



# 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*

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Monday, June 27, 2011

7:00 PM

City Hall

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### WELCOME

**Present:** 5 - Council Member Nancy Diamond, Council Member Rich Dippolito, Council Member Jerry Orlans, Council Member Betty Price, and Council Member Becky Wynn

**Absent:** 2 - Mayor Jere Wood, and Council Member Kent Igleheart

*Mayor Pro Tem Rich Dippolito stated that both Mayor Jere Wood and Councilmember Kent Igleheart are at the GMA Conference with excused absences.*

*Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Police Chief Dwayne Orrick; Director of Environmental/Public Works Director Stu Moring; Transportation Director Steve Acenbrak; Director of Recreation and Parks Joe Glover; Director of Community Development Alice Wakefield; Finance Director Julia Luke; Human Resource Director Dan Roach; Human Resources Risk Manager Wendy Ademy; Director of Strategic Planning & Budgeting Keith Lee; Police Lieutenant Bill Anastasio; Transportation Land Development Manager Clyde Stricklin; Community Relations Director Julie Brechbill; Community Development Program Coordinator Stefanie Dye; Building Operations Technician Doug Heieren; City Clerk Marlee Press.*

### Pledge of Allegiance - Will Albers

**Will was recognized for achievement of Eagle Scout.**

**State Senator John Albers was recognized.**

*Will Albers was recognized for his achievement of Eagle Scout. Will Albers talked about earning the rank of Eagle Scout. He stated the main part of achieving Eagle Scout is to complete a project and the purpose of the project is to leave a legacy. He did a project for Enable, a group that helps physically and mentally disabled people*

*by determining their individual skills and traits in order to place them together in a home where they can live on their own. He said for their home he built a 40 foot retaining wall on the side of the driveway where there was an eroding mound of debris and mulch so they had better access. He built a 10' x 10' foundation to place a shed on and built two small enclosures for the trash cans so they could be pulled in and out without having to be lifted. Landscaping was done to clean up the area. Will said he wrote up the project and put together the drawings and got it approved. He was the project manager on the site and many people helped with the project including his dad, Senator John Albers. Mr. Dippolito congratulated Will for a job well done.*

## **CONSENT AGENDA**

1. **Approval of May 23, 2011 Council Meeting Minutes (detailed minutes to replace Council Brief minutes adopted on June 13, 2011); Approval of June 1, 2011 Open Forum Council Meeting Minutes (detailed minutes to replace Council Brief minutes adopted on June 13, 2011); Approval of June 13, 2011 Council Meeting Brief.**

*Council Member Orlans pulled this item #1 off the Consent Agenda for further discussion.*

*Council Member Orlans stated he would like to have the City Clerk go back and listen to the recording of the May 23, 2011 meeting, because there are some words in the minutes that are not correct words. This was under the first set of Council Comments in the 2nd paragraph. He would like these minutes to come back for correction for approval in the future.*

*Mayor Pro Tem Dippolito said he was informed by Legal that they need to approve the minutes subject to making those revisions.*

*Councilmember Price said generally verbatim minutes are not done and these are summary minutes, therefore, there is a lot of latitude to the Clerk. Kay Love said that is correct, however, if there is a question brought up related to a particular word or intent or sentence, they will certainly go back and review that audio to insure that an error was not made.*

*Councilmember Price said that Paragraph 1 of that same Council Comments section needs to be looked at and clarified. Councilmember Orlans said he was fine with that.*

**Motion: Councilmember Orlans moved for Approval of the Consent Agenda with the exception of Item #1 being approved based on changes made according to the actual recording.**

2. **Appointment of a Representative from Kimberly Clark to the Strategic Economic Development Plan (SEDP) Committee.**  
*Administration*

**Approved**

3. **Approval for the Mayor and/or City Administrator to sign a**

**renewal contract for excess Workers' Compensation coverage with Midwest Employers Casualty Company Insurance in the amount of \$90,789.**

*Human Resources*

Approved

4. **Approval to extend Lakes and Ponds Partnership Program funding for Martins Landing Foundation, Inc.**

*Public Works/Environmental*

Approved

5. **Approval to apply to the U.S. Environmental Protection Agency (EPA) for funding for the Drinking Water (DW) State Revolving Fund (SRF) program.**

*Public Works/Environmental*

Approved

6. **Approval of a Resolution to apply for the Federal Fiscal Year 2011 Bulletproof Vest Partnership (BVP) Grant.**

