



# 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, April 25, 2011

7:00 PM

City Hall

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### 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

*Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Police Chief Dwayne Orrick; Fire Chief Ricky Spencer; Director of Environmental/Public Works Director Stu Moring; Transportation Director Steve Acenbrak; Recreation, Parks, Historic and Cultural Affairs Director Joe Glover; Director of Community Development Alice Wakefield; Finance Director Julia Luke; Human Resource Director Dan Roach; Environmental Deputy Director Yvonne Douglas; Environmental Programs Manager/Executive Director of Keep Roswell Beautiful Janet Liberman; Land Development Manager Clyde Stricklin; Transportation Planning Manager Chris Chovan; Manager of Historic and Cultural Affairs Morgan Timmis; Economic Development Manager Bill Keir; Deputy Fire Chief Paul Piccirilli; Deputy Fire Chief Tony Papoutsis; Water Operations Manager Mike Leonard; Risk Manager Wendy Ademy; Police Support Services Manager Arlene Shamaka; RCTV Producer/Director Amy Kargus; Community Relations Coordinator Kimberly Johnson; Building Operations Technician Doug Heieren; City Clerk Marlee Press.*

### Pledge of Allegiance

*Boy Scout from Troop #629 - Mount Pisgah School.*

**CONSENT AGENDA**

1. **Approval of March 28, 2011 Council Meeting Minutes (detailed minutes to replace Council Brief minutes adopted on April 11, 2011); Approval of April 11, 2011 Council Brief.**

Approved

2. **Approval of an Ordinance of the City Council to Authorize Fulton County to Conduct Election. (First Reading)**

*Administration*

Approved

Lee Fleck, 435 North Pond Trail, commented on the election issue. He said in light of the fact that projected turnout for November's election is between 6-7% out of the 88,000 people in the City of Roswell, he recommended that the city put on the ballot the referendum for the liquor sales which was passed by the state in an effort to encourage a great electoral turnout.

3. **Approval of an amendment to the City of Roswell Human Resources Policies and Procedures Manual, Chapter 1 entitled General Policies, Section 1.26, Inclement Weather policy.**

*Administration*

Approved

4. **Approval of the City of Roswell Fund Equity Policy.**

*Finance*

Approved

**Approval of the Consent Agenda**

A motion was made by Council Member Jerry Orlans, seconded by Council Member Becky Wynn, that the Consent Agenda be Approved. The motion carried by the following vote:

In Favor: 6

## REGULAR AGENDA

### Mayor's Report

1. **Presentation of the Third Annual Green Hair Challenge Winners.**

*Janet Liberman announced that Mayor Wood and Transportation Director, Steve Acenbrak are the winners of the Green Hair Challenge by having the lowest number of votes. She added they really felt the love on this one. The Mayor and Steve rode their bikes down Canton Street earlier today. This fundraiser raised over \$1,049. Janet added that on May 14th here at City Hall in addition to the farmer's market, the rain barrel compost bin sale and the touch a truck event, there is going to be a light bulb giveaway. Since GA Power donated those, staff is looking at using the \$1,000 to purchase some kind of a water conservation kit to give out that day.*

*Kay Love said since they are talking about fundraisers, she mentioned the fundraiser for Relay for Life "Are you smarter than a 5th grader?" It was Mayor and Council playing against the Department Heads with their 5th graders. The Department Heads are all wearing buttons that say "I am not smarter than a Council member" and Council members have their buttons that "They are smarter than the Department Heads." She thanked Recreation and Parks staff for coordinating this.*

2. **Recognition of Roswell Police Department Officers who received an award from Mothers Against Drunk Driving (MADD)**

*Chief Orrick said that on March 24th, MADD had their seventh annual Golden Shield Awards and during that program they thanked those officers who are chasing down drunk drivers and helping prevent underage drinking. There are four categories - red, gold, silver and bronze. Officer Joshua Ott had 121 DUI arrests last year and received a gold pin. Officer Kyle Ratliff had 83 DUI arrests and received a silver pin. Officer Scott Lappin had 51 DUI arrests and received a silver pin. Officer James Spivey had 33 DUI arrests and received a bronze pin and Officer Aaron Johnson had 31 DUI arrests and received a bronze pin. Chief Orrick added that these officers are out there working every day to make our communities safer.*

3. **Recognition of the City of Roswell for their support of the March Better Worlds Book Drive.**

*Alex Kaufmann and Ms. Michelle Newton were present on behalf of Star House Foundation and thanked the City's efforts and in particular the Roswell Fire Department. They presented an award to Chief Spencer on behalf of the foundation. They also thanked Councilmember Diamond who was co-chairman of the Book Drive and said they couldn't have done this without her. They added that the Fire Department helped bring in over two hundred boxes of books, which weighed over ten thousand pounds.*

*Mr. Kaufmann said the purpose of the Book Drive was to help Star House Foundation which is a Roswell based after-school program for at risk youth and it is also spreading out to North Fulton. Star House currently serves over one-hundred-eighty students, kindergarten through twelfth grade and they are located at Mimosa Elementary School, Elkins Point Middle School and Roswell High School. They are*

*also completing the third year of a pilot program for the high school. Star House has students who have completed recovery hours and they are working toward their graduation requirements. They are very proud of their students.*

*Kay Love explained the arrangement with Better Worlds Books. She said this drive is like many drives that the city partners with not-for-profits. Bins are put out and people find books and textbooks in their basements and attics to bring to the bins. They will sell these books and part of the proceeds are returned to the not-for-profit which in this case is Star House to help expand that program. Some of the books collected will be used at Star House. She said they are a great community citizen and the city is happy to have that partnership with them and the Roswell Fire Department. She said that the Roswell Fire Department challenged the other Fire Departments but she didn't know the results.*

*Councilmember Diamond said it was not close enough to comment on. She added that those 200 plus boxes of books were piled up in front of Alex Kaufman's office. The truck came to get them and the boy scout troop that was scheduled was not able to make it so Paul Piccirilli and herself and a few others loaded the truck and she appreciated all the help.*

*Mayor concluded by saying that Better Worlds Books is a Roswell business and they operate nationally. He said in addition to making donations through Better Worlds Books to benefit Roswell charities people can also go online and buy books from Better World Books at a great discount. He encouraged everyone to support Roswell businesses including Better World Books.*

4.

