



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, September 24, 2012

7:00 PM

City Hall

WELCOME

Present: 7 - Mayor Jere Wood, Council Member Nancy Diamond, Council Member Rich Dippolito, Council Member Kent Igleheart, Council Member Jerry Orlans, Council Member Betty Price, and Council Member Becky Wynn

Pledge of Allegiance - Beth Cayce

Mayor Wood recognized Carson Davis and other members of Cub Scout Pack #1486 and welcomed them to the meeting. He urged them to attend again when they become Boy Scouts to fulfill their requirement for a Citizenship in the Community Merit Badge. Photos were taken with the Cub Scouts, their leaders and Mayor and Councilmembers.

Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Police Chief Dwayne Orrick; Community Development Director Alice Wakefield; Environmental/Public Works Director Stu Moring; Environmental/Public Works Deputy Director Mark Wolff; Finance Director Keith Lee; Human Resources Director Dan Roach; Recreation and Parks Director Joe Glover; Transportation Director Steve Acenbrak; Community Relations Manager Julie Brechbill; Water Resources Engineer Danelle Alloway; Water Operations Manager Mike Leonard; Water Plant Operator Hoyt Jordan; Transportation Land Development Manager Clyde Stricklin; Transportation Administrative Assistant Kim Weber; Mayor's Events Coordinator Jennie Bushey; Building Operations Tech Timothy Thompson; Digital Media Designer Joel Vazquez; Deputy City Clerk Betsy Branch.

CONSENT AGENDA

- Approval of August 27, 2012 Mayor and Council Meeting minutes (detailed minutes to replace Council Brief adopted on September 12, 2012); Approval of September 12, 2012 Mayor and Council Meeting minutes.**

Administration

Approved

2. **Approval for the Mayor and/or City Administrator to sign a contract with I/O Solutions, Inc. for the provision of competitive promotional examinations for the ranks of Sergeant and Lieutenant in the Roswell Police Department in the amount of \$44,948 and approval of Budget Amendment 21032500-09-24-12 allocating \$14,548 of Confiscated Assets Fund, fund balance.**
Administration
Approved
3. **Approval for the Mayor and/or City Administrator to sign a contract with JCB of Georgia for the purchase of a 2012 Backhoe Loader in the amount of \$71,781.16.**
Public Works/Environmental
Approved
4. **Approval of a Resolution to submit an application to Project Lifesaver International for the FY2013 Project Lifesaver Grant program.**
Public Safety
Approved
Enactment No: R2012-09-48
5. **Approval for the Mayor and/or City Administrator to sign a contract revision between the City of Roswell and Correct Health Roswell, LLC for provision of telehealth services.**
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. The motion carried by the following vote:

In Favor: 6

REGULAR AGENDA

Mayor's Report

1. **Reading of a Proclamation in honor of the First Baptist Church Roswell's 140th Anniversary.**

Mayor Wood asked members of the First Baptist Church of Roswell to come forward for the reading of the proclamation and thanked them for their contributions to the City of Roswell. He said he had read a speech made by his great-grandfather in 1905 in which he had said the two things that made his town successful were the churches and the schools, not the government. Mayor Wood agreed that a town with good churches and good schools is a foundation for a great community. The Mayor stated that the First Baptist Church is a part of that foundation for the City of Roswell and that the City appreciated their 140 years of service to the community.

Mayor Wood read the proclamation stating, in 1872 in a log cabin school-house located near the Roswell Mill, sixteen members from Willeo Baptist Church and six members from Lebanon Baptist Church joined together to commence First Baptist Church Roswell. In 1927 the First Baptist Church Roswell moved to its present location on Main Street, known to all of us today as Mimosa Boulevard, under the leadership of Pastor Ralph M. Donehoo. The First Baptist Church Roswell has strengthened its congregation and stands proud with a current membership of 2,320 and has been actively involved in the community, supporting local and worldwide charities, and making a difference in the lives of Roswell's residents. First Baptist Church Roswell continues to enrich the lives of their congregation through the support and leadership of Pastor Dr. Ron Bradley, and will prove to continue their mission and history for generations to come.

Mayor Wood proclaimed the month of October 2012 as the 140th Anniversary of First Baptist Church Roswell and urged all the citizens of Roswell to congratulate the congregation on this momentous anniversary. Mayor Wood then presented a copy of the proclamation to Pastor Bradley.

Pastor Ron Bradley thanked Mayor Wood and said the First Baptist Church Roswell loves being a part of this City and will continue to support the government and community; he added that a good government goes along with good churches and good schools.