*Public Safety*

Approved

#### **Approval of the Consent Agenda**

A motion was made by Council Member Orlans, seconded by Council Member Wynn, to approve the Consent Agenda with the amendment for the City Clerk to listen to the recording from the May 23, 2011 Mayor and Council meeting to clarify some language in Paragraphs 1 and 2 under Council Comments on page 4. The motion carried by the following vote:

In Favor: 5

### **REGULAR AGENDA**

#### **Mayor's Report**

1. **Recognition of Police Lieutenant Bill Anastasio for receiving the Franklin M. Kreml Leadership Award from the Northwestern University Center for Public Safety (NUCPS).**

*Police Chief Dwayne Orrick stated it was a privilege to recognize some of the officers and one in particular. He said as of May 2011 three Lieutenants; Frances Watson, Jeffrey Lanier and William Anastasio graduated from Northwestern University's 312th class of the School of Police Staff and Command which is considered one of the most prestigious and premier advanced training command classes in the country. Lieutenant Anastasio was elected as their Vice President for their class. As part of*

*their class project he led the way and each class had a project and one of the things they did was set a goal to raise \$5,000 to help one of the North Metro programs assist special needs children with occupational education and school programs and they actually raised \$9,000. In addition, they also did volunteer work for the school in Alpharetta. At the end of the course, class members and instructors elect one student who they think represents the highest ethical and professional values and dedication to public service for which the center was founded and award that person with the Franklin M. Kreml Leadership Award. Lieutenant Anastasio was presented that award.*

*Lieutenant Anastasio stated there were thirty men and women from all over who participated and equally each of them did an outstanding job helping each other through and raising the money for the special needs children and said he is proud to be a part of all the people that were in the class.*

**Lt. Anastasio was recognized for receiving this award.**

### **Administration and Finance Department - Councilmember Jerry Orlans**

2.

#### **Approval to renew an Intergovernmental Agreement (IGA) with Fulton County, Georgia for Animal Control Services in the amount of \$63,546.**

*Presented by Michael Fischer, Deputy City Administrator*

*Deputy City Administrator Michael Fischer stated this is for an intergovernmental agreement with Fulton County for a two-year term from July 1, 2011 and concludes on June 30, 2013. The item request for tonight is for the renewal of the IGA to have the service provided for a one year time period from July 1, 2011 through June 30, 2012. This IGA has an annual cost of \$63,546 which would be in two semi-annual payments; fifty percent (50%) at the time of approval of the IGA and fifty percent (50%) after six months of time. They work out the formula of the pay by reporting time of activities and for the previous reporting time there were 746 activities that were identified by the County to charge for the City.*

#### **Council Comment:**

*Councilmember Price asked what was paid last year. City Administrator Kay Love replied about \$67,000 and that this renewal is based on slightly fewer calls for service. Councilmember Price said she has been corresponding with Ms. Love via email today just trying to figure out exactly what the city gets for this because the agreement basically says "as the County contract with the entity that provides the services", so it is not really clear what exact services the city gets in terms of response time etc. She said she knows there is a new entity providing the service and she would like to have a report that shows exactly what the city is getting for the service and how many calls they receive. She said the agreement says that the city is entitled to get the report and she doesn't know if they automatically give it without us asking and also she was sort of surprised to find out that it does not include road kill so it just seems like a lot of money. She had concerns about the portion of the indirect cost that the city is required to pay and the city's portion was less but there is a quarter of a million dollars in indirect costs and she is not sure what indirect cost the County has that can justify a quarter million dollars since they are just sub-contracting to another service entity. She would like to staff to look into that a little further.*

*Mr. Fischer said that staff has requested that report. He said this agreement just*

came in very recently and it is due by July 1st so they went ahead and asked for that request. They are looking to get that in to find out exactly what those services are and they can also look at any of the books and the financials. He said they just don't have that information available tonight.

Councilmember Price asked since this leaves some money in the account after that, is it appropriate to just leave that in there in the event that next year's is more or can it be re-appropriated. Mr. Fischer stated they can re-appropriate it now or they can leave it in to roll over because if we continue to do the service it will be again next year since the contract period is actually for a two year period but they are asking for the one year appropriation. If it is renewed next year, the money can be used at that time if they so desire.

Mayor Pro Tem Dippolito stated there are 746 activities and asked what would be considered an activity. Mr. Fischer replied the breakdown of those costs is what they are asking for. Mr. Dippolito asked what would be examples of that. Mr. Fischer replied whether it was a rabies call or dog bite or a nuisance complaint type call and those should be in the report. Mr. Dippolito asked if animal control responds to nuisance controls as well. Mr. Fischer said it can include complaints from neighborhoods and staff will try to get a listing of what each of those calls were. Mr. Dippolito asked if we know if it is likely that somebody is dispatched each time there is a call. Mr. Fischer replied he didn't know that without having additional information.