#### **Reading of a Proclamation in recognition of National Drinking Water Week, May 1-7, 2011.**

*Mayor Wood read the proclamation recognizing National Drinking Water Week which recognizes the importance of excellent portable water supply. Stu Moring said this is a time when we can reflect on the importance of drinking water and how important it is to public health. He added that he has been told from the medical community that there was no single factor that had greater improvement of community health than the creation of safe public water supplies.*

*Stu Moring said as part of the festivities for National Drinking Water Week, there is a drinking water festival planned at the water plant on May 7th. He invited everybody to come to the water plant off Oxbo Road on Dobbs Drive and drink free water and see the processes that take place that protect our water. Mayor said it is great for children and it is a great learning experience.*

*Mr. Moring added that the water quality varies greatly during weather like this at Big Creek, and the staff does an exceptional job in monitoring that and making the adjustments. The finished water is ten times better than the standard which means it is refined at least ten times more than is required by the state.*

5.

#### **Presentation of the Georgia Association of Water Professionals (GAWP) Platinum Award to the City honoring the Cecil Wood Water Treatment Plant.**

*Brian Wagner representing Georgia Association of Water Professionals recognized Roswell for the exceptional performance in the treatment of drinking water and wastewater services. This is the fifth consecutive year the City has received this award. GAWP tracks about 250 water and wastewater facilities across the state and their performance. There is only about fifteen facilities in the state that will reach a platinum award status which means that there is not one single sample that is out of*

*bounds. Mr. Wagner added that very few facilities across the state make five consecutive years and/or further.*

6. **Introduction of Vicki Culbreth - Environmental Education Coordinator.**

*Stu Moring introduced Vicki Culbreth the new Environmental Education Coordinator. Janet Liberman added that Vicki has a degree in wildlife biology from UGA and has most recently worked for the Cobb County water system. She also has worked for Georgia EPD. She has an abiding interest in educating citizens and in engaging our citizens in learning about how the environment can be improved for all posterity.*

7. **Approval of a Recreation Commission appointment.**

*Mayor Wood nominated Steve Stroud for the appointment to the Recreation Commission.*

**A motion was made by Council Member Orlans, seconded by Council Member Price, that the appointment of Steve Stroud to the Recreation Commission be Approved. The motion carried by the following vote:**

**In Favor: 6**

8. **Approval of a Cultural Arts Board appointment.**

*Mayor Wood nominated Lee Walker for appointment to the Cultural Arts Board.*

**A motion was made by Council Member Jerry Orlans, seconded by Council Member Kent Igleheart, that the appointment of Lee Walker to the Cultural Arts Board be Approved. The motion carried by the following vote:**

**In Favor: 6**

9. **Approval of a Construction Board of Adjustment and Appeals appointment.**

*Mayor Wood nominated Terry Rubke for appointment of Terry Rubke to the Construction Board of Adjustment and Appeals to fill a vacancy.*

**A motion was made by Council Member Jerry Orlans, seconded by Council Member Becky Wynn, that the appointment of Terry Rubke to the Construction Board of Adjustment and Appeals be Approved. The motion carried by the following vote:**

**In Favor: 6**

10. **Approval of reappointments to the Construction Board of Adjustment and Appeals.**

*Mayor Wood nominated Neal Gasaway, Charles McMillan, Dave Rippe and Rick Meer for reappointments to the Construction Board of Adjustment and Appeals.*

**A motion was made by Council Member Jerry Orlans, seconded by Council Member Betty Price, that the resappointments of Neal Gasaway, Charles McMillan, Dave Rippe and Rick Meer to the Construction Board of Adjustment and Appeals be Approved. The motion carried by the following vote:**

In Favor: 6

11.

**Approval of an Ordinance to amend Section 2.1.1 Council meeting time, dates and quorums. (First Reading)**

*Mayor Wood requested consideration of an Ordinance to amend Section 2.1.1 council meeting times, dates and quorums and particularly talking about attending by telephone.*

*Mr. Davidson read the ordinance. It states that the Mayor and Council of the City of Roswell pursuant to their authority do hereby adopt the following ordinance: Section 2.1.1 of the Code of Ordinances of the City of Roswell, Georgia is hereby amended by the deleting said section in its entirety and replacing it with a new section 2.1.1 which reads: A quorum, as defined in Section Ch. 3.140 of the Roswell Charter, shall be present before business may be conducted at meetings of the mayor and city council. Provided a quorum is physically present, the mayor and/or members of city council not physically present may participate and be considered present for voting purposes if that person is present by telephone, video, electronic, wireless or other virtual means of communication. If a quorum of the mayor and city council is not physically present at a meeting, but a quorum is present by telephone, video, electronic, wireless or other virtual means of communication, a unanimous vote of all members present (physically and virtually) may establish a quorum for the conduct of business. If the vote is not unanimous in favor of establishing a quorum, no further business of the mayor and council shall be conducted. Provided proper notice is given as directed by the City Charter, any member of council, including the Mayor, not physically present at a meeting of Council that wishes to participate in said meeting by telephone, video, electronic, wireless or other virtual means of communication shall be charged with pre-arranging for their participation by telephone, video, electronic, wireless or other virtual means of communication with the City Administrator. The mayor and/or councilmember participating by telephone, video, electronic, wireless or other virtual means of communication shall participate in the entire open meeting in order for their votes to be counted.*

*Mayor Wood asked Mr. Davidson to summarize how that is changing the current ordinance. Mr. Davidson said that this will allow when a quorum (four) is physically present at a Council meeting. Mayor Wood had it clarified that if there is the Mayor and three Councilmembers that is a quorum and Mr. David affirmed that statement.*

*Mr. Davidson said this ordinance would take a unanimous vote of all those people that are actually present on telephone, video or other means and the people physically present to conduct a meeting. If it is not unanimous, there would be no further action. The Councilmembers that will not be here physically will be responsible for arranging for their mode of communication with the City Administrator. That is the only change. Mayor Wood asked for confirmation that if they are participating by telephone, they would have to participate in the entire meeting. Mr. Davidson said that is correct.*