Recognized

2. **Recognition of Beth Cayce as the winner of the 2012 Small Business Person of the Year from the Greater North Fulton Chamber of Commerce.**

Mayor Wood recognized Beth Cayce for being the winner of the 2012 Small Business Person of the Year Award from the Greater North Fulton Chamber of Commerce. He said Ms. Cayce is a Roswell businessperson and a Roswell taxpayer who was selected from among a great many qualified candidates by the North Fulton Chamber. He noted that her first business was located on Canton Street prior to

moving to a home on Mimosa Boulevard, formerly Roswell's main street. The Mayor said the City appreciates all of her assistance with senior citizens. He invited Ms. Cayce to come forward and talk about her business, CaraVita Home Care (CHC).

Beth Cayce said part of the reason for having had her business in Roswell for the last twelve years is because this is where she raised her children. She said she also believes strongly in caring for seniors and promoting Roswell as a City for inner-generational care. Ms. Cayce said the business has served about 16,000 seniors in the area where they go into their homes and care for them from 2-24 hours per day. She said she is also proud of what they provide for their families and noted that they are opening a caregiver institute where they will train both certified nursing assistants and families in all varieties of caregiving techniques to make it possible for a family member to live at home as long as possible. She invited everyone to tour the Smart House to learn about the equipment and technology that can be used in the home. She said they are very proud to be a part of Roswell and to have their caregivers out in the community every day caring for seniors and putting families first. She thanked Mayor and Council for this recognition.

Photos were taken with Ms. Cayce and Mayor and Council.

Recognized

3.

Recognition of the education partnership between the City of Roswell and University of Phoenix.

Mayor Wood introduced Roger Wise as the City's liaison with the University of Phoenix and said they had brought a great opportunity to the City of Roswell employees that is now becoming a model for other cities in Georgia. He invited Mr. Wise to come forward to talk about the program.

Roger Wise said about a year ago the University of Phoenix met with the Roswell Police Department about requests received from some of the police officers regarding a University of Phoenix program which allows a police officer's prior training such as the military, to apply as college credit towards a degree. He said when some officers get to senior officer status but do not have a college transcript in the State of Georgia, they cannot be promoted. This program helps this to take place and allows an officer to move forward. Mr. Wise thanked Human Resources Director Dan Roach for contacting Lamar Grant with the University of Phoenix to discuss the possibility of a partnership or education agreement that would expand to all City employees. He said this partnership would give them an opportunity to move forward and better themselves through education. He noted that Roswell is the first City to do this. Other cities have contacted him to set up a partnership, but he wants to get this in place with Roswell first and then they will begin working with the other cities. Mr. Wise said he along with other individuals from the University of Phoenix were present to announce this partnership and to congratulate Roswell on being first. He thanked the City for caring about their people because education is workforce development.

Mayor Wood thanked Roger Wise and Dan Roach for putting this together for the City and the University of Phoenix. The Mayor recognized Lamar Grant, University of Phoenix Manager of National Events and other University of Phoenix representatives present. He read a letter that was addressed to Mr. Grant from the City of Roswell extending appreciation for establishing this educational partnership allowing all the employees of the City an opportunity to better themselves through education and personal growth.

Photos were taken with University of Phoenix representatives with the Mayor and Councilmembers.

Recognized**4. Reading of a Proclamation recognizing Hoyt Jordan for his more than forty years of service to the City of Roswell.**

Environmental/Public Works Director Stu Moring recognized Hoyt Jordan and introduced him and his wife. He said this is a bittersweet occasion honoring him on his retirement after forty years with the City of Roswell. Mr. Moring said Hoyt had been a great help to him when he first came to work for the City with getting the budgets prepared and satisfying the regulations of the state and federal government. He said Hoyt is an expert on those things and Hoyt's division was always the first to bring their budget in on time. He said the City had since brought Water Operations Manager Mike Leonard onboard who is now Hoyt's supervisor. He said Mike has experience working with water plant operators from around the world and he has very high praise for Hoyt Jordan.

Mike Leonard came forward to speak and said Hoyt is one of those individuals that you would love to have a hundred of; always providing whatever is asked of him. Mr. Leonard noted that six years ago, when he first came to the City, Hoyt took him under his wing and led him through the progress and history of the water plant, which he was very grateful for. He said Hoyt's service to the City of Roswell has been meaningful and it had been a pleasure working with him. Mr. Leonard announced a retirement reception for Hoyt on Friday, September 28 from 10am to 12pm. He noted that Hoyt plays in five bands and would be playing some of his music; he invited everyone to come by to wish him well and listen to some of his music.

Mayor Wood recognized Hoyt as a great role model and example of a City of Roswell employee. The Mayor said forty years on the job is the definition of dependability. He said the City operates 24/7 and it shows that there are people looking after the City while everyone else is sleeping, making sure there is water when they wake up and that the system runs smoothly.

