



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, November 10, 2014

7:00 PM

City Hall

WELCOME

Present: 5 - Council Member Nancy Diamond, Council Member Rich Dippolito, Council Member Kent Igleheart, Council Member Betty Price, and Council Member Becky Wynn

Absent: 2 - Mayor Jere Wood, and Council Member Jerry Orlans

Mayor Pro Tem Nancy Diamond Presided

Pledge of Allegiance and Presentation of Colors - Sons of the American Revolution and Boy Scout Troop #629

CONSENT AGENDA

1. **Approval of the September 22, 2014 Mayor and Council Meeting Minutes (To Replace the Council Brief Approved on October 13, 2014); Approval of the September 29, 2014 Special Called Mayor and Council Meeting Minutes (To Replace the Council Brief Approved on October 13, 2014); Approval of the September 29, 2014 Mayor and Council Open Forum Meeting Minutes (To Replace the Council Brief Approved on October 13, 2014); Approval of the October 2, 2014 Special Called Mayor and Council Meeting Minutes; Approval of the October 20, 2014 Special Called Mayor and Council Meeting Minutes; Approval of the October 27, 2014 Mayor and Council Brief**

Approved

2. **Approval of a Resolution Designating Hembree Farm as a Place of Significant Historical Importance**

Community Development

The Roswell Historical Society has requested that the City recognize the Hembree Farm Historic site as a place of significant importance to the citizens of Roswell.

Enactment No: R2014-11-65

3. **Approval of City Sponsorship for ten (10) Events Between January and June 2015**

Administration

Nine (9) organizers submitted twelve (12) sponsorship applications for events being held between January and June of 2015. The following events are eligible for sponsorship: GA Rides to the Capitol, Race to Change Destinies, Roswell Day of Hope, Roswell Cycling event which includes the Criterium and the Mayor's Ride, All Kids Count 5k, Color Festival of Arts, Chattahoochee Challenge, Earth Day Kids Fest, Flying Colors Butterfly Festival, and the Possum Trot. The total cost of the events is \$32,415.70.

4. **Approval to Amend the Tree Planting and Replacement Master Plan for 2004-2015 and Approval of a Budget Amendment in the Amount of \$50,000**

Community Development

The Tree Care Planting and Replacement Master Plan is being amended to include Waller Park/Waller Park Extension Park - \$50,000

5. **Approval for the Mayor and/or City Administrator to Accept Parcel #8 Right of Way Agreement for the SR 140 Westbound through Lane and Streetscape Project in the Amount of \$47,212.55**

Transportation

The Holcomb Bridge Road (SR 140) Westbound Through Lane & Streetscape project will add a third westbound travel lane along Holcomb Bridge Road between Old Alabama Road and the SR 400 northbound on-ramp. The project consists of turn lane and signal upgrades at the intersections of Old Alabama Road and Market Boulevard, new eight-foot sidewalks, pedestrian lighting, and streetscape enhancements on both sides of the street.

6. **Approval for the Mayor and/or City Administrator to sign a Lighting Agreement with the Georgia Department of Transportation (GDOT) for the Hardscrabble Roundabout project**

Transportation

The City will be responsible for the operations and maintenance cost for all lighting within the Hardscrabble Green Loop project.

Approval of the Consent Agenda

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

In Favor: 4

REGULAR AGENDA

Mayor's Report

1. **Reading of a Proclamation for Veterans Day**

Mayor Wood read the Proclamation honoring our Veterans and acknowledging their service to our country and their contributions to our national security. Veterans employed by the City of Roswell were recognized.

2. **Reading of a Proclamation for National American Indian Heritage Month**

Mayor Wood read a Proclamation designating November as National American Indian Heritage Month to honor the contributions of American Indians.

3. **Recognition of the City of Roswell Water Utility for Being Named the 2014 Georgia Association of Water Professionals (GAWP) Distribution System of the Year in the Small Water System Category and also receiving the 2012 and 2013 Water Fluoridation Quality Award from the U.S. Centers for Disease Control and Prevention (CDC)**

Awards were presented to Mike Leonard and Chris Boyd for The GAWP Water Distribution System of the Year - Small System Category recognizing the City's Water Utility and Utility Billing staff for excellence in water operations and The CDC Water Fluoridation Quality Award commending the City's Water System for its consistent, high-quality water fluoridation practice.