*Mayor Wood asked if this would allow them to listen in and vote. It currently reads that you are not allowed to listen in or vote. He asked if that is the way it currently reads. Mr. Davidson said not if there is a quorum physically present at the meeting. Mayor Wood wanted it confirmed that if you are travelling or absent for a reason you couldn't call in and listen? Mr. Davidson said that is correct. You could not participate in the meeting.*

*Councilmember Igleheart asked what would keep anybody from just calling in and listening? Councilmember Price said she tried that awhile back and couldn't do that.*

*Councilmember Igleheart said participation would be making comments and voting. He added that he has participated in numerous meetings in other settings by phone and sometimes it works but most of the time it's difficult to hear, participate and be fully involved. Generically it sounds great, but he doesn't think it works very well.*

*Councilmember Price said there was one occasion last year where Mayor and Council had a special called meeting of a significant issue regarding real estate and since it was a special called meeting, it wasn't on the regular date, so she was not scheduled to be in town. She said she was going to participate in that meeting and then she was informed not only could she not vote, which she really wasn't expecting to vote, but that she could not even listen or offer any comments on that real estate transaction. She said that was not a good idea and also, certainly there would be nobody on this council that would be sinister enough to have a special called meeting when a person or persons were known not to be able to attend the meeting but that is certainly a possibility. She didn't think you would want to have meetings that someone couldn't participate in simply because they were geographically elsewhere.*

**Councilmember Price moved for approval of the Ordinance. The motion failed due to lack of a second. No amendments were proposed.**

### **Public Safety - Councilmember Nancy Diamond**

12.

*Kay Love started by saying that this has been discussed a number of times at Committee and originally staff's charge was to review city owned properties that might be suitable for construction of a new fire station to replace the fire station currently located on Holcomb Bridge Road, Fire Station 4. There were some public information meetings held to get some input from the public and after that, from a staff perspective it was recommended to put the fire station in Big Creek Park. Since then, staff was tasked with taking a look at within a one and half-mile radius of the current fire station parcels that are one and one-half acres or larger. Staff has also contacted some property owners of properties that would be suitable if the City were going to purchase property. She reiterated that staff's first charge was looking at city owned property then they looked at any property that might be suitable for a fire station.*

*Fire Chief Ricky Spencer put up a map of other parcels and showed where the current station is located and showed where Terramont and Big Creek sites are. The map indicates also office property parcels, commercial property sites and residential parcels. He said these are in a mile and a half radius from where the fire station is located now in order to meet ISO requirements. He said site #43 which is the Terramont Park property is approximately three acres and part of that property sits in a flood plain. It's being used now as a neighborhood park. Site #44, the Big Creek Site is currently used for the mountain bike association, people who walk the trails, people who exercise and people who take advantage of the park area.*

*Mayor Wood asked Joe Glover if both of those properties (Terramont and Big Creek) are administered by the Recreation Department and Mr. Glover said yes. Mayor Wood asked how much the city paid for the Big Creek site and Mr. Glover said \$16 million for the entire tract of Big Creek property which is 200 acres. Mayor Wood asked if there are current plans for that property. Joe Glover said there is a master plan for that property which included an indoor aquatic facility, gymnastics facility, visual art facility and a gymnasium facility. Mayor Wood asked if there are any plans for this particular site where the fire station would be going. Mr. Glover said the plan included the entire project. Staff has not gone back to look at that to see if the area*

*that they are looking at would interfere with any other development at this time.*

*Mayor Wood asked if the property in Terramont is currently operated as a park. Mr. Glover said it is currently operated strictly as a little neighborhood park. He said there are no plans for that particular piece of property. He said if they choose Big Creek site or some other site the property in Terramont would stay as a neighborhood facility. Mayor Wood asked if there is a possibility of putting a dog park or a neighborhood garden on that park and Mr. Glover said there is but there is no parking for outside people coming in so it needs to stay within the neighborhood as much as possible.*

*Council Comments and Questions:*

*Councilmember Orlans asked the City Attorney if the Terramont location had been committed or deeded to the city with restrictions and what obligations the city has on this property. David Davidson said they can put a fire station on park property and it could still be a park. He added that there is other case law and statutes that say after twenty years those restrictions could run and no longer be valid but a fire station can still be put on park property. Councilmember Orlans said he understands that but he asked going back to the original legal documentation, is there any record of what commitments were made or how this was set up. Mr. Davidson said he has looked at the instrument that was given to the City and there was a restriction on there that it be used for a park. Mr. Davidson said it was almost like a condition. He said when they did the neighborhood, it wasn't really a dedication. Councilman Orlans thanked him for the clarification because he was getting comments that the city couldn't do anything there because of the deed.*

*Councilmember Igleheart said he is not necessarily against either one of these but his concern is that there are issues with both, pros and cons which are valid. His concern is that staff may not have looked at all of the options and all other possible locations. He said they put Station #7 on city property but it was not the best situated location. Putting the fire station on city owned property is not always the best reason. He said he has even suggested to look at other options and even look at the site where it is now to see if there are some other configurations that can be done there even if there is a cost to do that. Councilmember Igleheart added that there are properties that are not necessarily for sale at this time. He brought up the old Home Depot site. He said there is a big asphalt flat spot there that nothing is sitting on. He also mentioned the new site across the street. He said there are a lot of those options that may be outside the box. He is concerned that staff hasn't looked at these other options because staff hasn't been charged with that although at the last committee meeting Council did ask staff to get them some information and he doesn't see that tonight.*

*Mayor Wood asked Chief Spencer if they looked into other sites and Chief said they have. He said he has tracked many miles of land in that area and have put many miles on his car and he has spent a lot of time looking at different locations through brokers and through the Roswell GIS system. He showed Mayor and Council a map identifying three more parcels that possibly could suffice as a site for a fire station that are not city owned. Two of them are residential properties within Martin's Landing and another parcel is across GA400 which he doesn't think is going to sit very well with Mayor and Council being on the west of GA 400. That would leave only one fire station on the east side. He has not talked to anyone about these additional three parcels as far as whether they would be for sale or whether the fire department could use them. Councilmember Igleheart asked if staff talked to the shopping center owners about a smaller piece of their parking lot. Chief said they did identify parcel #14, which is at the corner of Old Alabama Road and Market Blvd., which is a three acre outparcel to the backside of the old Home Depot. They were*



told that the property was not for sale at this time. Councilmember Igleheart said that is not the empty parking lot of the Home Depot or large spot that is there. He asked if staff has talked to that property owner about the possibility of taking a corner of that existing parking lot. Chief said they have not.