Mayor Wood read the proclamation stating that Hoyt Jordan has been employed by the City of Roswell for over 40 years at the Cecil Wood Water Treatment Plant. During that time, Hoyt has served as a Senior Water Plant Operator and State and Federal Regulations Compliance Officer. Hoyt Jordan has managed all facets of financial and administrative duties, including budget development and cost tracking for the Cecil Wood Water Treatment Plant. Hoyt was a great teacher to the next generation of water plant operators and has extended his valuable knowledge and expertise to many of his colleagues. Hoyt Jordan has always been dedicated to his responsibilities, 24 hours a day, seven days a week and has had a long and distinguished career and earned the respect of his Roswell colleagues and water professionals. The City of Roswell is thankful to Hoyt Jordan for his dedicated service to the City. Over the years, he has been instrumental in the successful operations of the water plant and achieving numerous distinguished awards from the Georgia Association of Water Professionals. Friday, September 28, 2012 was declared Hoyt Jordan Day.

Mayor Wood asked that all of the employees and citizens of Roswell join in congratulating Hoyt on his retirement and in recognizing his exemplary service and dedication to the City.

Photos were taken with Hoyt Jordan and the Mayor and Councilmembers.

Mr. Jordan thanked everyone for this honor. He noted that over the past forty years he had worked "for and with a lot of good people and was honored to have worked

with all of the people he had been associated with.” He noted that he was born and raised in Roswell and has watched it grow from a small town into a much larger community and good place to live.

Recognized

5.

Presentation on Bike Ride Across Georgia (BRAG).

Mayor Wood recognized everyone who helped organize the BRAG visit to Roswell and asked them to come forward for the presentation.

Director of Transportation Steve Acenbrak said this is a celebration of a statewide first for the City of Roswell and the final report for the 2012 BRAG event. This type of statewide bike ride event began in Iowa. BRAG had been doing this annual ride in Georgia for many years; hundreds of bicyclist gather and tour a different route each year and visit different cities. This year’s ride took place in the middle of June, covering 527 miles through six cities. The City of Roswell was selected as the overnight stay city. Mr. Acenbrak said the successful BRAG event through Roswell was accomplished through a team effort by Bike Roswell, the Roswell Ramblers, many local businesses, and the Roswell Recreation and Parks Department and other City staff.

Tom Erdmanczyk, representing BRAG, came forward and explained that BRAG gives only two awards and that this past summer, Roswell won both of them including the best overnight location. He stated that other cities have hosted BRAG more often, but he thought that Roswell did it very well. This was the first time BRAG had come to Roswell and there had been some hesitation about this taking place in such a large urban area with a lot of traffic, but the Roswell staff including the Roswell Police Department did a great job of managing the traffic. He said after a year of planning and a lot of support from the City, from June 5th through the 7th, they brought 1,100 people to Roswell which included approximately 900 BRAG riders, their non-riding family members, and volunteers. Everyone loved Roswell. He expressed appreciation to the community and volunteers for turning out to welcome the riders. He offered special thanks to Bike Roswell and Roswell Ramblers members who were onsite at the campsite at Roswell High School welcoming everyone. He thanked Jerome Hough, Roswell High School principal who said he had caught the BRAG spirit early on and leaped tall buildings in order to make the Roswell High campus their campsite. He said the campsite was a short walk to many of the area amenities and accessible to the entire City by the BRAG shuttle. He said the hotel and BRAG shuttles provided cyclists with transportation to hotels as well as to Roswell’s many attractions including the Chattahoochee Nature Center, the River, the Sprayground, Andretti’s, Aurora Cineplex, Laundromats, and the Canton Street area. In addition to the support that the Council gave them, \$5,700 was raised through sponsorship from local businesses; and \$2,000 or more of in-kind sponsorship was also raised. Businesses that provided support include Roswell Bicycles; Bike Roswell; Andretti’s Speed Lab; New Belgium; TY Lin International; Historic Roswell Merchants Association; Roswell City Grill; Your Pie, Lazzaro’s, Taco Mac; the Chattahoochee Nature Center; Shane’s Rib Shack; Bruster’s Ice Cream, and the Roswell Convention and Visitors Bureau. Mr. Erdmanczyk stated \$21,003 was paid out and although the figures were not yet final, they expect it to be under budget. He said BRAG riders really enjoyed their two nights in Roswell. Many of the riders were from metro Atlanta and north Georgia and unfamiliar with Roswell but have now discovered the joys of Roswell and will return to visit. He thanked the City of Roswell, the planning committee and the volunteers for the welcome that Roswell had given to BRAG, made possible by the Mayor and City Council. Everyone was competent, efficient, and welcoming from the time the first rider arrived until the last rider left.

Photos were taken as the award was presented with the BRAG representatives, members of the City staff and Mayor and Council.