Councilmember Orlans stated that as part of the motion he would like to have a letter signed by the Mayor and the City Administrator encouraging Fulton County to audit the vendor that provides the service because in watching a report on television and then looking up some details from it online, there are a lot of charges that by contract should not be in there from the vendor to Fulton County and Fulton County had not audited them in three years. He said this letter would encourage Fulton County to audit them every single year to look at this. He said the city is paying based on the calls we get but overall those costs are going into the Fulton County contract and they need to be pulled out of there and he knows they have to move forward with this. He said they have looked in the past and he would like to have the city continue to try to look for options in the future but in the meantime with that letter and note he moved for Approval to renew an Intergovernmental Agreement (IGA) with Fulton County, Georgia for Animal Control Services in the amount of \$63,546.

**A motion was made by Council Member Orlans, seconded by Council Member Wynn, that this IGA with Fulton County be approved. The motion carried by the following vote:**

**In Favor: 5**

**3.**

**Approval of Budget Amendment 1585-06-27-11 to increase the FY2011 Approved Revenue budget by \$1,392,754 and increase the FY2011 Approved Expenditure budget by \$1,207,754.**

***Presented by Keith Lee, Director of Strategic Planning and Budgeting***

*Director of Strategic Planning and Budgeting Keith Lee stated this item is primarily a cleanup from the year of operations. The revenues are directly related to electricity fees, some insurance payments and additional fees that they receive from employees in Recreation. They need to allocate the use of fund balance for E-911 and Workers Compensation and some expenditures and electricity due to rate increases in mid-year as well as the expenditures associated with the insurance and 911 Workers*

Compensation fees. They are also asking for approval to utilize \$9,000 from the Historic Roswell Convention and Visitors Bureau contingency funds.

*Council Comment:*

*Councilmember Price asked where the Appropriation of budgeted contingency funds in the amount of \$9,000 to the Historic Roswell Convention and Visitors Bureau (RCVB) is shown on the sheet they were given. Mr. Lee explained that is already in the budget and is part of the Hotel/Motel fund. It is just budgeted as contingency funds and they require approval of Council. Mayor Pro Tem Dippolito asked City Administrator Kay Love to elaborate.*

*Ms. Love said when the RCVB submits their budget every year they give staff an idea about the items that they would expect to spend from the contingency fund that sits in contingency in the event it needs to change and then it takes the Council approval in order to appropriate that. They actually expend the money and then they get reimbursed and this money has been used for a variety of items in the past.*

**A motion was made by Council Member Orlans, seconded by Council Member Diamond, that Budget Amendment 1585-06-27-11 to increase the FY2011 Approved Revenue budget by \$1,392,754 and increase the FY2011 Approved Expenditure budget by \$1,207,754 be approved. The motion carried by the following vote:**

**In Favor: 5**

**4.**

**Approval to amend the City of Roswell Fund Equity Policy.**  
*Presented by Julia Luke, Director of Finance*

*Councilmember Orlans said this is for a minor adjustment to the policy. Director of Finance Julia Luke stated they went to the Council to adopt the policy but they found out that they failed to have a person authorized to make sure the resources were properly assigned in the "Assigned Fund Balance" category. This would authorize the Finance Director to take that responsibility.*

*Councilmember Price asked what is the dollar threshold that requires Council approval. Ms. Luke replied \$25,000.*

**A motion was made by Council Member Orlans, seconded by Council Member Diamond, that the amendment to the City of Roswell Fund Equity Policy be approved. The motion carried by the following vote:**

**In Favor: 5**

**Community Development - Councilmember Betty Price**

**5.**

**Approval of a Resolution to submit an FY2011 Livable Centers Initiative (LCI) Supplemental Study Application for Roswell Town Center/Atlanta Street.**  
*Presented by Alice Wakefield, Director of Community Development*

*Director of Community Development Alice Wakefield stated at the Committee Meeting on June 14, 2011, Committee approved staff to approve a grant application to the ARC for LCI Supplemental fund. This is a 50/50 match funding program whereby you can get up to \$50,000 but there is a match of \$50,000. She said staff feels this will be a great opportunity to supplement the Historic Gateway Master Plan*

effort since that property is within the Roswell Town Center/Atlanta Street LCI. The application has been submitted and they are requesting the formal approval of the resolution that will be forwarded on to the ARC. Mayor Pro Tem Dippolito said this is for the area along South Atlanta Street and is being done in conjunction with the Gateway transportation project and said he understands that the Council has approved funding of doing a master plan for that area that will help coordinate land use and transportation and will compliment or help fund that initiative. Ms. Wakefield confirmed all of that.