Chief Spencer said staff did look at the Pro Golf Warehouse site on Holcomb Woods Parkway for possibly using that parking lot. He said for the amount of land that is needed and the grade from the parking lot down the Holcomb Woods Parkway this would not suffice a fire truck going down that steep grade. They have not discussed with those property owners either about the possibility of selling those two to three acres of property.

Councilmember Dippolito had the same concerns as Councilmember Igleheart. He said there is a building that is north of Holcomb Bridge Road in front of the PGA Golf Store (Parcel #10). There's an old design showroom that's been vacant two years that's bank owned and the building may not work but the property may work and there's a possibility to purchase that property at a reasonable price. Chief Spencer said he can walk that property but he doesn't think it is large enough and that would have them backing their fire trucks into the fire station, which he would like to try to get away from. He thinks that is a two-story building and if they try to remodel, he doesn't think the ceilings are tall enough to allow a ladder truck to be used. Councilmember Dippolito said his idea was if the city could buy the land cheap enough with the building, the building could be scraped and then redesign the site to get the building on there that Chief wants. He said he would like Chief to look at that site.

Councilmember Dippolito also mentioned a site closer to GA 400 on the south side of Holcomb Bridge Road, just north of the hotel. That is where the old abandoned gas station is where everybody wants to get rid of and there is a building adjacent to it that may have just gone under lease. If those two parcels could be combined and tear down the buildings and do redevelopment and get a new fire station, that would be a very good location.

Councilmember Dippolito said he has always felt that there's a way to wiggle into the existing site and he has asked the Transportation Department to do some sketches. He said there may be a way to get a road along the back side of the adjacent parcels. It will take a little leg work and talking to the owners but there is a possibility of rebuilding the fire station there. During emergencies, the trucks could pull directly out onto Holcomb Bridge Road and then come back through the backside. Steve Acenbrak added that they are looking at an access road at the existing location. It will be difficult to do but they are working on some modifications and ideas. Councilmember Dippolito said he would like staff to look at these three further options.

Chief Spencer said the existing site is .89 acres and it's going to be really compact that fire station. His biggest concern is if they decide to put it on the existing property that means they have to take down the old station; renovate the site and build a new station which could take somewhere between 12-18 months. During that time, there wouldn't be any fire protection in that area because there would be no fire trucks there. They could put trucks out at fire station #7 at the end of the city limits and additional trucks at station #1 but that would not leave for quick responses in that area. He said staff looked at other properties to put their trucks during that renovation including the Home Depot site discussed. He said there is nowhere to house three fire trucks, an engine, ladder truck and rescue truck.

Councilmember Diamond asked Chief if he had a choice of where to relocate and

money was not an issue what would be his favorite location. Chief said it would be the three-acre site at the corner of Old Alabama and Market Blvd. There was access and the secondary road. Chief said his second choice would be Big Creek Park.

Councilmember Price said she attended one of the community meetings at East Roswell Park and at that time there were basically two locations discussed – Big Creek Park and Terramont. At that time, the impression was given to the citizens that it was Council's decision and these sites were essentially equal in Chief's mind, and then subsequent to that Council got a recommendation from Chief preferring Big Creek. Chief said he was staying neutral at the community meeting. He was asked on numerous occasions about where he thought the fire station needed to be when they were talking about Terramont and Big Creek. As they have moved through the process over the last eleven months he has been asked by some of the Council members what site he preferred. He said he prefers Big Creek to Terramont. He said he was not picking one site or the other because he did not want to sway the people who were coming up to speak publically about that.

Councilmember Dippolito asked about one more site by Old Alabama Road and Holcomb Woods Parkway. He understands there are topography issues and asked the Chief if he had any idea of what the cost of working with that topography would be. Chief said he does not. He said they did look at that property because of its location. He doesn't know the exact grade of that property but it does drop off quite a bit from Old Alabama down to Holcomb Woods Parkway. He said about eight months ago, it was \$1.275 million for three acres. He said a fire station could be put on that site but it would have to be tiered down. Councilmember Dippolito said the transportation engineer staff could look at the issues there. He requested that staff explore that site more.

*Public Comments:*

David Tolleson, 2800 Laurel Green Court commented on the Big Creek site. He said he heard the Chief say his first choice was site #14 which is also his choice. He said it is flat and you wouldn't be condemning buildings or putting someone out of business, running someone out of their home if you intervene for the public welfare and safety. He said during this comprehensive planning process he kept hearing that there are willing property owners and developers to look at mid-size mid-rise buildings and more density and all that. Yet, they don't want to talk to the city about a fire station for the public safety. We're looking at an area, which will eventually be revitalized and be developed in some way. This would increase the value of the surrounding property. If the site at Big Creek site is chosen, the fire station will be closer to Northwood Elementary and it will be closer to Big Creek Park which are good things. But it will move further away from Esther Jackson, Hillside and River Eves Elementary schools, Holcomb Bridge Middle School, Centennial High as well as the new library site and the East Roswell Park. He said regarding Old Alabama, it is slated for expansion and is currently bumper-to-bumper most mornings. He added that it is important to stick with principles. He said many years ago the voters of Roswell were asked to support a bond referendum to raise money for the purchase of green space, recreation uses and parkland. With that money, the land at Big Creek Park was purchased. No doubt, there is a legal way to put a fire station there. The citizens of Roswell voted for this and trusted the city to do the right thing with this bond referendum and believed what they were told the city would do with the money and the city should not go astray of that.

Jennifer Wagner, 1040 Terramont Drive, spoke on the Terramont site. She said in answer to Councilman Orlans' question about the language in the deed, it states that the purpose of this instrument is to convey title. Mr. Davidson says there's a twenty-year restriction on that and she doesn't think so. She said in the code that Mr.

Davidson referred to, it says that the twenty-year limitation does not apply. She agreed with Mr. Tolleson that the promises made to the citizens in the 2000 bond referendum do not expire and as far as she is concerned, the promises the city made in 1976 don't either. The land at Terramont was promised to be a park, restricted to such use and she believes that is the way it should be. She said Chief Spencer needs a fire station and he said his preference is for Big Creek Park. She doesn't think that Terramont should be an option. There's restrictive language.