Administration and Finance Department - Councilmember Kent Igleheart**4. Approval of a Resolution to Submit the Recommended Allocations for the Program Year (PY) 2015 Community Development Block Grant (CDBG) Funds**

Presented by Michael Fischer, Deputy City Administrator

A motion was made by Council Member Igleheart, seconded by Council Member Price, that this Resolution for CDBG be approved. The City's 2015 CDBG award is estimated to be \$431,921. The motion carried by the following vote:

In Favor: 4

Enactment No: R2014-11-66

Public Safety - Councilmember Jerry Orlans**5. Approval of a Resolution to Accept a Target™ Grant to support Roswell's Heroes and Helpers in the amount of \$2,500**

Presented by Rusty Grant, Chief of Police

A motion was made by Council Member Igleheart, seconded by Council Member Wynn, that this Resolution to accept this grant be approved. The Heroes & Helpers Program (commonly known as Shop with a Cop) is a community program benefiting underprivileged youth in Roswell. Roswell police officers are paired with children/families to shop at Target for holiday present. The event is scheduled to take place Saturday, December 6, 2014 at the Target store on Holcomb Bridge Road. The motion carried by the following vote:

In Favor: 4

Enactment No: R2014-11-67

Community Development - Councilmember Becky Wynn**6. Approval of Sidewalk Cafe Amendment (SC # 13978), 948 Canton St., 1920 Tavern**

Presented by Bradford D. Townsend, Planning & Zoning Director

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this Sidewalk Cafe amendment at 948 Canton Street be approved with the following conditions:

1. The approved site plan is stamped "Received" by the City of Roswell Community Development Department on October 3, 2014;
2. That a permit is obtained for the sidewalk sign, as defined in the UDC section 10.3.21;
3. That all furniture must match all specifications included on the pre-approved list included in the sidewalk cafe application;

4. That there must be two chains between each existing set of columns in order to meet ADA accessibility requirements;
5. That the removal of bricks or concrete or alterations within the area needs M&CC approval.

The motion carried by the following vote:

In Favor: 4

Enactment No: R2014-11-68

7. **RZ 201402071, Creekview Village, Land Lot 417, S. Atlanta Street (Item to be deferred to the December 8, 2014 Mayor and Council meeting)**

Presented by Jackie Deibel, Planner III

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this rezoning for Creekview Village be deferred and be placed on the Mayor and City Council agenda for 12/8/2014. This item will go to the Planning Commission on November 18, 2014. The motion carried by the following vote:

In Favor: 4

8. **CU 201402072, Creekview Mixed Use, Land Lot 417, Atlanta Street (Item to be deferred to the December 8, 2014 Mayor and Council meeting)**

Presented by Jackie Deibel, Planner III

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this Conditional Use for Creekview Mixed Use be deferred and be placed on the Mayor and City Council agenda for 12/8/2014. This item will go to the Planning Commission on November 18, 2014. The motion carried by the following vote:

In Favor: 4

9. **RZ 201403108, Frontdoor Communities, Coleman Road Tract, 9330 and 9350 Coleman Road, Land Lot 234 (**THE APPLICANT HAS WITHDRAWN)**

Presented by Bradford D. Townsend, Planning and Zoning Director

The application was withdrawn by the applicant.

