



City of Roswell

38 Hill Street
Roswell, Georgia 30075

Meeting Minutes - Draft Mayor and City Council

Mayor Jere Wood
Council Member Rich Dippolito
Council Member Lori Henry
Council Member Kent Igleheart
Council Member Jerry Orlans
Council Member Betty Price
Council Member Becky Wynn

Monday, October 19, 2009

7:30 PM

City Hall

WELCOME - Mayor Wood called the meeting to order and welcomed everyone present.

Present: 6 - Mayor Jere Wood, Council Member Rich Dippolito, Council Member Lori Henry, Council Member Kent Igleheart, Council Member Jerry Orlans, and Council Member Becky Wynn

Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Environmental/Public Works Director Stuart Moring; Transportation Director Steve Acenbrak; Finance Director Julia Luke; Historic and Cultural Affairs Manager Morgan Timmis; Water Distribution Superintendent Chris Boyd; Administrator of Park Services Jeff Pruitt; Community Relations Coordinator Kimberly Johnson; Mayor's Executive Assistant Robyn Kenner; Building Operations Technician Doug Heieren; and City Clerk Sue Creel.

Pledge of Allegiance - Tweedie Griswold

CONSENT AGENDA

1. **Approval of October 5, 2009 Regular Meeting Minutes (detailed minutes to replace Council Brief Minutes adopted on October 12, 2009) and approval of October 12, 2009 Council Brief Minutes.**
Administration and Finance
Approved
2. **Approval of the Revised City of Roswell Strategic Communications Plan.**
Administration and Finance
Approved

3. **Approval of a Resolution to accept the Georgia Department of Natural Resources Preserve America Community Landmark Heritage Tourism Grant Award in the amount of \$4,500 and approval of Budget Amendment 7322G4-10-19-09 in the amount of \$9,000.**

Recreation, Parks, Historic and Cultural Affairs

Approved

Enactment No: RES 2009-10-54

4. **Approval for the Mayor and/or City Administrator to sign contracts with Reynolds Inliner, Inc. and Inland Waters Pollution Control, Inc. for on-call stormwater related work.**

Environmental / Public Works

Approved

Approval of the Consent Agenda

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

In Favor: 5

REGULAR AGENDA

Mayor's Report

1. **Reading of a Proclamation for Administration and Finance Appreciation Week.**

The week of October 26-30, 2009 will be recognized as Administration and Finance Appreciation Week. The Mission Statement for the Administration Department is "providing result-oriented communication, service and innovation to our customers." The Mission Statement for the Finance Department is "provide excellent and accurate service to our customers, financial stewardship for the City's resources and professional services to City Departments."

City Administrator Kay Love thanked Mayor and Council on behalf of the Administration and Finance Departments for the recognition.

2. **Recognition of Roswell Woman's Club.**

Mayor Wood thanked the Roswell Woman's Club for their donation of landscaping in the Roswell Triangle. He also thanked them for sponsoring the Candidate Debate scheduled for October 20, 2009.

Tweedie Griswold thanked Betty Price, Beth Hamilton, Linda Lee Parker, Buff VanEpps, and Cheryl Rapaport for their work on the triangle project. Ms. Griswold

stated the Roswell Woman's Club looks forward to future projects to beautify the City of Roswell and for urban improvement.

3. Resolution requesting the Georgia Department of Transportation to substitute "Roswell" as a destination for the now existing destination "Norcross" on the exit marker for Exit 7 on Georgia 400

City Attorney David Davidson read the Resolution which requests that the Georgia Department of Transportation (GDOT) update exit marker 7 on Georgia 400 to reflect that a major portion of the City of Roswell lies directly east of Georgia 400 and designate the exit from Georgia 400 onto Holcomb Bridge Road East as the "Roswell" exit instead of the "Norcross" exit.

Transportation Director Steve Acenbrak displayed photographs of the current exit signs.