Ernest Campbell, Creekwood Crossing spoke regarding Terramont. He agreed with Jennifer Wagner about the law she spoke about. He said he has listened to the plan of the Big Creek area and plans for all these athletic facilities on it. He said it seems to him that they would want to have a fire station with an EMS unit sitting on it. He also asked the Chief about the circle from the current location of the fire station and is that the best circle that could be drawn. Chief said it is a mile and a half circle and that's what ISO recommends for fire engine coverage in the city. Chief said the two and one half mile range coverage is for ladder trucks. The mile and a half circle is for engines and that would be where he prefers that this fire station go. Once they get out of that area, then it's going to hurt people in Willow Springs or Martin's Landing or Terramont. Chief said anything within that mile and a half circle is considered the center of fire station 4's district.

Brad Wender, 250 Sea Holly Circle is the current President of the Roswell Alpharetta Mountain Bike Organization. He commended the Council for the foresight into looking at other potential sites in the designated area. He attended a meeting at the East Roswell Park a number of months back and many people filled out forms showing where they would prefer the station. He believes the majority did prefer Terramont. He believes the current station is sitting on original Martins Landing property. To his knowledge, the fire station has always been a wonderful neighbor and Martins Landing has always been happy with the fire station backing up to several of the homes presently behind it. He said if Martin's Landing had the property they would be happy for the fire station to be somewhere real close to Martins Landing right now. He is thankful that Council is open minded enough to look at some other possible alternatives.

Jonathan Smith, 320 Creekside Court spoke regarding Terramont. He moved into Terramont buying investment property. It was a condemned home and he has dumped over \$30,000 into the property and has watched property values decrease tremendously. Tonight he has heard of eight properties that are all abandoned that have diminished property values throughout the entire area that affected not only Terramont but also Martins Landing. He said he realizes that people want to keep trees and so forth, but at the same time, diminishing property values within the neighborhood of almost 200 residents could have a significant impact on the community by causing short sales, foreclosures, abandoned and empty properties that they can't sell. He is not against a fire station. He just doesn't think it's a very good idea in terms of investment property values and overall future use of the neighborhood. This would be inside their neighborhood and this would directly impact the property values for all of Terramont. He added that Big Creek is 150 acres of undeveloped land and some of it is mountain trails but a lot of it is sitting right at the front road. He said that 147 acres would still be park and trails. He doesn't see a significant negative impact financially by putting it in three acres of 150 acres of undeveloped real estate. He said from hearing this evening's discussions of possibly having other areas that haven't been completely explored, he would ask that they postpone the decision this evening until all possibilities have been explored. It is his request not to have it built in Terramont.

A resident at 760 Gable Ridge Road spoke regarding Big Creek. He enjoys mountain

biking and Big Creek is the only park in Roswell to mountain bike. He is afraid that any development in that park is the camel's nose under the tent and that any development will cause some of those trails to be diminished or less desirable.

Shawn Brenner, 6015 Loch Harbor Court spoke. One of the main reasons his family moved here from Memphis is due to the Recreation and Parks Department and what it has to offer. He said as a concerned member of the community it is the precedent it would be setting if a fire station is put on park property in either Terramont or Big Creek. When you take land that has been designated for a certain purpose and start using it for other purposes, it sets a bad precedent. If that land was purchased for green space and the purpose of it was for public park then he thinks it should be preserved as a public park. The city needs to understand the economic benefits that Roswell sees from that park. People have moved here because they have access to the only known biking trail in Fulton County and in North Atlanta. Big Creek is also one of the busiest mountain biking parks in all of Georgia. He is in the process of opening his own small business that is going to offer rentals, bike service, less than 200 yards from that park. He doesn't necessarily oppose a fire station, but he does oppose the slippery slope that opens the door here. He would like that to be considered.

Wes Hudson owns the property at 295 Parkmont Court and lives in Horseshoe Bend. He moved to Roswell in 1977 and has the same information that Ms. Wagner has with regards to what the developers told him about the park in Terramont. They were told that it would always be a park and they were told it was going to be deeded to the City of Roswell. Changing that use of the park will affect property values. He said Council does a great job and it is their decision. They have heard from the Chief and what his priorities are. He agreed with Councilmember Dippolito that they need to research some other areas and see if they are a better fit.

Ruth Kenyon, 2025 Wilson Ridge Court spoke. She worked hard getting Big Creek Park. She wants the best for the Fire Department, but she thinks there is more homework to do and to look at these other options. The people in Terramont have a piece of land that is obviously important to them. It was promised to them but also Big Creek was promised to this community. She said the city needs to hold to both of those promises. Take the time and get it done right.

**Council Comments:**

Councilmember Diamond said they are not going to get a definitive vote tonight. It needs to be understood that they really need to get this done. It has been about two years and they need to move forward. If there's a possibility that they can get the first choice of property and there's another angle not yet explored, she is game to do that. At this point she would like to talk about excluding at least Terramont because in her view it's no longer a viable option because as more issues came out about it there are real limitations placed on this lot and there are concerns about it being directly on Holcomb Bridge Road so it is not the preferred location for response and that is the most important. She added that she would love to do it on Chief Spencer's #1 choice. She said she has not heard anyone say where this money is going to come from, but in the budget workshop she will be anxious to hear it because she had not heard previously that they had money to spend on this. If they were to go to Terramont, the City would absolutely create and improve the remaining park area as part of the project but the park would be impacted on a much larger way because of its small overall size. She said the bigger issue is the advantages of the Big Creek location. In talking with the Chief and other Public Safety Chiefs, she has learned that secondary roads really are preferable for emergency responders. In the case of Big Creek and even the Market Blvd. area, the location allows our vehicles to have the choice of Old Alabama, Holcomb Woods Parkway, Market Blvd. and Holcomb

Bridge Road. Market Blvd. and Riverside are much less obstructed travel. For park rescue operations, the Big Creek response time advantage is dramatic. Right now, the needed equipment has to be loaded, unloaded, and sent to the scene. The Big Creek location would have vehicles on the ground and ready to go, a potential difference of 30-40 minutes. Additionally, this would give the city the chance to add public restrooms for the station for the park visitors. She wanted it made very clear that there is no talk of eliminating the mountain park trails. The largest impact on this proposal would be to reorient one portion of the trail. Looking at future development, it's hard not to foresee the eventual need for an additional fire station on the east side of Roswell. If we think of Big Creek and Station #7 as the two end sides of this city, it's logical as the need increases that a place in between might be needed. Taking nothing away from the current concerns of the developing parkland, this is less than three acres of the most commercial corner of what she thought was a 160-acre park. There are long term potential projects discussed for the park but none of those projects are funded or even close to it.

