minutes (detailed minutes to replace Council Brief minutes adopted on February 14, 2011); Approval of March 14, 2011 Council Brief.**
Administration
Approved
2. **Approval for Mayor and/or City Administrator to sign a contract to SureBill, a Division of Envelopes and Forms, Inc. to provide tax and utility billing in the amount of \$124,541.20.**
Finance
Approved
3. **Approval of a Resolution to accept a FY2010 Homeland Security Grant for the purchase of a Biometric Fingerprint Identification System in the amount of \$42,701.06.**
Public Safety
Approved
4. **Approval of Budget Amendment #3250-03-28-11 for the Sharp Shooters USA Corporate Membership program in the amount of \$16,320.**
Public Safety
Approved
5. **Approval of Budget Amendment #7131-03-28-11 for erosion control at Big Creek Park in the amount of \$41,000.**
Recreation and Parks
Approved

Approval of the Consent Agenda

A motion was made by Council Member Wynn, seconded by Council Member Diamond, to Approve the Consent Agenda. There was no public comment.
The motion carried by the following vote:

In Favor: 6

REGULAR AGENDA

Mayor's Report

1. **Recognition of the City of Roswell receiving the Green Business Designation Level 3 from Keep Roswell Beautiful.**
Councilmember Wynn stated eight businesses were recognized by Keep Roswell Beautiful and Roswell ranked third. Deputy Administrator Michael Fischer said Roswell received an award for being a green business. He thanked Janet Liberman and KRB for organizing the program. Roswell attained the highest ranking at Level 3.
2. **Kick-Off of Green Hair Challenge.**
Councilmember Wynn said this is the third year of the Green Hair Challenge and it is a great way to raise money for projects that help Roswell citizens. Janet Liberman added that funds raised this year will be used to put on a light-bulb exchange. One Elected Official and one Department Director will be chosen by peers, employees and residents and this year the winners are the ones with the fewest votes.
3. **Approval of a Recreation Commission appointment.**
Mayor Wood nominated Thomas Pratt for the Recreation Commission.

There was no public comment.
A motion was made by Council Member Wynn, seconded by Council Member Price for the appointment of Thomas Pratt to the Recreation Commission. The motion carried by the following vote:

In Favor: 6
4. **Approval of a Resolution renewing Support for East Roswell Library and Land Offer for a Library to be located at Holcomb Bridge and Fouts Roads.**
City Attorney David Davidson read a Resolution renewing Support for the East Roswell Library and Land Offer for a Library. He read "On August 19, 2002, July 18, 2005, and December 17, 2007 the Mayor and Council voted to authorize the Mayor to offer approximately two (2) acres of park land at Holcomb Bridge and Fouts Road to the Atlanta Fulton County Library Board for the purpose of building a library. The Mayor and Council have determined that a three (3) year extension of the deadline for acceptance of such offer is appropriate and is in the best interest of the residents in the City of Roswell. Therefore, be it resolved by the Mayor and Council of the City of Roswell that the offer of approximately two (2) acres of parkland to the Atlanta

Fulton County Library board for the purpose of building a library authorized on August 19, 2002 and July 18, 2005, and December 17, 2007 be hereby extended for a three (3) year period, until December 31, 2014, under the same stipulations as previously offered."

Mayor Wood stated several years ago this was approved as an incentive for Fulton County to bring a library to East Roswell. He encouraged everyone to attend the Community Meeting on March 31, 2011 at the East Roswell Recreation Center.

Councilmember Orlans asked for confirmation from City Attorney David Davidson that this is a continuation of what Council has done in the past and that there have not been any changes made to this offer. Mr. Davidson confirmed that there have been no changes made to the offer to Fulton County.

Councilmember Price asked if this is an in-kind offer or is there a monetary sum attached. Mayor Wood replied it would be a long-term lease as long as they use it as a library.

Public comment was invited. There was no public comment.

A motion was made by Council Member Orlans, seconded by Council Member Diamond, that this Resolution renewing Support for East Roswell Library and Land Offer for a Library to be located at Holcomb Bridge and Fouts Roads be approved. The motion carried by the following vote:

In Favor: 6

5.

Approval of a Resolution requesting the Governor veto HB179 as passed by the House and Senate.