10. **RZ 201402667, CV 201402668, CU 201402669, Parkside, 1243 and 1247 Canton Street, Land Lot 410, Matt Dahlhauser (This item was deferred at the October 13, 2014 Mayor and Council meeting)**

Presented by Bradford D. Townsend, Planning and Zoning Director

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this rezoning and conditional use for Parkside be deferred and be placed on the Mayor and City Council agenda for 11/24/2014. The motion carried by the following vote:

In Favor: 4

11. **RZ 201403094 and CU 201403096, Coleman Road/120 Tract, Land Lot 233 and 234, Coleman Road and Marietta Highway, NX (Neighborhood Mixed Use) and RS-30 (Single Family, Estate) to NX (Neighborhood Mixed Use) to Develop a Single Family Subdivision.**

Presented by Bradford D. Townsend, Planning and Zoning Director

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this rezoning and conditional use to allow for single family homes be approved with the following conditions:

1. The owner/developer shall develop the property in substantial accordance with the site plan stamped "Received October 29, 2014 City of Roswell Community Development Department".
2. A preliminary plat must be completed prior to the submittal of the Land Development Permit.
3. A final plat must be completed and recorded.
4. There is no guarantee that the number of lots indicated may be achieved due to compliance with all city regulations.
5. The owner/developer shall install a deceleration lane into the development from Marietta Highway/SR 120 as required by the Roswell Department of Transportation and the Georgia Department of Transportation.
6. The owner/developer shall provide sidewalk along the entire Coleman Road frontage as approved by the Roswell Department of Transportation.
7. In lieu of the bike lane and left turn lane, the owner/developer shall dedicate 6' of right-of-way along the entire Coleman Road frontage as required by the City of Roswell Transportation Department.
8. No more than three lots adjacent to Weaver (DB51269/PG411) property.
9. The owner/developer will install wooden fencing along our common property line with Weaver (DB51269/PG411. Design of said fence to be split rail as we discussed or other design at your request.
10. Landscape strip and/or common area, as shown, on plan along entire Coleman Road frontage. Clarification: additional plantings will be added to existing vegetation/trees to shield the two house structures abutting Coleman Rd (lots 26 and 27); additional plantings will be added to existing vegetation/trees to shield the open area abutting Coleman Rd and the house structure to its east (lot 15)

11. No more than two lots with house structures abutting Coleman Rd.
12. All lots with house structures abutting Coleman Rd will exceed 15,000 SF.
13. Total square footage for the two properties abutting Coleman Rd., (open space + lot 26 + lot 27) will not be less than the currently shown 36,990 SF.
14. The three lots abutting Weaver DB51269/PG411 property line to the north will exceed 15,000 SF (lots 28, 29, and 30 will not be reduced from 15,957 SF, 15,127 SF, and 17,249 SF respectively)
15. No road stub for "connectivity" (City recommended stub as condition.) Not wanted by neighbors. Plan designates a 10ft no vehicular access easement along Weaver DB51269/PG411 common property line.
16. Detention pond abutting Coleman Rd will be bermed to the top of the pond west and north walls with landscape plantings along the berm and berm top to shield the pond from Coleman Rd. Fencing will be installed to insure safety for the residents.
17. The owner/developer will leave an undisturbed buffer area abutting lots 15, 16 and 18 as shown on plan abutting Marietta Hwy. and Hampton Bluffs. The space previously was a lot.

The motion carried by the following vote:

In Favor: 4

Enactment No: R2014-11-69

12. RZ 201403068 and CV 201403069, PetSuites, Land Lot 505, 951 Mansell Road

Presented by Jackie Deibel, Planner III

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this rezoning (change of conditions) with concurrent variance be approved for: A variance to the building size; however, denial of the variance to transparency with the following conditions:

1. The owner/developer shall dedicate right-of-way as shown on the October 7, 2014 site plan to the Roswell Transportation Department prior to the issuance of the Land Development Permit.
2. The owner/developer shall extend the five (5) foot sidewalk along the property frontage of Roswell Commons Circle so that it is aligned with the west side of Roswell Commons Way. The owner/developer shall pay a fee into the sidewalk fund for the remainder of the sidewalk along Roswell Commons Circle as determined by the Roswell Transportation Department. The fee will be an amount based on \$25.00/square yard.
3. There shall be no restaurant use of any kind within this establishment.
4. There shall be no outdoor loudspeakers or outdoor equipment shall be permitted on the property.
5. All deliveries shall be limited to the hours of 7 a.m. to 10 p.m.
6. The owner/developer shall provide evergreen screening at the rear of the property to buffer the neighborhood subject to the approval of the Design Review Board.