Ms. Price asked if there are other possibilities besides that exact project and location that would also be eligible. Ms. Wakefield replied only those areas that are within that LCI that was approved a few years ago. A supplemental LCI can only be used if you are trying to enhance an LCI that was previously approved. She added, based on what was submitted they believe that it would go and it makes sense that they would look a little bit beyond just the Gateway area that the Transportation staff is currently working on with a Consultant.

**A motion was made by Council Member Price, seconded by Council Member Wynn, that this Resolution to submit an FY2011 Livable Centers Initiative (LCI) Supplemental Study Application for Roswell Town Center/Atlanta Street be approved. The motion carried by the following vote:**

**In Favor: 5**

**6.**

**Public Hearing to receive comments on development of the draft Roswell Community Development Block Grant (CDBG) Consolidated Action Plan.**

*Presented by Alice Wakefield, Director of Community Development*

*Alice Wakefield stated this is one of the many steps that the City has to take in order to manage the City's CDBG program. This is a public hearing to solicit comments before they develop the document. The U.S. Department of Housing and Urban Development (HUD) requires CDBG recipients to hold two public hearings and a thirty (30) day public comment period. This hearing is the first, which is required to be held before the Consolidated Annual Action Plan is drafted. She said each year the City will have to develop this Annual Action Plan based on the needs and priorities identified in the Consolidated Plan and because the City is entering the third year of Fulton County's five year Consolidated Plan, HUD has directed the city to continue using their Consolidated Plan which runs from 2012-2014 for the CDBG program. Stefanie Dye discussed the priorities that are within the Consolidated Plan and what has to be included in the Annual Action Plan. She said afterwards there will be public comment that must be documented for HUD on this program.*

*She said the HOME program will be mentioned in the city's Action Plan but the actual program itself is covered in Cobb County's Annual Action Plan as part of that HOME Consortium.*

*Ms. Dye said the priorities that are identified in Fulton County's five year strategic plan include:*

- 1) The homeless needs which are services to assist individuals and families that are transitioning from a life on the streets to permanent housing and those activities include emergency and transitional housing, prevention and supportive services and permanent support of housing.*
- 2) Affordable housing needs and includes programs and services that are directed at the development and maintenance of affordable housing units which can be both*

rental or home ownership and direct assistance to families and individuals to assist with rental payments and home ownership. She said these activities can include single family housing rehab, public housing, transitional housing, rental assistance, down payment assistance, rental rehabilitation and certified housing development organizations or housing nonprofits that are funded primarily through the HOME program.

3) Non-housing community development needs which are a broad range of needs encompassing three primary areas; public facilities, public services and economic development.

4) Other special needs and this group would include things such as elderly, mental illness, substance abuse, addiction, single parents, abuse, neglected children or any other limited clientele groups.

Ms. Dye also discussed the elements of the Annual Action Plan, the Citizen Participation Plan and the Table of Funding Uses which includes the approved CDBG projects for the coming year and the application process.

Ms. Dye said deadline for the applications are July 22, 2011. She said staff will take the draft of the Annual Action Plan and those approved projects to the committee meeting on August 9, 2011 and then bring those to the Council meeting for approval to publish the draft of the Annual Action Plan on August 29, 2011. They will post this draft for public comment between August 31 and September 28, 2011. The second public hearing would be September 12, 2011 and then the final Action Plan would be approved to send to HUD on October 24, 2011 and they must receive that plan by November 15, 2011 so they can review before the plan program year begins January 1, 2012.

Mayor Pro Tem Dippolito stated this is a lot to take in and said the process has changed this year from how it has been done in the past because it is administered by the City. He asked Ms. Dye to explain what changes the public will see for those who typically apply for CDBG funds.

Ms. Dye said our City departments and nonprofit agencies whose clientele is based in Roswell will be competing for the same pot of money which has not happened before. She said typically before in the program under the Fulton County Urban County program, the city's allocation from HUD has gone completely to City projects, mainly infrastructure projects that the City has done and nonprofits have applied to Fulton County directly for their funding. They will now be competing for the funding that the City receives. Mr. Dippolito asked if that amount stays the same or has it gone up or decreased. Ms. Dye stated it has decreased for everyone. It has gone down fifteen percent (15%) from the 2010 allocation and 2012 is not available yet. She said this is because of congressional appropriations.