Mayor Wood explained that he had been approached by a number of residents wishing to have the exit signs changed.

Councilwoman Becky Wynn noted that the Resolution, brought forth by the Mayor, had not gone through the Committee process which gives elected officials, residents, and staff the time to research it. She noted that the Committee meets Wednesday, October 21, 2009, and it can come back to Council on November 2, 2009. She recommended it go back to Committee so that it can go through the proper process.

Mayor Wood asked City Attorney David Davidson if there is any written process on how a Resolution is processed, and is there anything prohibiting a Resolution from coming to Council without going to Committee first. Mr. Davidson responded that nothing prohibits the City Administrator, Mayor, Council or himself from bringing anything directly to Council. Mayor Wood said he had no objection if Councilwoman Wynn wanted to defer this item in order to take it to the committee.

Councilman Orlans asked Mr. Acenbrak to check with GDOT about getting Roswell on the Mansell exit, which is something he had approached GDOT about several years ago.

Councilman Dippolito wanted to make sure the City did not do anything to jeopardize its relationship with GDOT.

Mayor Wood stated he has spoken with the City's representative on GDOT, who supports this, and who has already spoken with GDOT staff who is waiting on Council's support.

A motion was made by Council Member Becky Wynn, seconded by Council Member Rich Dippolito, that this Item be Deferred and placed on the October 21, 2009 Community Development and Transportation Committee Agenda. The motion carried by the following vote:

In Favor: 5

Recreation and Parks Department - Councilmember Jerry Orlans

4. **Approval of an Ordinance to ban smoking within the City of Roswell Parks except within designated areas. (Second**

Reading)***Presented by Joe Glover, Director***

City Attorney David Davidson conducted the 2nd reading of Ordinance to Ban Smoking within City of Roswell Parks except within Designated Areas." The Ordinance amends Section 14.2.4 (k) of the City of Roswell Code of Ordinances by striking it entirely and substituting the following section in its place: (k) Smoking. It shall be unlawful for any person to smoke in any park, except within a private vehicle while such vehicle is either parked in a designated parking area within the park or is being driven upon a public thoroughfare within the park. The foregoing exception to the "no-smoking" ban shall not apply to minors, who are not permitted to smoke anywhere in a park.

Councilwoman Wynn asked about motorcycles, bicycles, or another mode of transportation that is not a 4-wheel enclosed vehicle noting that the Ordinance reads private vehicle which does not exclude other forms of transportation. She stated that smoking either needs to be banned completely in the parks or designated areas made available within the parks for smoking.

Mayor Wood encouraged Council to make the parking lots the designated smoking areas.

Councilman Orlans said that encouraging people to walk and be healthy is why the smoking ban started. The Recreation Commission initially thought to have a total ban but decided to allow people to smoke in their own cars. He said if exceptions are made, it would defeat the purpose of what the Recreation Commission was originally trying to do. He thought the Ordinance should be as read with smoking in vehicles.

Councilman Igleheart asked what other jurisdictions have done. Administrator of Park Services Jeff Pruitt responded that the City of Marietta is trying to pass it for two of their parks; the City of Gainesville has passed it city wide; and Hall County is doing a little at a time. He said the Recreation Commission is trying to promote a healthy lifestyle.

Councilwoman Henry asked if restaurants located at the Triangle or the Square where people could be waiting for a table would be included in the smoking ban. Mr. Pruitt answered yes unless Council deemed otherwise. Councilwoman Henry asked if there had been complaints from the public on smoking in the parks. Mr. Pruitt responded that there had been some such as people smoking in the stands but not a huge number.