The motion carried by the following vote:

In Favor: 4

Enactment No: R2014-11-70

13. **RZ 201402562 and CV 201402563 - Barrington Place, Land Lot 376, Spring Drive, King Street and Marietta Highway**
Presented by Bradford D. Townsend, Planning and Zoning Director
- A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this rezoning to develop a single family subdivision be deferred and be placed on the Mayor and City Council agenda for 12/8/2014. Councilmembers Wynn, Dippolito and Price voted in favor of the motion to defer. Councilmember Igleheart opposed. The motion carried by the following vote:
- In Favor: 3
- Opposed: 1
14. **Text Amendment to Article 12.7, Flood Damage Prevention, and Article 13.11, Variance, of the Unified Development Code (UDC) (First Reading)**
Presented by Bradford D. Townsend, Planning and Zoning Director
- A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this Amendment to Article 12.7 and 13.11 of the UDC be approved on First Reading and be placed on the Mayor and City Council agenda for 11/24/2014. The motion carried by the following vote:
- In Favor: 4

Transportation Department - Councilmember Nancy Diamond

15. **Approval for the Mayor and/or City Administrator to sign a Construction Contract to Vertical Earth for the SR 140 Westbound through Lane and Streetscape Project in the Amount of \$2,313,985.04**
Presented by Steve Acenbrak, Director of Transportation
- A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this contract for the SR 140 Westbound Through Lane and streetscape project be approved. This will add a third westbound travel lane along Holcomb Bridge Road (SR 140) between Old Alabama Road and the SR 400 northbound on-ramp. The project consists of turn lane and signal upgrades at the intersections of Old Alabama Road and Market Boulevard, and new eight-foot wide sidewalks, pedestrian lighting, and streetscape enhancements along both sides of Holcomb Bridge Road. The motion carried by the following vote:
- In Favor: 4

16. **Approval to amend the City of Roswell Code of Ordinances, Article 22.7, Golf Carts, to permit use of golf carts, Personal Transportation Vehicles (PTVs) on 25 MPH Roads (First Reading) (THE MAYOR HAS REQUESTED A DEFERRAL)**
Presented by Steve Acenbrak, Director of Transportation
- A motion was made by Council Member Dippolito, seconded by Council Member Wynn, that this amendment to the Code of Ordinance be deferred and be placed on the Mayor and City Council agenda for 12/8/2014. When Councilmember Dippolito made the motion he also acknowledged that the Mayor wants input on this item. Councilmembers Dippolito, Wynn and Iglehear voted in favor of the motion. Councilmember Price opposed. The motion carried by the following vote:
- In Favor: 3
- Opposed: 1
17. **Approval of a Resolution to Amend the Official Code of Georgia, O.C.G.A. 40.6.368 regarding the Use of Personal Transportation vehicles (PTVs) in 35 MPH Roads (THE MAYOR HAS REQUESTED A DEFERRAL)**
Presented by Steve Acenbrak, Director of Transportation
- A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this Resolution to amend the Official Code of Georgia 40.6.368 be deferred and be placed on the Mayor and City Council agenda for 12/8/2014. Councilmembers Wynn, Dippolito and Igleheart voted in favor of the motion to defer. Councilmember Price opposed. The motion carried by the following vote:
- In Favor: 3
- Opposed: 1
18. **Approval of an Amendment to the City of Roswell Code of Ordinances, Chapter 21, Telecommunications and Cable Services to add a new Section 21.4, Establishing Clean Pole Policy, Authority and Procedures (First Reading)**
Presented by Steve Acenbrak, Director of Transportation
- A motion was made by Council Member Dippolito, seconded by Council Member Igleheart, that this amendment to the Code of Ordinance be approved on First Reading and be placed on the Mayor and City Council agenda for 11/24/2014. The motion carried by the following vote:
- In Favor: 4

City Attorney's Report

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

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

In Favor: 4

Adjournment - Meeting adjourned at 11:49 p.m.