Recognized

Environmental / Public Works Department - Councilmember Kent Igleheart

6. Approval of Budget Amendment 50743200-09-24-2012 to fund the request for additional Capital Expenditures for the Stormwater Utility in the amount of \$150,000.

Presented by Stuart Moring, Director of Public Works/Environmental

Director of Public Works/Environmental Stuart Moring presented the item and said that as discussed at the Public Safety and Public Works Committee meeting, there are additional funds available in the Stormwater Utility Fund, staff is asking for allocation of some of those funds. He said the Finance Department has requested that this adjustment be made as part of the mid-year budget adjustment in November. Mr. Moring explained that staff is requesting Council's consideration for a budget amendment regarding the River Run Detention Pond. It is a pond that is on private property that has become the responsibility of the City. He said staff hopes to complete this work before the winter season when it would be much more problematic working in that environment. He said staff requests approval for a budget amendment of \$150,000 from undesignated funds in the Stormwater Utility Fund so that this project can proceed. Mr. Moring noted that no General Fund money will be required.

Council Comments:

Councilmember Dippolito asked Mr. Moring to explain how this became the responsibility of the City since it is on private property.

Mr. Moring replied there is typically a statement on a plat when a subdivision is approved which stipulates that storm water facilities are not the responsibility of the city but that streets, sidewalks and such are dedicated to the City. He said when this particular subdivision was developed, the statement on the plat designated that it would become the responsibility of the County because it was originally approved in Fulton County, and when the property was annexed, it became the responsibility of the City. Councilmember Dippolito said then this plat was approved by Fulton County and the City annexed the property. Mr. Moring said that was correct.

A motion was made by Council Member Igleheart, seconded by Council Member Orlans, that this Item be Approved. The motion carried by the following vote:

In Favor: 6

7. Approval of an Amendment to the Code of Ordinances, Chapter 7, Land Development and Environmental Protection, Article 7.2, Post-Development Stormwater Management. (First Reading)

Presented by Stuart Moring, Director of Public Works/Environmental

Councilmember Igleheart introduced this item. He thanked Mark Wolff, staff members, as well as Community Development staff, and others that had been working on this. He said this would be of great benefit for both the City and the developers and will help them in the early stage of the process to do things to achieve the City's goals and help developers save money.

Environmental/Public Works Director Stu Moring came forward and stated that Environmental/Public Works Deputy Director Mark Wolff and Water Resources Engineer Danelle Alloway had both been instrumental in developing this change and he asked Mark Wolff to present this item.

Mr. Wolff stated this is the first reading of a proposed amendment to the Post-Development Stormwater Management ordinance. The intention of the amendments is to facilitate the use of Low Impact Development (LID) methods of integrating Stormwater management into landscaping and site layout to keep the rain close to where it falls through infiltration, evaporation, and storage. A slide was shown indicating two significant changes. He said in the newly created category of one thousand to five thousand square feet of land disturbance for non-residential properties, the only requirement is to provide for an amount of water quality treatment using onsite LID methods that could be rain gardens or pervious pavement. He said in larger or newer developments, the only change that the developer has the opportunity to show with a detailed analysis that downstream flooding is not expected to occur with the new development. He displayed an example site layout of a potential redevelopment with a 2,000 square foot building addition; he indicated on the slide the proposed addition to the site and the Stormwater volume for water quality that can be treated with a rain garden that would be downstream of the site. Mayor Wood asked Mr. Wolff to provide an explanation of a rain garden. Mr. Wolff replied it is built in a low spot where stormwater can collect; it contains vegetation that grows well in very wet conditions. There are many types of flowers and plants that like wet root system conditions and if a rain garden can be built in an area where the rainwater collects naturally, these plants and flowers help filter out the pollution in the water. Mayor Wood described it as a mini-wetlands. Mr. Wolff agreed. Mr. Wolff said there are many ways to accomplish the water quality requirements as part of the amendments.

Council Comments:

Councilmember Price asked if this is meant to offset square foot to square foot, or not necessarily.

Mr. Wolff replied, not necessarily. It takes into account the stormwater runoff from the new or replaced impervious area. He said if you were to put 2,000 square feet of impervious area, it would not be making a 2,000 square foot rain garden or pervious pavers. He said there is engineering involved and asked Danelle Alloway for input. Ms. Alloway's response was that a 2,000 square foot addition would equate to about a 200 square foot rain garden.

Councilmember Price asked if there is some flexibility in working with the developer.

Mr. Wolff replied that Environmental/Public Works staff would meet initially with any developer coming in with a land disturbance permit and will make sure they know what the requirements and options are for the LID methods, and will work with them throughout the process.