Public Comment:

Jim Taudte, 1085 Stroup Rd, stated he is a member of the Recreation Commission and the only member to vote against a total ban. He believes there needs to be more balance from government and suggested that anyone being affected by secondhand smoke to ask the smoker(s) to move elsewhere so as to not affect others. Mayor Wood commented that asking smokers to move would be hard to enforce. Mr. Taudte stated his concerns with a total ban were smokers would stop coming to the park altogether, and it will make park employees less efficient if they have to leave the park during their breaks to smoke. He asked what the fine would be if caught smoking in the parks. City Attorney David Davidson replied the penalty for smoking in the parks could be up to \$1,000 or 90 days in jail. Mr. Taudte reminded Council that smokers are also taxpayers.

There was no further public comment.

Councilman Dippolito stated as a non-smoker he saw the benefit of not having

smoking in the stands, but also understood that smokers have children who play sports and spend a lot of time at the parks, and it would be difficult for them to have to leave. He could see a designated area where smoking is allowed and would like to see it restricted to the parking areas.

Ms. Wynn stated she agreed with Mr. Dippolito, but since there is also on-street parking felt it should be designated as parking lots and not on-street parking.

1st Motion: Councilman Orlans moved to approve the second reading of an Ordinance to ban smoking within the City of Roswell Parks except within designated areas. Councilman Igleheart seconded the motion.

Mayor Wood said he would not support the motion if he had to vote in a tie as he thought smoking could be allowed in parking lots noting there are already car emissions there. He also did not think government should tell people whether they can smoke or not.

Councilwoman Henry agreed with Mayor Wood saying she would like to see the non-active parks removed from the ban, such as the Square and Triangle.

Councilman Orlans agreed with Councilwoman Henry that the Triangle should be taken out. He asked the City Attorney the timeline for the second reading in order to take it back to the Recreation Commission. Mr. Davidson replied 60 days from October 5, 2009.

Councilman Orlans withdrew his 1st motion.

2nd Motion:

A motion was made by Council Member Jerry Orlans, seconded by Council Member Becky Wynn, that this Item be Deferred and placed on the Recreation Commission. The motion carried by the following vote:

In Favor: 5

Environmental / Public Works Department - Councilmember Jerry Orlans

5. **Approval of a Resolution to accept a FY 2008 Special Appropriations Projects (SPAP) Grant in the amount of \$31,460 from the U.S. Environmental Protection Agency (EPA) and approval of Budget Amendment G302-10-19-09 for \$31,460.**

Presented by Stuart Moring, Director

Environmental/Public Works Director Stuart Moring stated the cities of Roswell and Alpharetta were successful in receiving a share of the grant to the Metropolitan North Georgia Water Planning District for a Special Appropriations Projects Grant. It is a continuation of the stormwater demonstration project, and Roswell and Alpharetta will work jointly on a watershed plan for Foe Killer Creek. He noted that Alpharetta will have their own obligation of matching funds.

Mayor Wood asked that they look at the possibility of a trail up Foe Killer Creek with the confluence of Big Creek. Mr. Moring responded that greenways are important elements of watershed management, and both Roswell and Alpharetta have

committed to include that in the watershed plans.

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

In Favor: 5

Enactment No: RES 2009-10-55

Administration and Finance Department - Councilmember Kent Igleheart

6. **Approval for the Mayor and/or City Administrator to sign a contract with Caspian for the interior renovation of 105A Dobbs Drive in the amount of \$186,000. (Deferred from October 5, 2009)**

Presented by Michael Fischer, Deputy City Administrator

Councilman Igleheart stated the renovations for 105A Dobbs Drive had been deferred so that the Green Ribbon Committee could look at the possibility of turning it into a LEED certified building. He said at this time, however, it did not make sense to continue trying to make it LEED certified, as there would be additional costs without much benefit. He stated that staff recommends leaving the renovations as originally planned but because LEED certified buildings are important, future renovations will start at the beginning to make them LEED certified. Mr. Igleheart thanked everyone for their time and effort.

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

In Favor: 5

Adjournment:

After no further business, the Regular Meeting adjourned at 8:10 p.m. for a Work Session on "Status of Water Resources Division Programs and Activities."