Mr. Dippolito asked who decides which projects receive the greatest priority and how are they actually evaluated. Ms. Dye stated it will be an executive committee here at the City. This is transitioning away from Community Development and the new program is going towards the Administration Department and the Grant Manager and she thinks they are going to be the ones who mainly decide what that committee is going to look like.

Kay Love stated ultimately the Council will be making the decision on the priorities and staff will provide some general information guidance related to criteria and requirements that are met and then through the committee system the Council will prioritize those and move those forward. The applications will be evaluated by an executive committee and then brought to the Council committee for action.



*Council Comment:*

*Councilmember Price stated she didn't know if this was going to require a motion since it is just a public hearing this evening but said it is a little unclear what exactly constitutes the thirty (30) day comment period and asked if comments are taken outside of those periods. Ms. Dye responded that they are required to have two public comment periods and the city is in the midst of the first that was advertised earlier in the month and that is supposed to be held before there is a draft to receive public comments. The second one is intended to be held after there is a draft for the public to be able to respond to that draft.*

*Public Comment:*

*Barbara Duffy, Hollyberry Drive, Roswell, stated she works at North Fulton Community Charities. She commended Ms. Dye and Ms. Wakefield for interacting with the nonprofits for working hard to try to put something together since this is going to hurt the nonprofits. She said the unintended consequence of Roswell wanting to go on their own is that in the long run Roswell is going to have less benefit because in the past the Federal allocation that has come to Roswell has been spent by the City on City projects and the nonprofits who serve residents have been able to go to Fulton County and apply for a piece of that allocation. She said in effect Roswell had their own allocation and then they had the monies on top of that which Fulton County was able to allocate. She said last year there were five nonprofits including North Fulton Charities who received a total of \$210,000 in CDBG funds. North Fulton Community Charities has averaged around \$60,000 for the last six to seven years in CDBG funds. She said they need to understand that in effect now there will be less money.*

*Kathy Swahn, 535 Ladybank Lane, Johns Creek stated she is the Director of The Drake House and their address is 10500 Clara Drive in Roswell. She said this is a new process to include all the nonprofits that are coming forward. She said The Drake House in the last two years will have received including this fiscal year almost \$200,000 in monies through CDBG through Fulton County. She said they are looking forward to the process but it will cut significantly into their capital funding. She suggested that perhaps when the executive committee reviews the applications that they might consider including a citizen's review panel to be a part of that process.*

*John Smith, North Point Way, Roswell stated he is here as a private citizen and that he recently retired from The Drake House and before that was with Homestretch. He said the CDBG is a tremendous asset to the nonprofits because it allows them access to monies that is very difficult to get otherwise. He said he is extraordinarily disappointed that this is a public hearing because this is a Council meeting. He said usually a public hearing is where there is an opportunity to have a dialogue with the people who are implementing the plan and putting together their ideas and not to make a presentation to the City Council. He thinks it would be much more beneficial for those who are going to apply to have the opportunity to have some dialogue with Ms. Dye and Ms. Wakefield about this whole process and said he doesn't think anybody in the nonprofit world really understands that there is an application that evidently has to be submitted by the end of July. He asked how is that going to interplay with the needs of the City because the City is going to come in with all their infrastructure requirements and if there is only \$150K to \$225K and if they are competing with new sewers on Oak Street, they probably don't have a chance in the nonprofit community. He said he would be interested to know how the City is going to manage all of that.*

*Council Comments:*

*Mayor Pro Tem Dippolito said it is a concern of his and of this Council that there*

would be a reduction in funds going to the nonprofits and that is not the intention of this group and said they certainly want to support the nonprofits and make sure they thrive because they have had a tremendous impact on the community. He said regarding the public hearing process, he agrees that it would be nice to have some meetings where they could answer questions and interact directly and said he is sure staff is in the process of getting out information to each of the nonprofits in the City.

Ms. Wakefield said there have been two meetings with the nonprofits. One meeting discussed the impact to the nonprofits of moving toward taking over the program. Another meeting discussed the application process. She said in another month they will have a draft action plan for people to react to and they will submit that to the nonprofits and try to answer their questions and work with them.

Mr. Dippolito said there seems to be an overall reduction beyond the Congressional allotment. He asked what is the reasoning for that and said he understands they used to apply directly and why can they no longer apply directly to Fulton County. Ms. Wakefield replied Fulton County is an entitlement community which means you get an allocation from the federal government and you do not have to compete with other cities like some of the cities in South Fulton do. She said if you have any nonprofits that provide a service to 51% of Roswell residents then their funding through CDBG has to come out of the city's funding. She said when the city was under the contract with Fulton County, they treated the City as a city that would normally compete instead of an entitlement city, thus the reason that a lot of the nonprofits have been able to go directly to Fulton County. She said they have had discussions with Fulton County and there is some thought there might be some other funding sources to help the nonprofits and there are a few that still may qualify for the Fulton County CDBG fund. Mr. Dippolito asked if those discussions are in process with Fulton County. Ms. Wakefield replied as much as possible. Mr. Dippolito said to let Council know if there is anything they can do to help with that dialogue.