Councilmember Diamond continued and said Chief and his staff evaluated the two for response times in the service area. They are similar overall but they believe Big Creek to be the best for response overall. The Chief and his staff know the logistics of this city better than most of us who live here. When they say Big Creek or Market Blvd is the best option for the safety, life and welfare of the people in this area that says it all for her. She said they need to move forward on a fire station. Big Creek offers the best response time and offers the lowest cost. She said the city's public safety expert strongly recommends Big Creek and that is the position that she will be taking.

Councilmember Igleheart said he was surprised this came forward. He thought the decision was made to get more information first. He said a good case can be made on all sides to any argument. He said he supports the Chief and the Fire Department and he wants to ultimately do what is best for them. He thinks there are things that are outside of the Chief's specialty area that they haven't pursued as needed.

Councilmember Dippolito concurred with Councilmember Igleheart. They have this list they were given tonight that gives a little bit more information of all these sites but one of the very important missing components is what is some of the cost of these vacant parcels or buildings that could potentially be redeveloped. This will take some time to go through this list and he will personally highlight some others that he think they need to look at.

Councilmember Price asked if they are bringing this back on any set date. Mayor Wood said they don't have a set date but it will probably come back to Committee again once they have further information.

**A motion was made by Council Member Diamond, seconded by Council Member Igleheart, to defer this discussion and vote on the fire station. The motion carried by the following vote:**

**In Favor: 6**

13.

**Approval for the Mayor and/or City Administrator to sign an agreement with iXP Corporation to conduct a E911 communications consolidation and feasibility study and approval of Budget Amendment 3800-04-25-11 in the amount of \$75,130.**

*Presented by Dwayne Orrick, Chief of Police*

Kay Love said this was discussed at committee nine or so months ago and the reason it is coming back now is that there have been some changes within the city related to E911 operations and there are a myriad of things from personnel to technology to budget. Also, from a timing perspective of some of the initiatives that they have going on related to the budget specifically the enterprise resource planning project (ERP), the new computer system, they would be looking at purchasing a CAD. They thought before they move forward with that in making certain personnel assignments, she felt it was a good time to come back and take a look at it.

Ms. Love said this is a feasibility consolidation study. She said they certainly can talk about the pros and cons to moving forward with consolidation but they won't know the answer until a feasibility consolidation study is done to take a look at all aspects of the current operation and how that might integrate with ChatCom. iXP is the outsource vendor that provides services for Sandy Springs and Johns Creek as well as Dunwoody at this point.

Chief Orrick said they have talked to the staff at ChatCom and toured their operations. He has had discussions with police chiefs that are already service recipients for ChatCom and they are very pleased with the service they are receiving. He thinks this has many potential benefits for the police department, the employees and the citizens. There are added benefits and a reduction in potential liabilities. They do more cross training and they have staff in place that do things that the city does not do. They have an onsite training officer as well as someone who does quality assurance and quality control on a daily basis. He said there are some concerns. Unlike most cities, he said Roswell has never gone into fund balance with 911 but with the current proposal and budget request this year, they will be going into fund balance. The department does have a sergeant that is doing dual jobs right now and trying to cover those positions but his background is not as strong as dispatch as what they have there. The cost of this study will be folded into the back of the contract agreement and he recommended that they enter into this consolidation dispatch agreement.

*Council Comments:*

Councilmember Dippolito asked the Chief for the timeframe for them to put together this analysis. Chief said it will take about six months. Councilmember Dippolito asked how this dovetails into the ERP. Kay Love said they are in the process of reviewing the proposals and actually negotiating final specifications with the preferred vendor. From a timing perspective, they would hold off on that until the study is completed before moving forward. She said there are some costs, probably in the \$100,000 range that they would be saving by holding off and waiting as opposed to going forward and implementing something and then turning around because they are running the same software that staff is looking at with ChatCom. She added that this doesn't cause a problem from a timing standpoint with the ERP implementation.

Councilmember Igleheart said prior to Chief Orrick's arrival, they had this discussion already and basically the decision was that the city had a pretty good system, better than what ChatCom probably had and the city would be paying them to tell us why we should do business with them. He doesn't see what's changed. Kay Love said there have been changes in the department. The supervisor had gone out on a medical issue and was unable to return. Employees are doing double duty. Staff had not constructed a budget at that time and looked at the trend of the revenue. That supervisor served as a dispatcher when someone was on PTO or sick or if there were surges in needs. Now that element is gone so they need an additional dispatcher. Staff at that time did not know what the timing of the ERP was going to be. She added that there are certain benefits that come with looking at outsourcing and sharing those costs and those are things that this Council will have to weigh but

*at a minimum, this is the point at which this should be looked at. In the personnel side of it, there are opportunities for the staff from a training perspective because it takes about a year to train a dispatcher. That is cut in less than half with them. There are employee liability issues that the city wouldn't have. There are many things that have not changed on the iXP ChatCom side but there are things that have changed on the ground for the department in the last eight months, particularly personnel and training.*

*This is a dedicated revenue source that must be used to provide that service. The study will be from a cost containment standpoint and will show what that landscape looks like for five years based on our call for service, integrated with that operation, how they can ramp up when there are needs and how they can ramp down if the need is not there.*

*Councilmember Dippolito said there are benefits. If there is a major incident and additional personnel is needed, ChatCom is right there with additional dispatchers fully trained, fully operational and ready to go. We may be spending money, but in the long run, it will save us money.*