City Attorney David Davidson read a Resolution requesting the Governor veto HB179 as passed by the House and Senate. He read, "HB179 as passed allows billboard owners to clear cut trees within 250 feet of a state right-of-way fence or boundary and/or within 350 feet of the pavement edge. HB179, as passed, prohibits any beautification projects that include the planting of trees in the right-of-way that may in the future obscure billboards. HB179, as passed, removes any existing restrictions on the types of trees that billboard companies may remove. Therefore, be it resolved by the Mayor and Council of the City of Roswell and it is hereby resolved that the City of Roswell respectfully request that Governor Nathan Deal veto HB179 as passed for the protection of the citizens of Georgia."

Councilmember Price asked if there is any direct impact on the City of Roswell from this HB179 being passed. Mayor Wood said that the city has billboards that trees are not currently blocking but in time it might allow them to remove trees in Roswell that might be blocking billboards.

Councilmember Dippolito stated for items like this he prefers them to go through the Committee process so that Council has plenty of transparency and public comment. He asked if there is a sense of urgency for this item. Mayor Wood replied yes because there are only a few days left in the session and the leading opponent of this said it was important that the city send this to the Governor before he makes a decision. He added that if Roswell takes a stand, it might encourage other cities to take a stand. He does think it is time sensitive.

Councilmember Diamond asked if this could be voted on in Committee. Mayor Wood replied no. Councilmember Diamond said she found out late this afternoon that the North Fulton Delegation is split on this item, and would like the opportunity to find out

the reasons for them to vote for this. Mayor Wood said that lobbyists might have had something to do with it.

Councilmember Orlans asked who the major opponent is. Mayor Wood replied it was a legislator for the City of Atlanta but couldn't remember the name. Councilmember Orlans said he spoke with our State Senator who was opposed to it, and he hasn't spoken to any state representatives who have voted for it but he would like to find out why some did vote on it anyways. He agrees on the surface it does not appear to be a positive move, but he would like the opportunity to get more information. He also feels this type of item should first go through Committee. He encouraged Council to write individual letters.

Councilmember Wynn asked if there is a list of who did approve this on the North Fulton Delegation. She agreed there should be a chance to speak with legislators about this. Mayor Wood replied he does not have a list.

Councilmember Igleheart said he doesn't want to have a vote that isn't unanimous. He said to him there is no excuse for voting for it. The things he read in the paper is that this is somehow going to increase the economy. If this came about based on the economy that would be one thing. He added that the billboard companies have been doing for years trying to get this through and this is just an excuse to get it pushed through so he thinks they should support it but it is important to have a unanimous vote.

Public comment was invited. None was heard.

A motion was made by Council Member Igleheart, seconded by Council Member Wynn, that this Resolution requesting the Governor veto HB179 as passed by the House and Senate be deferred and be placed on the Mayor and City Council Special Called agenda for 3/30/2011. The meeting will be at 8:30 a.m. in Room 220. The motion carried by the following vote:

In Favor: 6

Community Development - Councilmember Betty Price

6. Approval of the Community Development Block Grant (CDBG) Citizen Participation Plan.

Presented by Alice Wakefield, Director of Community Development

Community Development Director Alice Wakefield stated this is a necessary step to move forward bringing the CDBG program in-house. The Department of Housing and Community Development requires the Citizen Participation Program which is required to set forth the City's policy and procedures for attaining citizens input, participation and comments on the CDBG Block Grant Program. With the approval of the Citizen Participation Plan, the department will move forward preparing the Consolidated Plan. She added that at the March 2, 2011 Committee Meeting this was approved to post on the website and to distribute to various housing agencies for comments. HUD requires a fifteen (15) day waiting period for comments, and there have been no comments received as of today.

Councilmember Price asked if not receiving any comments meant nobody is concerned or does it mean that people were unaware of the opportunity for a comment. She was unable to find the opportunity on the website either to be notified or to have the opportunity to comment. She is concerned the website does not

parallel or track the same items advertised in the newspaper and feels this is something that needs addressing. Ms. Wakefield replied it is on the Community Development page and then someone would go to Economic Development to find all Economic Development related activity. There is also a dedicated e-mail for Community Development. The Citizen Participation Program mirrors what HUD requires whenever various plans are brought forth.

Public comment was invited. None was heard.

A motion was made by Council Member Price, seconded by Council Member Dippolito, that the Community Development Block Grant (CDBG) Citizen Participation Plan be Approved. The motion carried by the following vote:

In Favor: 6

Transportation Department - Councilmember Rich Dippolito

**7. Approval to submit projects to be considered for funding by the Transportation Investment Act of 2010 (aka HB 277).
Presented by Steve Acenbrak, Director**

Councilmember Dippolito said these projects were approved as part of the North Fulton Comprehensive Transportation Plan, and there is wide support from the majority of North Fulton.