City Attorney David Davidson conducted the first reading of AN ORDINANCE TO AMEND CHAPTER 7, LAND DEVELOPMENT & ENVIRONMENTAL PROTECTION, ARTICLE 7.2 POST-DEVELOPMENT STORMWATER MANAGEMENT, OF THE CITY OF ROSWELL CODE OF ORDINANCES, stating: Whereas the City of Roswell desires to amend its Code of Ordinances pursuant to guidance by the Georgia Environmental Protection Division (EPD) regarding the City Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit, specifically to address the requirements to fully implement our stormwater management program and ordinance; and the City of Roswell desires to amend its Code of Ordinances pursuant to the requirement to evaluate the ordinance to ensure that it does not prohibit or impede low impact development (LID) and the implementation of green infrastructure practices, where feasible; and the Ordinance amendments will encourage LID techniques to integrate stormwater management with development layout and planning while addressing large lot and small lot redevelopment in order to allow additional site specific requirements and to address water quality using LID techniques for new development and redevelopment; and, it is recommended by the Director of the Public Works Department that changes be made in order to accurately reflect the ordinance implementation by such department; and Mayor and Council have reviewed the proposed changes to Chapter 7, Article 7.2, listed above and detailed below:

1.

Chapter 7 of the Code of Ordinances of the City of Roswell, Article 7.2 Post-Development Stormwater Management, Section 7.2.1 General Provisions, subsection 7.2.1.1 Purpose and Intent is amended by adding thereto a new subsection (3) to read as follows:

(3) Allow in appropriate situations the use of existing conditions curve numbers for redevelopment sites if it can be shown through rigorous and Detailed Downstream Engineering Analysis that no existing downstream drainage problems exist or are anticipated as a result of the redevelopment;

Section 7.2.1 is further amended by adding new language to subsection 7.2.1.2 Applicability so that the first paragraph shall read as follows:

(1) This ordinance shall be applicable to all land development, including but not limited to site plan applications, subdivision applications and grading applications, unless exempt pursuant to subsection (2) below. These standards apply to any new development or redevelopment site that meets one (1) or more of the following criteria unless requirements are waived by the Public Works / Environmental Director or designee:

Subsection 7.2.1.2 is further amended by adding thereto new subsections 7.2.1.2 (e) and 7.2.1.2 (f) to read as follows:

e. New development that involves the creation or replacement of between 1,000 square feet and 5,000 square feet of impervious cover for non-residential property shall provide water quality protection only using approved low impact development methods; or

f. Redevelopment that involves the creation or replacement of between 1,000 square feet and 5,000 square feet of impervious cover for non-residential property shall

provide water quality protection only using approved low impact development methods.

2.

Article 7.2 is further amended by deleting subsection 7.2.1.3 Designation of Ordinance Administrator in its entirety and replacing with a new subsection 7.2.1.3 to read as follows:

7.2.1.3 Designation of Ordinance Administrator. The Public Works / Environmental Director or his designee is hereby appointed to administer and implement the provisions of this article of this ordinance.

Article 7.2 is further amended by deleting subsection 7.2.1.4 Stormwater Design Manual in its entirety and substitution therefore a new subsection to read as follows:

7.2.1.4 Stormwater Design Manual. The City of Roswell will utilize the policy, criteria and information including technical specifications and standards in the latest edition of the Georgia Stormwater Management Manual and any relevant local regulations or procedures adopted by the Public Works / Environmental Department for the proper implementation of the requirements of this ordinance. The manual may be updated and expanded periodically, based on improvements in science, engineering, monitoring and local maintenance experience.

3.

Article 7.2 is further amended at Sections 7.2.2 Definitions by adding thereto a new definition to read as follows:

Detailed Downstream Engineering Analysis means that a rigorous and detailed downstream analysis can be conducted by an engineer in order to show that additional detention is unnecessary for a redevelopment site.

Section 7.2.2 is further amended by adding thereto the definition for Inspection and maintenance agreement to read as follows:

Inspection and maintenance agreement means a written agreement providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development project which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.

Section 7.2.2 is further amended by adding thereto the definition for Low Impact Development Methods to read as follows:

Low Impact Development Methods means a stormwater management approach to manage rainfall in a way which more closely mimics the natural hydrologic system at the site prior to any development. Techniques include those which infiltrate, store, filter, evaporate and detain stormwater close to the location where the rain fell.

4.

Section 7.2.3.2 of Article 7.2 is amended by deleting the first paragraph in its entirety and adding thereto a new first paragraph to read as follows:

7.2.3.2 Stormwater Concept Plan and Consultation Meeting. Before any development permit application is submitted, the land owner or developer shall meet with the City of Roswell Public Works / Environmental Director or designee for a consultation meeting on a concept plan for the post-development stormwater management

system to be utilized in the proposed land development project. This consultation meeting shall take place at the time of the preliminary plan of subdivision or other early step in the development process. The purpose of this meeting is to discuss the post-development stormwater management measures necessary for the proposed project, as well as to discuss and assess constraints, opportunities and potential ideas for stormwater management designs before the formal site design engineering is commenced. To accomplish this goal the following information should be included in the concept plan which shall be submitted in advance of the meeting:

5.