Kay Love said that one of the changes is that Fulton County is now requiring a fifty percent (50%) match so that would have been in place whether or not the City had decided to separate from them related to CDBG. She said that will impact the nonprofits. Sometimes Fulton County will have money left over as they have this past year and it did allow at least one of the nonprofits to get a larger amount for a specific capital project than would otherwise be available. She said there may still be opportunities related to that but that is not known at this point and said she and Ms. Wakefield met with the Director and the County Manager to talk about this transition process and said it is in play and it does change daily.

Mr. Dippolito asked how the fifty percent (50%) match will work. Ms. Love replied Fulton County has not promulgated all of these rules yet. She said the entity would request that Fulton County provide the same documentation that they have in the past except this time they would have to show or demonstrate where fifty percent (50%) of that match would come from and said it is not necessarily a required cash match. There are opportunities for in-kind and other things that would count towards that but they don't want to be a funding or financing mechanism any longer for some projects that they feel that have been in the past. This is one of the ways they are trying to triage their reduction in funds from HUD. The fifty percent (50%) match would come directly from the applicants and not from the city.

Councilmember Wynn also expressed concern about having a public hearing in the middle of a City Council meeting. She asked that if the next public hearing is really going to get into the nuts and bolts of this, will there will be a public hearing held before the City Council meeting or separate from the City Council meeting. Ms. Wakefield said she can work with Kay Love to make that happen. Ms. Wynn said

*that they should dedicate allotted time for the nonprofits to really hash through what is happening there and be able to get some comments out and be able to interact with the staff so she would like some type of separate public hearing.*

*Councilmember Diamond asked Ms. Wakefield if Alpharetta and Milton are entitlement communities. Ms. Wakefield said they are not and do not participate in the CDBG program. Ms. Diamond stated she was still trying to understand why Fulton County has chosen to take this path and unless told otherwise she would like to hear from more of our Commissioners about this. She doesn't know that they have given up on the idea that there is no money on this previous path that the city had and said she realizes that there have been reductions even in that and it would be more complicated. Ms. Wakefield said they can go back to Fulton County but said as she understands it, it is a federal regulation and Fulton County was providing that opportunity to the City because they were managing the City program and the City was being treated more like a city that competes versus an entitlement city. Ms. Wakefield did add that Sandy Springs, Johns Creek and the City of Atlanta manage their own programs. She said that being an entitlement, you deal with all of the good and the bad that comes with entitlement; meaning that you have to share your funds with your nonprofits. Ms. Diamond said staff has done everything they can do at the staff level and she would like to see what they can do on the elected level.*

*Councilmember Price said this is a little bit of unintended consequences perhaps because the city generally likes to be able to manage things as local as possible and her understanding is that the city initiated this. The city was not being required to do this. She asked Ms. Wakefield to address Ms. Duffy's comments that the city is taking the wrong course or that there is an alternative that wouldn't end us up in a worse situation. Ms. Wakefield stated she can't really address this specifically but said they have had difficulty dealing with Fulton County trying to get the funding and the grant agreements to move the projects along and the city was in jeopardy of losing their funding. She said staff brought this discussion to the committee several times and asked for guidance as related to taking over this program and when they discovered that there was an impact to the nonprofits, staff also brought that discussion to the committee quite a while back. Staff said the options were to do what Sandy Springs does and just fund our own capital projects or do what Johns Creek does and share the projects. She said the direction that staff received was to share the funding with the nonprofits.*

*Councilmember Orlans said he remembered asking about that at the committee meeting and said his understanding of what was relayed to them was that there was some general cutback in funds through the Feds to Fulton County and it would affect the city and the nonprofits in a similar fashion whether the city pulled out or didn't pull out. He said now they are getting feedback that there is a difference of whether the city is doing it through Fulton County or the city pulls out on some of these extra funds that nonprofits have been able to get. Ms. Wakefield clarified this by saying that the City has an allocation based on a formula that the City is going to get regardless of what the decision Fulton County made about funding the nonprofits and said she thinks staff was clear that their funding was going to change based on discussions with Fulton County. She said staff was advised by the Director and the County Manager that they were going to be requiring a fifty percent (50%) match thus impacting the funding that the nonprofits had previously received.*

*Mayor Pro Tem Dippolito stated this is the first time he is hearing and he thinks the rest of Council that there would be a negative impact to the nonprofits. He said it was his understanding that there was an overall reduction but the amount of money being allocated to the City would remain the same and said he is not sure we have heard that there was a reduction to the nonprofits and maybe that was his mistake and*

some of the others that they didn't hear that clearly. He said certainly that is a concern and it's going to be an ongoing concern because they don't want to have a negative impact on organizations.