*Councilmember Diamond said when they came back to revisit this she had the same reaction as Councilmember Igleheart. When this first came, she heard at that time that our technology was above what iXP was doing and it has now been determined that is no longer the case. At this point, the choices seem to be to look into ChatCom or doing it ourselves and we know what it costs to do it ourselves. It's a matter of looking into trying to save us down the road and a lot of that technology and equipment.*

**A motion was made by Council Member Nancy Diamond, seconded by Council Member Jerry Orlans that the E911 communications consolidation and feasibility study be approved. Mayor Wood added that there is a strong recommendation of Chief Orrick and one of the things that have changed is we have a new Police Chief who took a second look at this. He said one of these days, we're going to need to participate with our neighbors in a 911 system and there are great economies of scale in combining with these people. There are efficiencies of operations in working in partnership with our neighbors who we have joint response agreements.**

**Councilmember Diamond moved to have one amendment to the scope of work on the last page. She wanted to add: examine the non-technology inventory equipment and fixtures for reuse in the task list on the RFP.**

**The motion carried by the following vote:**

**Council members Diamond, Dippolito, Wynn, Price and Orlans voted in favor.  
Council Member Igleheart opposed.**

**In Favor: 5**

**Opposed: 1**

**14.**

**Approval for the Mayor and/or City Administrator to sign an agreement with Neoteric Hovercraft Inc. in the amount of \$58,464.33 for the purchase of a swift water rescue boat and approval of Budget Amendment 3921G1-04-25-11 in the amount of \$9,995.33 to supplement a Homeland Security Grant.**

***Presented by Ricky Spencer, Fire Chief***

*Fire Chief Spencer said last year the city applied for a department of Homeland Security FIMA Grant in the estimated amount of \$48,000 to purchase a swift water rescue boat. When they got verbal approval in October last year, staff started searching for the boat they wanted. Staff came across a company called Neoteric Hovercraft. Hovercraft has been around for a long time. Chief said this boat will actually suffice the needs from the Chattahoochee River from Azalea Park all the way to Holcomb Bridge Road with no obstacles.*

*Staff is asking permission to spend this operating budget money to purchase this boat above and beyond the \$48,000 from the federal government that they already have.*

*Councilmember Price said she knows the city has received a grant for this and a relatively small amount would come out of the city coffers but in the grand scheme of things, it's out of everybody's pocket whether it comes federally or locally. She is inclined to agree with the purchase of this item but wanted to know if there is any sort of warranty and how much maintenance does Chief think it requires. Chief said there is a warranty with this vessel. He said the Hovercraft needs to be serviced every 1000 hours but he doesn't intend to put 1000 hours on it in 10 years.*

**A motion was made by Council Member Nancy Diamond, seconded by Council Member Jerry Orlans, that the agreement with Neoteric Hovercraft Inc. and Budget Amendment 3921G1-04-25-1 be Approved. The motion carried by the following vote:**

**In Favor: 6**

**Recreation and Parks Department - Councilmember Kent Igleheart****15. Approval of the Cultural Arts Center Strategic Plan: FY 2011 - FY 2013.*****Presented by Joe Glover, Director***

*Morgan Timmis said the document the Mayor and Council received for tonight is the same one reviewed and approved at the committee meeting. She said that Councilmember Igleheart had received a question from Georgia Ensemble Theater and she clarified that the changes made in this plan will not affect Georgia Ensemble Theater's current box office operations in any way.*

*Ms. Timmis said the intent would be to use the system that is being put in place to sell the tickets that the City presents such as the puppet shows and any future concerts that the City presents. At some point maybe late 2011, they will make a decision as to whether or not to offer our ticketing service to rental clients who come in from that point forward.*

***Council Comment:***

*Councilmember Wynn said that is not exactly what it says in this plan so she needed clarification. She said it says "determine whether to make mandatory or offer opt out option." She said she doesn't hear the word mandatory when Ms. Timmis is explaining this tonight. She said she is hearing that at the end of the year, it is going to be determined if this is going to be mandatory or if it's going to be an opt out program. Ms. Timmis said that is correct. There would be a decision made and it will be brought forward to Mayor and Council to make that decision from a recommendation from the Cultural Arts Board. Councilmember Wynn said that was a*



*sticking point at the committee meeting regarding making this mandatory when it came to the sale of tickets and Mayor and Council was that gung ho about doing that.*

*Councilmember Price said she is also concerned about the item about implementing city management of the box office as part of the overall operations facility. She said she got the sense that the city was not going in that direction based on the work sessions they had a few months ago. She said this came up rather abruptly the other day as a method of handling the puppet shows only. She asked if the puppet shows ever sell out and if there is a need to reserve ahead of time. Ms. Timmis said they do sell out frequently but it is general admission. They are not reserving seats. There has never been the option to sell tickets in advance on line before. Councilmember Price asked if people have ever been turned anyone away from the puppet shows and Ms. Timmis confirmed that they have.*

*Councilmember Dippolito said he is also concerned about the implementation mentioned and he made a recommendation that they phrase it to say implement city management of box office and take out the last part of that phrase that says as part of overall operation of the facility in order to avoid any misconstruing of that sentence. He recommended also taking out the language "Determine whether to make mandatory or offer "opt out option." He said they will cross that bridge when they come to it. Councilmember Igleheart agreed about taking out that one part because it still says implement city management of box office which he thinks is one of the concerns. He asked if we are still going to implement the city management of the box office, does that cause issues with what the Cultural Arts Board's concerns are?*

*Mayor Wood said before they get to what the general concern is, he is trying to get a motion so he can get a response to what the Council's position is. He said there is a recommendation from Councilmember Dippolito on how to change this.*

*Councilmember Igleheart said he will make a motion to approve the overall plan but there will be changes. Mayor Wood asked Ms. Timmis to read what she understands will be the changes requested. She said she believes what Council is saying is "implement city management of Box Office" and then "point 1" under that "recommend implementation following hiring of new Cultural Arts Center Coordinator"; point (2) "phase in new ticketing system" (which is underway); point (a) under (2) utilize first for only City of Roswell programs; (b) offer ticketing service to rental clients as of late 2011; (c) make determination if when additional staffing required to handle box office duties; (3) when hiring a part time ticket services manager as well as additional part time box office staff is required the facility fee will be implemented. Mayor Wood asked what it means that a facility fee will be implemented. Ms Timmis said only if and when a determination is made that additional staff would be required.*