Article 7.2 Post-Development Stormwater Management, Section 7.2.4 Post-Development Stormwater Management Performance Criteria is amended by adding thereto a new subsection 7.2.4.9 Detailed Downstream Analysis Guidelines to read as follows:

7.2.4.9 Detailed Downstream Analysis Guidelines For a redevelopment site subject to the Post Development Stormwater Ordinance, flexibility in determining curve numbers to quantify hydraulic values can be considered. In some basins and for some sites it may be possible to show through a rigorous and detailed engineering analysis that detention or additional detention should not be required for a particular site. The criteria that must be evaluated and submitted to the Public Works / Environmental Department includes:

- (a) analysis and review of habitable and non-habitable built structures downstream of the subject property for riverine flooding;
- (b) analysis of the infrastructure for conveyance and current condition; and
- (c) completion of a field investigation of the downstream receiving waters to evaluate scouring and stream bank and stream bed stability.

The Public Works / Environmental Department will evaluate the engineering submittal to decide if additional detention and/or channel protection will be required. Water quality treatment utilizing Low Impact Development methods will be required regardless of outcome of decision regarding additional detention and/or channel protection.

The detailed downstream analysis shall be conducted from the downstream point on the subject property to the ten-percent analysis point or to a point where the drainage basin downstream equals 10 times the subject site drainage basin or to a point where receiving waters are met which have a minimum 640 acres of drainage area.

6.

Article 7.2 Post-Development Stormwater Management, Section 7.2.5 Construction Inspections of Post-Development Stormwater Management System is amended by deleting subsection 7.2.5.2 in its entirety and adding thereto a new subsection 7.2.5.2 Final Inspection and As Built Plans to read as follows:

7.2.5.2 Final Inspection and As Built Plans. Upon completion of a project and before a certificate of occupancy shall be granted the applicant is responsible for certifying that the completed project is in accordance with the approved stormwater management plan. All applicants are required to submit actual "as built" plans for any stormwater management facilities or practices after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and practices and must be certified by a professional engineer. As built plans must be approved by the Public Works / Environmental Director or designee. A final inspection by the City of Roswell is required before the release of any performance securities can occur.

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

A motion was made by Council Member Igleheart, seconded by Council Member Diamond, that this Item be Approved on First Reading and placed on the Mayor and City Council agenda for 10/8/2012. The motion carried by the following vote:

In Favor: 6

Enactment No:

Community Development - Councilmember Nancy Diamond

8. Approval of an Amendment to Chapter 18.2.1, Obstruction of Street or Right-of-Way of the City of Roswell Code of Ordinances. (Second Reading)

Presented by Alice Wakefield, Director of Community Development

Director of Community Development Alice Wakefield said this is an attempt to allow for some encroachments in the right-of-way with the approval of an encroachment permit. During the Mayor and Council meeting on September 12, 2012, an issue was raised regarding locating irrigation systems in a planting strip. Ms. Wakefield said staff altered that language to read: "unless permitted as required in Section 18.1.2." She said it previously read "temporary in nature." She said this change to the amendment was discussed with the Director of Transportation; he is in agreement with this amendment.

City Attorney David Davidson conducted the second reading of AN ORDINANCE OF THE CITY OF ROSWELL, GEORGIA TO AMEND SECTION 18.2.1 OF CHAPTER 18 –STREETS, SIDEWALKS AND PUBLIC PLACES, stating: pursuant to their authority, the Mayor and City Council adopt the following ordinance:

1.

Chapter 18, Streets, Sidewalks and Public Places is amended by amending Section 18.2.1, Obstruction of Street Right-of-Way to read as follows:

Section 18.2.1 - Obstruction of Street or Right-of-Way.

(a) No person shall place or cause to place in any street and/or sidewalk: debris, rubbish, irrigation water, boxes, displays, signs, poles, goods, merchandise or any other object so as to impede and/or endanger traffic on streets and/or sidewalks unless permitted as required in Section 18.1.2.

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

Motion: Councilmember Diamond made a motion for Approval of an Amendment to Chapter 18.2.1, Obstruction of Street or Right-of-Way of the City of Roswell Code of Ordinances on Second Reading. Councilmember Wynn seconded.

Public comment was invited. There was no public comment.

Council Comment:

Councilmember Price said several things were discussed as this was coming through including damage to streets from dumpsters. She asked if this permitting allows for any compensation for damage to the streets. Ms. Wakefield replied that this would

be a part of the encroachment permit that the individual would receive from the Department of Transportation.