Transportation Director Steve Acenbrak stated these projects will be bundled with other governments in the ten (10) county areas to be considered for funding under the Transportation Investment Act of 2010. Roswell has six (6) projects identified in Tier I and two (2) in the North Fulton Comprehensive Transportation Plan. Tier I projects are the most likely to be funded through the TIP and ARC process. Tier II projects are candidates for funding from sources like SPLOST.

Mr. Acenbrak went over the six projects:

Project #1 is the Historic Gateway costing \$18M and has three core parts to it which includes the removal of the reversible lanes, intersection improvements at State Route 9 and Azalea / Riverside, and the bridge replacement at Big Creek Bridge. The project includes new/improved sidewalk connections, landscaping, vegetation and pedestrian lighting.

Project #2 is the Big Creek Bridge, Phase I, for \$29M. This is a new roadway connection between Holcomb Woods Parkway and Old Alabama Road over GA400 to Old Holcomb Bridge near the Aspen Point Apartments. The corridor will include two (2) 11' travel lanes, two (2) 4' foot travel lanes, a 10' multi-use trail on one side and a 5' sidewalk on the other. The project includes a connection to Big Creek Park. The Bridge over 400 will be designated as the gateway to the city.

Councilmember Dippolito asked why Phase II was not being included in this. Mr. Acenbrak replied it was considered a future phase. Councilmember Dippolito asked if that would be included in Tier Three projects. Mr. Acenbrak replied yes. Councilmember Dippolito asked if it would not be appropriate to include it as part of this. Transportation Planning Manager Chris Chovan replied Phase II is in Tier II and the whole project was studied as one project that went together. The two pieces combined were \$50M for construction and design. Since there are unsolved issues along Warsaw it was decided to move forward with Phase I at this time. Phases III and IV were not included because the study has not been done and is not ready to

move forward.

Project #3 is the Houze Road Operational Improvement for \$19,600,000. The operational upgrades along Houze Road are from Rucker Road to Mansell Road including intersection improvements, additional turn lanes, and a drainage type median in the center of the roadway to provide a parkway feel for the corridor. In addition, either sidewalk or trail connections will be added to accommodate bicyclists and pedestrians. This project is connected with the Arnold Mill Road widening project submitted by the City of Milton and the operation improvements for Rucker Road submitted by the City of Alpharetta.

Project #4 is the Holcomb Bridge Road at GA400 Interchange project for operational improvements for \$50M. This will have upgrades to the interchange at State Route 400 and Holcomb Bridge Road, and State Route 140 as defined in the upcoming Holcomb Bridge Road corridor study. Potential projects include an additional slip ramp from State Route 400 northbound to Market Blvd. It also includes ramp reconfigurations, diverging diamond interchange modifications, new and/or lengthened turn lanes, improvements along Holcomb Bridge Road between State Route 400 and Old Alabama Road and State Route 400 and Dogwood Road. This project also includes aesthetic treatments such as pedestrian scale lighting, decorative fencing and landscaping.

Project #5 is the Big Creek to the River connection (East/West) costing \$6M. This will connect a multi-use trail between Big Creek Park and Riverwalk Park, including a bridge over Holcomb Bridge Road at/or near Market Blvd. Amenities along the trail could include; rest areas, covered pavilions, furniture and scaled lighting.

Project #6 is the North Fulton Cross-County Trail project (North/South) costing \$6M. This will upgrade the existing Riverwalk trail network and adds new ten (10) foot trails to Riverside, Eves, and Holcomb Bridge Roads to make a continuous trail connection from Cobb County to Gwinnett County. This trail could connect to the Silver Comet Trail and/or the Atlanta Belt Line.

Councilmember Igleheart asked how much money the city is seeking and how much money is projected to be received if the bond passes. Mr. Acenbrak said the city would be asking for \$140M and is projected to receive \$1M.

Mayor Wood stated North Fulton has approached this as a group. ARC funded a Master Transportation Plan for North Fulton County. The North Fulton Municipal Association and the Mayors are supporting Tier I and Tier II projects, which were considered projects of regional significance.

Councilmember Diamond asked if there is a significance to the order of the projects. Mr. Chovan replied the projects will be submitted as a collection of projects. Once the projects have moved through the GDOT filtering process for eligibility, they will be prioritized and the city will have input as to the order of importance to Roswell. Councilmember Diamond stated her concern is that the order in which the projects are presented will be considered their priority. Mr. Chovan replied the projects could be submitted with a letter attached stating the preference of each project. Mayor Wood replied the projects are going to be presented as North Fulton, and what is needed from Council is what projects they support for all the surrounding city's projects.