Councilmember Diamond asked if the city had decided to stay with Fulton County would the nonprofits have been any better off. She said she doesn't know if they would have decided that knowing that they were in such a precarious place. Ms. Diamond said she doesn't think anybody realized that Fulton County was going to change the way they did this extra money which now they are saying really isn't extra money.

Councilmember Wynn asked Ms. Wakefield if the fifty percent (50%) match is something new that Fulton County is requiring of the nonprofits and if that's the case, even if the city stayed with Fulton County and the CDBG program, would the nonprofits still have to do the fifty percent (50%) match. Ms. Wakefield replied yes and that this is something brand new for this fiscal year. Ms. Wynn said from what she is hearing, it's not so much the loss of funds; it is how our nonprofits would be able to match the fifty percent (50%). Ms. Wakefield said it may be a combination of both.

Mayor Pro Tem Dippolito stated the direction to staff is to continue to work with our nonprofits and to keep Council informed as to what avenues that they can help assist with additional funding and so forth.

### **Recreation and Parks Department - Councilmember Kent Igleheart**

7. **Approval of an Intergovernmental Agreement (IGA) with the Fulton County Board of Education to use the Elkins Pointe Middle School multi-purpose field and track for the Lacrosse Program.**

*Presented by Joe Glover, Director of Recreation and Parks and Historic and Cultural Affairs*

City Administrator Kay Love said this item is for Approval of this IGA as well as for the City to appropriate \$150,000 towards the renovations at that field. Joe Glover said the biggest difference in this IGA from any of the others the city has with the school system is the city is going to be paying the Fulton County Board of Education (FCBE) to do the work on that field to make the improvements. The multi-purpose field and track area are going to be redone along with new sod and sprinkler system and bringing in water and lighting for the facility.

*Council Comment:*

Councilmember Price asked if the anticipated completion date would be within FY 2012. Mr. Glover replied the completion date will probably be October or November of this year. Ms. Price asked if it is in the budget for the ongoing costs for electricity, irrigation, water, port-o-lets and all those other things that are now going to be liabilities. Mr. Glover said yes and the city is also getting a donation from the Lacrosse board to help pay for any extra costs. Ms. Price asked if that is the \$30,000 or a different pot of money. Mr. Glover replied it is the \$30,000 and they will commit more after this season is over. Ms. Price asked what are the anticipated ongoing operating costs. Mr. Glover replied roughly \$5,000 per year for the lighting and the water is probably \$1,500 to \$2,000. Ms. Price was concerned how this item came to them. She knows it was in the budget as a line item and she doesn't think any of them really asked any questions about what it was going to entail. She said at committee they were told it was in the budget but she said it was in the budget really

prior to them having any discussions about it. She said now they are trying to scrutinize and try to figure out how it fits into the overall future budgets and she is just a little disappointed or concerned that they are doing this in a backwards fashion. Mr. Glover replied this was part of the original submission that the department heads turn in each February of each year and they had this line item in the budget from February on. Ms. Price replied that they never discussed it as a project. It was a new addition to the budget prior to any discussions about the project.

Mayor Pro Tem Dippolito asked Mr. Glover if the amount for the work as well as the operating costs were in the budget that was submitted and Mr. Glover replied it is in the operating budget. Mr. Dippolito wanted it confirmed that the project is covered both for the construction as well as the operating side of this. Mr. Glover replied part of the funds they will receive from the Lacrosse board will go into the operating budget to help defray any extra costs there. Mr. Dippolito asked if that is just a one-time payment. Mr. Glover replied yes and that they are paying \$30,000 for the construction portion and they have committed another \$30,000 for some extra fencing that may need to be done and the balance would be used for the operating costs. Mr. Dippolito said to address Councilmember Price's concern as far as paying for the ongoing maintenance of these fields and utilities and so forth, and are those in the budget and does staff anticipate any issues going forward.