Councilmember Price said Council discussed irrigation systems. She said that would not make any difference in the obstruction of the street but there was some issue about irrigation systems in the right-of-way; she asked if that had been resolved.

Ms. Wakefield said this amendment would resolve that and would allow for some irrigation in the right-of-way with the approval of an encroachment permit from the Department of Transportation.

Mayor Wood asked if they were referring to drip irrigation. Councilmember Price asked if this amendment covers that. Ms. Wakefield replied, yes.

A motion was made by Council Member Diamond, seconded by Council Member Wynn, that this Item be Approved on Second Reading. The motion carried by the following vote:

In Favor: 6

Enactment No: ORD 2012-09-14

9.

Approval of an Amendment to Chapter 2.1.5, Fees, of the City of Roswell Code of Ordinances. (First Reading)

Presented by Alice Wakefield, Director of Community Development

Director of Community Development Alice Wakefield said this is the first reading on a request to amend the Code of Ordinance as it relates to the fees for providing zoning and permitting services. She said as she mentioned at the Committee meeting, currently, the set of fees are located by ordinance in one section of the Code Of Ordinances and some are approved by resolution, such as the building codes. She said staff has found that some of the fees and the method of calculation are not consistent with standard practice. Ms. Wakefield said staff is asking at first reading, to delete the fees from that section of the ordinance. She said they will bring to Committee a resolution setting the fees for building, engineering, zoning, and any other related permits. The intent is not to increase fees. Staff is working with the Director of Finance to look at those fees and do an analysis to ensure the fees are not increased. Staff had originally requested that if the first reading was approved, the second reading would be placed on the October 8, 2012 Council agenda. She said they are now asking that the date of the second reading be moved to October 22, 2012 Mayor and Council meeting, to allow time to work with the Finance Director for the analysis on the fees. She said one of the things that will be seen on the fees is a request to have some application fees. She explained that certain sections of the ordinance allows for collection of an application fee but it is not consistent; they are trying to make that consistent. In addition, they also want to make the fees transparent and more user friendly as the department moves forward using the ERP system.

City Attorney David Davidson conducted the first reading of AN ORDINANCE TO AMEND SECTION 2.1.5, FEES, OF THE CODE OF ORDINANCES OF THE CITY OF ROSWELL, stating: Whereas, Mayor and Council are charged with providing zoning and permitting services. The current fee for zoning and permitting represent only a small actual cost of providing such services to the citizens of Roswell. Mayor and Council have considered the effects on the public health, safety and welfare and determined that it would be in the best interest of the public to amend the Code of Ordinances regarding fees and pursuant to their authority, hereby adopt the following

Ordinance:

1.

Chapter 2, Building and Construction is amended by deleting Chapter 2, Section 2.1.5 Fees in its entirety and substituting a new Section 2.1.5 .3.1 to read as follows:

Section 2.1.5 - Fees.

A fee shall be paid to the City of Roswell at the time of filing an application. All applicable fees shall be in accordance with the fee structure as set forth by the Mayor and City Council, as amended from time to time. The fee shall be nonrefundable.

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

Motion: Councilmember Diamond made a motion for Approval of an Amendment to Chapter 2.1.5, Fees, of the City of Roswell Code of Ordinances on First Reading. Councilmember Dippolito seconded.

Council Comments:

Councilmember Price asked if the second reading would have to be changed.

Ms. Wakefield replied they would bring it back to Mayor and Council on October 22, 2012, but they would first like to bring it to the Administration and Finance Committee to review the resolution which sets the fees. She said it would have to come back to Committee first, not the Community Development Committee but the Administration and Finance Committee meeting.

Councilmember Price said then it would come back earlier in October and then vote on it at the last meeting. Ms. Wakefield replied yes.

Public comments were invited. No public comments were made.

A motion was made by Council Member Diamond, seconded by Council Member Dippolito, that this Item be Approved on First Reading and placed on the Administration and Finance & Recreation and Parks Committee agenda for 10/9/2012. The motion carried by the following vote:

In Favor: 6

Transportation Department - Councilmember Betty Price

10.

Approval for the Mayor and/or City Administrator to sign the necessary documents for an exchange of properties and to authorize the escrow of funds in the amount of \$4,572.23.