*Councilmember Price said that since the city currently manages staffing of box office and she understands that it is a good deal for the city in that we don't have additional employees to handle that, she doesn't know why they would be in favor of a system that is going to have a service charge on the tickets and plus it may require the hiring of an extra city staff person. Mayor clarified that the question is if this adds additional cost, why is it being recommended for city events only. Ms. Timmis said it doesn't at the moment. She said what this anticipates is if and when additional renters opt to utilize and there was more time required to handle the box office operation but right now there is no a plan to hire someone.*

*Anita Farley, Managing Director of Georgia Ensemble Theatre said they are in support of this plan. She can see the Cultural Arts Center becoming the cultural life of this city. She said with the changes discussed she could support this plan in its entirety.*

A motion was made by Council Member Kent Igleheart, seconded by Council Member Rich Dippolito, that the Cultural Arts Center Strategic Plan be approved. It was approved with two changes. Chapter 6, b) vi) Implement city management of Box Office - \*delete\*-"as part of overall operation of the facility". Also Chapter 6, (2) (b) (i) Offer ticketing service to rental clients as of late 2011 - \*delete\* - (i) "Determine whether to make mandatory or offer "opt out" option". The motion carried by the following vote:

In Favor: 6

### **Community Development - Councilmember Betty Price**

16.

#### **Approval of a Resolution to Amend the Existing Downtown Development Authority (DDA) Area Boundaries in the City of Roswell.**

*Presented by Alice Wakefield, Director*

*Alice Wakefield said this is a request to amend the existing DDA boundaries to not only include the existing boundaries but to include the opportunity zone which is basically the central business district of the City of Roswell.*

*Councilmember Price asked Ms. Wakefield to reiterate the procedure or timeframe for appointing and getting this entity up and running. She said staff came back and asked Mayor and Council to reactivate the DDA. Staff at previous committee meetings was asked to come up with a marketing strategy to invite applicants meeting certain criteria to apply for the DDA. She said there is no set timeframe for that activity to happen. She added that if the boundaries are approved tonight, staff will go back and put together the marketing piece that will be distributed through a variety of ways including on the website, through the newsletter and they will receive applications. Those applications will be given to Mayor and Council so they can determine who they would like to appoint to that group.*

#### *Public Comment:*

*Lisa DeCarbo, 130 South Shore Court asked what this does by adding this land to the DDA. She asked if it makes it eligible for redevelopment through the use of a TAD. Ms. Wakefield said the establishment of a TAD is not an automatic decision because an urban redevelopment plan needs to be done and an approval process is required before a TAD is established. She added that it basically means the Redevelopment Authority in developing and implementing programs will be able to focus on that area. Lisa asked what other kind of programs aside from marketing are there for this area. Alice said at this point they haven't established any programs. Lisa asked when this map was expanded there was one piece of Holcomb Woods Parkway added but she wanted to know why the parcel with Home Depot and the rest of that parcel were left out. Alice said when Mayor and Council requested that the opportunity zone be expanded staff presented that to the Department of Community Affairs and based on their research and criteria they decided those areas were not blighted and they felt they should not be included.*

A motion was made by Council Member Betty Price, seconded by Council Member Kent Igleheart that, that the Resolution expanding the DDA boundaries be Approved. The motion carried by the following vote:

In Favor: 6

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

17. **Approval of a Resolution and authorization for the Mayor and/or City Administrator to sign a contract with the *Roswell Neighbor* as the official newspaper and organ for Legal Advertisements for the City of Roswell.**

*Presented by Michael Fischer, Deputy City Administrator*

*Councilmember Orlans said this went through the bidding process and through committee.*

**A motion was made by Council Member Jerry Orlans, seconded by Council Member Becky Wynn, that the Resolution for the Roswell Neighbor as the official paper and organ for Legal advertisements be Approved. The motion carried by the following vote:**

**In Favor: 6**

18. **Approval of the Gas South Affinity Program.**  
*Presented by Michael Fischer, Deputy City Administrator*

*Michael Fischer explained how this non-exclusive program works. He said Gas South is working in a partnership with the City of Roswell. Gas South is a retail provider in this area and they would like to be competitive with the citizens and with the employees of the city so they offer a \$.02/therm discount if an existing customer or a new customer signs up through the partnership. The city is providing an opportunity for people to be able to sign up through Gas South and in return for that, they get a discount on their rate and the city gets some revenue back based on the number of participants to the program.*

*Mayor Wood wanted it confirmed that if another gas company approaches the city with a similar program the city could enter into a similar contract with them because it is not a monopoly. Mr. Fischer said that is correct. This is a promotional opportunity for some of the gas companies to come in and provide service. Mayor asked if there is an estimate of what revenue this might bring in. Mr. Fischer said he doesn't have that information because the program is just starting. At this point he doesn't know how many people will sign up for this program.*

*Councilmember Price said she noticed in addition to City of Roswell residents, it's also being extended to City of Roswell employees. She asked if there are any ramifications for doing this. Mr. Fischer said as long as those employees live within the Gas South service area, they can be a part of the program.*

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

**In Favor: 6**

19. **Approval for the Mayor and/or City Administrator to sign a renewal contract with Trident Insurance Services, LLC for property, casualty, and liability insurance for the period May 1, 2011 to April 30, 2012 in the amount of \$514,582.**

*Presented by Dan Roach, Director of Human Resources*

*Councilmember Orlans said this was presented at Committee in keeping our insurance premiums in line. Mayor asked how they know this is a good price.*

*Dan Roach said they actually did telephone quotes with the insurance carriers that are in the market that cater to governments of our size and complexity. Of the three entities that were identified, Trident was the only one that responded with a competitive price. The other two said they couldn't meet that price. Staff feels sure this is a competitive price. It is actually an increase of less than 1% over the year ending April 30th.*

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

In Favor: 6

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

20. **Recommendation for closure to discuss personnel and litigation.**

**A motion was made by Council Member Jerry Orlans, seconded by Council Member Becky Wynn, that Recommendation for closure to discuss personnel and litigation be Approved. The motion carried by the following vote:**

In Favor: 6

#### **Adjournment**

*After no further business, the Regular Meeting adjourned at 9:30 p.m. for a Work Session to discuss the City Budget.*