City Administrator Kay Love said one of the discussions they had during the budget process was what they call new initiatives. When a department's base budget is going to increase over the amount that they appropriated in the current year, they were told there would be no base budget increases unless the department found a way to cover it. She said what Recreation and Parks has done would be to have decreased other line items, absorbed cost as a way so their budget did not increase to accommodate these operating costs. She stated if there are operating cost increases then there is that commitment from the Lacrosse boosters to cover that. She said they will have to take a look at that at the end of the year once they have gone through a season and once the renovations have occurred and it will be the responsibility of Mr. Glover and his staff to cover those operating costs.

Mayor Pro Tem Dippolito asked if the city were to build a new Lacrosse field, what would be the approximate cost. Mr. Glover replied if they started from scratch it would probably be in the range of \$300,000 on an average depending on the site and how much grading had to be done, whether utilities need to be brought in and if there is water or sewer. He added a little over an acre would be needed and probably just for the land it would be over \$200,000. Mr. Dippolito said this IGA is a good bargain for the City and the city is saving a lot of money by not having to use city land and pay for the construction of the field so it seems like this is a real plus for the city and a great opportunity for the city to partner with Fulton County Schools.

Councilmember Price asked regarding the utilization of our current fields, she thought they were told not long ago that baseball fields are not fully utilized and asked if there was any ability to retrofit some of the baseball fields into a Lacrosse field or has staff done any kind of comparative analysis that this is really the best route to go given that at the end of the period, should Fulton County decide not to continue with the city, they can sever the contract and therefore the city has sort of given lights, etc. to the school board. Mr. Glover replied the information about the baseball fields is probably not correct because they do utilize all of the baseball fields now and said when they had the big Lacrosse tournament, all the baseball fields were used for the tournament. He said they have analyzed every field and this would be the first field that has been dedicated for the primary use for Lacrosse and said they have never had their own field before. He said this is a very good bargain and said the city has a good track record with FCBE. Mr. Glover said by having these intergovernmental

agreements with the schools, it has saved the City of Roswell taxpayers a lot of money over the years. He said it has also saved the FCBE money which in turn saves Roswell taxpayers money at the same time for developing joint use facilities like this and said it is a win/win for both organizations.

*Public Comment:*

David Knotts from the Fulton County Board of Education came forward and stated he is with the Fulton County School district and serves in charge of real estate for the school district. He said they appreciate the relationship they have had with Joe Glover and his staff and it has been a long process of insuring what the community wants through the school district as well as the City of Roswell residents. He said he appreciates what the City of Roswell is doing for them relative to Elkins Pointe and the nine other IGA's that they are working on now.

Mayor Pro Tem Dippolito stated the city appreciates all of what Fulton County Schools does for the community and the children and the city appreciates the opportunity to partner with the School Board.

**A motion was made by Council Member Wynn, seconded by Council Member Diamond, that this IGA with the Fulton County Board of Education to use the Elkins Pointe Middle School multi-purpose field and track for the Lacrosse Program be approved. The motion carried by the following vote:**

In Favor: 5

### **City Attorney's Report**

**8. Approval of a Resolution to set a Hearing Date for an Appeal of the Issuance of an Alcohol License (retail package/ liquor, beer & wine) to R&B Wines and Spirits and Boniface Outta, 1425 Market Boulevard #300, Roswell, Georgia.**

City Attorney David Davidson introduced the item and stated at the last Alcoholic Beverage Licensing Board hearing, the board issued a license to Mr. Outta and R&B Wines and Spirits. After the license was issued two other establishments came forward at the end of the meeting and said they didn't think the survey had been done correctly. Mr. Davidson said he has looked at the survey and has talked with the surveyor who said it was done correctly. The other alcohol licensed facilities had another surveyor come in who said it was not done correctly. An appeal was filed within a timely manner and they paid the \$100 fee to appeal. With this resolution this will set the hearing date for July 25, 2011 and legal will provide notice to all the parties. Mr. Davidson said it is a requirement that Council hear the appeal from the Board. Mr. Davidson read the Resolution.

**A motion was made by Council Member Orlans, seconded by Council Member Diamond, that this Resolution be approved. This Resolution sets a Hearing Date for an Appeal of the Issuance of an Alcohol License (retail package/ liquor, beer & wine) to R&B Wines and Spirits and Boniface Outta, 1425 Market Boulevard #300, Roswell, Georgia to be heard by the City Council at the July 25, 2011 Mayor and City Council meeting. The motion carried by the following vote:**

In Favor: 5

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

A motion was made by Council Member Wynn, seconded by Council Member Price, that the recommendation for closure be approved. The motion carried by the following vote:

In Favor: 5

**Adjournment**

*After no further business, the Regular Meeting of the Mayor and City Council adjourned at 8:21 p.m.*