Presented by Steve Acenbrak, Director of Transportation

Director of Transportation Steve Acenbrak provided a brief background on the item. This involves the current project for the Oxbo realignment. He said the City is constantly in the process of improvement. These improvements are made in many ways. Mr. Acenbrak said Transportation staff tries to be creative and context sensitive whenever making public improvements. He said for a City of nearly 100,000 people in 42 square miles they are unfortunately very underserved by a road network. In order to improve this, Transportation is looking to improve mobility by realigning Oxbo Road. He said one big issue southbound on Atlanta Street, which is one of the major north/south routes, is that there is no way for a motorist to safely make a simple left turn anywhere all the way from Hill Street down to the river. He said a number of connectivity issues are being addressed there with limited or minor

impact to the adjacent property owners. Mr. Acenbrak displayed a graphic indicating the north direction of SR-9 where Oxbo Road currently ends and another section that is dysfunctional oriented in another direction. He said Transportation would like to realign Oxbo Road from where it is currently located north of the hardware store to south of the hardware store and putting in a signalized intersection that will make this a continuous road and add connectivity on the eastern side of SR-9, allowing for left turn movement and more mobility. He said however in the course of laying out this project they found that there is a property at 27 Oxbo Road, owned by the Pickens family that will be affected by this realignment because of the way the house is situated on the property. He said the roadbed would be realigned so that the road will be elevated and the house will functionally be in a hole. Transportation considered options such as moving the house back and raising it up and doing many things but that got into structural issues with the house. He said considering the economics of this they finally realized they could not make this work so they began to consider the process of relocating the Pickens family to another house. He said Clyde Stricklin, an expert at this, did a masterful job working out an arrangement where the City could relocate the Pickens family to an area that would meet their needs and also meet the needs of the Roswell taxpayers in making sure this was an equitable arrangement. He said this is an effort to make this project work for this family and everything is coming together. Transportation is also looking for opportunities and creative ways to use this property in the future Oxbo realignment process because the house will not be inhabitable at the end of this process. He asked Mr. Stricklin to provide details about the project.

Transportation Land Development Manager Clyde Stricklin referred to a graphic showing that the Pickens house was impacted not only from the front but also from the side, and is already impacted by the stormwater drainage on the back. Mr. Stricklin said they had considered something with a park on one side or anything that might mitigate that, to no avail. He noted that the Transportation staff discovered that the City owns another piece of property that was of interest to the Pickens family. He explained that as a result of the Grimes Bridge roundabout, the City had purchased a piece of Smith property located at 1020 Grimes Bridge Road on the corner that included a nice house. A graphic was shown which indicated the way the house looked before and after the roundabout was complete. He said that the City will retain a permanent easement on the property; he noted that as a result, the value of the Grimes Bridge Road house and the value of the Pickens house are almost the same and that gave the City an opportunity to exchange these two properties. Mr. Stricklin said the amount is the escrow which is the title company fees and the relocation costs for the family; the funding amount is \$4,572.23 for that purpose.

Mayor Wood said for clarification that the City would exchange the property with an additional \$4,572.23 to pay for the cost of the relocation. He asked if staff supports this and if the Pickens family is happy with this. Mr. Stricklin replied yes.

Council Comment:

Councilmember Price asked Mr. Stricklin to display the picture of the property after the roundabout was completed. She noted that the Smiths, prior to the city's acquisition of the property had a lovely garden with a lot of native species that were brought in especially for that yard. She said that Mrs. Smith had worked on it for years and she was over 100 years at the time of her death. She said to salvage and save the plants had meant a lot to her prior to her death. Councilmember Price recognized the efforts of the Roswell Women's Club, the Roswell Garden Club and the Roswell Master Gardeners in relocating the bulbs to other areas around Roswell. She said it was an effort that may have been unnoticed at the time but pointed out that Mrs. Smith's plants were all around the City. She said the City through this exchange, had made a very good result from a trying and challenging situation. She

thanked everyone for their work on this project.

Motion: Councilmember Price made a motion for Approval for the Mayor and/or City Administrator to sign the necessary documents for an exchange of properties and to authorize the escrow of funds in the amount of \$4,572.23. Councilmember Dippolito seconded.

Mayor Wood complemented the Transportation Department not only for their creativity in this exchange but also for its partnership with the Roswell Women's Club and the Roswell Garden Club. He noted that there are not many transportation departments that can claim to be partners with garden clubs. The Mayor stated Roswell's Transportation Department is not only context sensitive but also sensitive to the community and they have a great partnership with all of the organizations in the City.

Public comments were invited. No public comments were made.

Further Council Comment:

Councilmember Wynn said this project proves how the Roswell Transportation Department goes above and beyond to make sure the citizens are not severely impacted when improvements are made throughout the City. She said the entire Transportation Department had done a fantastic job on this and that was much appreciated.

A motion was made by Council Member Price, seconded by Council Member Dippolito, that this Item be Approved. The motion carried by the following vote:

In Favor: 6

City Attorney's Report

11. Recommendation for closure to discuss acquisition of real estate.

A motion was made by Council Member Dippolito, seconded by Council Member Price, that this Item be Approved. The motion carried by the following vote:

In Favor: 6

Adjournment

After no further business, the Mayor and Council meeting of Monday, September 24, 2012 adjourned at 9:04 p.m. Mayor and Council reconvened for work session regarding the Roswell Business Alliance.