Councilmember Orlans asked based on the estimates for the sales tax revenue, what would come into North Fulton County for all the projects. Mayor Wood replied there is 15% that is designated based on population and Roswell will have control over a

percentage if it passes. Councilmember Orlans stated if the approach is what the 15% would be worth, what would be the potential revenue that could come back to North Fulton. Mr. Chovan replied there is \$700-800M total for the entire region, and the estimated cost was \$350M for projects that would service North Fulton, including MARTA and GA400. Councilmember Orlans asked for research of what the figures would be. He said there are several concerns about the entire process including the discrepancy on MARTA, another sales tax, and unknown information. Mayor Wood confirmed that what Councilmember Orlans was requesting is what is the estimated revenue that would be raised by the one cent sales tax over its life and if Roswell would receive a population share, what that share would be. Councilmember Orlans replied it would not have to be over the life but for the next five years. Mr. Chovan replied there are sales tax estimates for the 10-year life of the program but it is in terms of the proportional share to North Fulton. Councilmember Orlans stated he would like to know what this may or may not be worth to the City of Roswell.

Mr. Chovan replied at this time this is just for a submission of projects to the program. It will still come back through the city's agent and either GDOT or ARC will help implement the projects. There is time before a final decision would need to be made.

Councilmember Price asked what form this takes when it comes to the ballot in July 2012. Mr. Chovan replied the question is whether or not the city supports the one cent sales tax for the funding of transportation. Mayor Wood replied Ms. Love informed him that the actual ballot question has not been specified. Councilmember Price asked if the question on the Roswell Ballot would be different than other counties. Mayor Wood replied that there would only be one question and it will be worded the same for all counties. Mr. Chovan replied this is a state issue and is part of the state's ballot.

Council approved each project separately to be submitted for funding by the Transportation Investment Act. All six (6) projects were approved.

Project #1 - The Historic Gateway/SR9

Motion: Councilmember Price moved to approve Project #1 - The Historic Gateway/SR9 (reversible lanes). Councilmember Orlans seconded. There was no public comment. The motion passed unanimously.

Project #2 - Big Creek Bridge

Councilmember Dippolito asked if Phase II is a Tier II Project and Mr. Acenbrak said it is. Councilmember Dippolito asked if it would be best to split this into seven projects or to combine these two. Mr. Acenbrak replied Phase II does not stand on its own. Mr. Chovan added that there is discussion on regional investments and this is not a regional road and keeping this as a local connection, it provides the bridge for the regional road. Staff said this is a local street and a local street would not be favored on its own. Councilmember Dippolito replied the use of the bridge significantly increases by having Phase II completed.

Councilmember Wynn agreed and feels this is an integral part of the entire project and Phase II will be very important for redevelopment to occur in that area and said the two phases should be asked for at the same time.

Councilmember Igleheart asked if the amount being asked for is the entire amount expected during the life of the one cent and asked if this money is a one-time asking or are projects able to be asked for at a later date. Mr. Chovan replied there has not been any type of discussion by GDOT on how projects are extracted or how projects are added. He said currently there is the list for a

10-year window regardless of what the projects do. GDOT may come back on how amendments can be handled. Councilmember Igleheart stated he is concerned with Phase II.

Councilmember Orlans said if \$350M is the total for all of North Fulton including items on GA400 and Roswell has \$130M of projects, there is no way Roswell is going to get a third of what is left over. The original point of SR9, the Gateway, is the first priority and the bridge is a second priority, and those costs are \$50M and he does not see the city getting above that. He said Council should look realistically at the possible money coming in and focus on one project.

Councilmember Price said if the projects are prioritized, it would be beneficial to have the individual price tags for decision making. Mr. Acenbrak replied Phase I is \$29M, and Phase II is \$23M. Historic Gateway is \$18M; Big Creek Bridge is \$29M; Houze Road is \$19,600M; State Route 400 is \$50M; Big Creek is \$6M; Fulton County Trail Connection is \$6M.

Mayor Wood replied several of these are in Tier I and asked which projects are included in Tier I. Mr. Acenbrak replied that those in Tier I are Historic Gateway, Big Creek Bridge, and Houze Road. Mayor Wood said his belief is even with the one cent sales tax, there is potentially funding for all the Tier I Projects and GDOT is looking at funding for all the projects. Mr. Chovan replied that is an important point. The Historic Gateway Project was successful in getting the program in the regional draft documents in their new update of the Regional Transportation Plan, so there will be future Federal money associated with that project when that plan is adopted in July. The challenge will be to find the match for that Federal money when the time comes to implement. If it is funded with TIA funds, then it takes the Federal process of having to make the match out of the equation. It is a straight tax and frees up the federal aid to go towards other projects in the region. The sales tax wins because it frees up federal money.

Motion: Councilmember Dippolito moved to approve Project #2 - Big Creek Bridge, Phase I and Phase II. Councilmember Wynn seconded. There was no public comment. Councilmember Orlans; Councilmember Wynn; Councilmember Dippolito; Councilmember Diamond voted in favor of the motion. Councilmember Price and Councilmember Igleheart opposed the motion. The motion passed 4-2. Councilmember Igleheart added he is voting against Project #2 because he opposes Phase II.

Project #3 - Houze Road Operational Improvements

Councilmember Dippolito asked if Arnold Mill and Rucker Road are having two lanes with a center turn lane. Mr. Acenbrak replied Rucker Road is. Councilmember Dippolito asked about Arnold Mill. Mr. Acenbrak replied Arnold Mill is planned for four (4) lanes going into Cherokee County, including a bridge over the river. He added that the City of Milton is submitting that request.

Councilmember Orlans asked what the projections were for Rucker. Mr. Acenbrak replied Roswell will share the cost.

Motion: Councilmember Dippolito moved to approve Project #3. Councilmember Diamond seconded. There was no public comment. The

motion passed unanimously.

Project #4 - GA400 at Holcomb Bridge Road

Mr. Acenbrak stated this project includes all the improvements around the intersection both short and long-term. He added that with all the other changes associated with this project the \$50M will be sufficient.

Motion: Councilmember Price moved to approve Project #4. Councilmember Diamond seconded. There was no public comment. The motion passed unanimously.

Councilmember Price stated she feels this project should be included in Tier I.

Councilmember Dippolito stated this is a great opportunity for Roswell.

Project #5 – Big Creek to the River Multi-Use Trail Connection (East/West)

Mr. Acenbrak stated this project connects the Big Creek Greenway with the river. Mayor Wood stated some of the pedestrian improvements may not have the same mobility as the bigger projects, and the pedestrian projects will not be competing against other transportation projects. He strongly supports a connection between the Big Creek Greenway and Riverwalk, but not confident this is the best connection and asked if the alignment could be changed. Mr. Acenbrak replied it is only a concept of connecting the greenway.

Councilmember Price asked if the bulk of the money required is for right-of-way or actual structural design. Mr. Acenbrak replied it would be the bridge. Mayor Wood stated a lot has to do with the design of the intersection and this is a concept and has to relate to other improvements.

Councilmember Wynn asked if connecting Big Creek Bridge to Old Alabama is part of this project. Mr. Acenbrak replied yes. Councilmember Wynn asked for confirmation that as projects are presented it will show how Tier I and Tier II are integrated together and Mr. Acenbrak said it can be shown.

Motion: Councilmember Orlans moved to approve Project #5. Councilmember Dippolito seconded. There was no public comment. The motion passed unanimously.

Project #6 - North Fulton Cross-County Trail Connection(North/South)

Mr. Acenbrak stated this project continues the connection of the trails systems between Cobb County and Gwinnett County and all the systems on both of those counties and the connections that are currently in Roswell both planned and in place for the loop. This will all tie into the backbone along the river.

Motion: Councilmember Dippolito moved to approve Project #6. Councilmember Diamond seconded. There was no public comment. The motion passed unanimously.

Mayor Wood asked where the Council stood on supporting Tier I and Tier II Projects of the other North Fulton Cities of Sandy Springs, Milton, Alpharetta, and Johns Creek.

Motion: Councilmember Wynn moved to approve the other North Fulton Cities' (Alpharetta, Milton, Johns Creek and Sandy Springs) Tier 1 and Tier 2 projects

inclusion into the Transportation Investment Act list. Councilmember Dippolito seconded. There was no public comment. The motion passed unanimously.

Councilmember Price asked if the projects are in the order of priority. Mayor Wood said that the priority of the projects can be discussed at a later date.

In Favor: 6

Adjournment

After no further business, the Regular Meeting adjourned at 8:12 p.m for a Work Session to discuss the FY 12 Preliminary Budget and the Pension Plan.