



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, August 22, 2011

7:00 PM

City Hall

WELCOME

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

Absent: 1 - Council Member Betty Price

Staff Present:

City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Director of Environmental/Public Works Director Stu Moring; Fire Chief Ricky Spencer; Police Chief Dwayne Orrick; Transportation Director Steve Acenbrak; Director of Community Development Alice Wakefield; Finance Director Julia Luke; Human Resource Director Dan Roach; Land Development Manager Clyde Stricklin; Director of Strategic Planning and Budgeting Keith Lee; Assistant Director of Recreation and Parks Morgan Rodgers; Economic Development Manager Bill Keir; Community Relations Director Julie Brechbill; Deputy Director of Finance/Treasurer David Delac; Building Operations Manager Dennis Miller; City Clerk Marlee Press.

Pledge of Allegiance

Led by Boy Scout Nolan Orndorf. Nolan is working on his merit badge requirements for communications and citizenship in the community.

CONSENT AGENDA

1. **Approval of July 25, 2011 Council Meeting Minutes (detailed minutes to replace Council Brief minutes adopted on August 8, 2011); Approval of August 8, 2011 Council Meeting Brief.**
Administration

A motion was made by Councilmember Wynn, seconded by Councilmember Diamond, that this Item be Approved. The motion carried by the following vote:

In Favor: 5

2. **Approval of an Amendment to the City of Roswell Human Resources Policies and Procedures Manual, Chapter 3, Section 3.7, Entitled "Employment of Relatives."**
Human Resources

This item was pulled off the Consent Agenda and voted on separately.

Human Resource Director Dan Roach said these revisions were designed to clarify the City's policy regarding employment of relatives and fraternization. The policy clearly defines what is meant by "relative" with respect to the policy. Prohibition of fraternization was added in those relationships that would otherwise be in violation of the policy. Employment of relatives is prohibited in all cases within the same division of a department and anytime when a supervisory relationship would exist between the two parties. A requirement was added in the policy revision for both applicants for employment and applicants from current employees who are seeking promotion or transferring to other departments to disclose any relationships that may be in violation of this policy and their employment or movement into those positions would be prohibited by the policy. There is also a requirement in the revision to self-identify all relationships in existence as of the date the policy is implemented and those relationships that are currently in existence would be grandfathered but could not proceed or progress into other positions in City employment pursuant to the policy draft.

Public Comment:

Lee Fleck, Martins Landing, Roswell said one line item failed to be noted in the change in policy and said he wanted to make sure it is still part of the policy since this is still part of the 2004 resolution dated September 8. Mr. Fleck read the following from the policy "should such immediate family relationships form during employment, it is not incumbent upon the City to create a new position to accommodate the policy constraints therefore termination of either employee affected must take place". He asked if that is part of the new policy change.

Mayor Wood asked Mr. Roach if this means when someone marries an employee or adopts an employee; if it is a creation of a relationship and would apply to marriages and adoptions assuming someone was adopting an adult who is an employee. Mr. Roach replied that is correct and that prohibition is still in the policy. Mr. Fleck thanked the Council. He had no further questions.

A motion was made by Councilmember Orlans, seconded by Councilmember Igleheart, that an Amendment to the City of Roswell Human Resources Policies and Procedures Manual, Chapter 3, Section 3.7, Entitled "Employment of Relatives" be approved. The motion carried by the following vote:

In Favor: 5

3. **Approval of an amendment to the City of Roswell Investment Policy.**
Finance

This item was pulled off the Consent Agenda and voted on separately.

Finance Director Julia Luke said this investment policy has been brought to Council after having done some clean up. Some wording changed, for instance references to "his" have been changed to "his and her". Some redundancies were cleaned up in some of the sentence structure. The main purpose of this policy was to extend the maturity life of an investment from three years to five years with an average life of three years for the entire portfolio. The interest rates that can be gotten on a five-year investment are higher than what can be gotten on a three-year investment. Most investments that are purchased are being called in well before their maturity.

Mayor Wood asked if this would allow the city to invest in five-year bonds rather than just three-year bonds. Ms. Luke replied that is correct, still with a portfolio with an average investment of three years.

A motion was made by Councilmember Orlans, seconded by Councilmember Wynn, that an amendment to the City of Roswell Investment Policy be approved. The motion carried by the following vote:

In Favor: 5

Director of Finance, Julia Luke introduced David Delac, the new Deputy Director of Finance/Treasurer.

Ms. Luke stated that Mr. Delac has an undergraduate degree from Auburn University and a Masters in Public Administration from Florida State University. She said he had worked in the City of Ft. Meyers Finance Department and has a broad wealth of experience to bring to the City. Mayor Wood welcomed Mr. Delac to the City of Roswell and asked him to talk about the time he recently spent overseas. Mr. Delac said he and his family were missionaries in Johannesburg, South Africa for three years from 2008 until April of this year. He said it was quite an experience. Mayor Wood said he hoped it is not as challenging here at the City of Roswell.

REGULAR AGENDA

Mayor's Report

1. **Presentation of an award by the Warrior Service Center to Mayor and City Council for their support over the past year.**

Mayor Wood recognized David Keefer from Roswell's American Legion Post 319 and William "Bill" Mitiu from VFW Post 7583. Mr. Keefer said the American Legion Post 319 and VFW Post 7583 are presenting this award from their first annual awards ceremony to the Roswell City Council and Mayor for supporting Roswell's Warrior Service Center. The Center is dedicated to supporting veterans and deployed service personnel.

Mayor Wood accepted the award on behalf of the City of Roswell and said the Warrior Service Center should be receiving the award for all they have done. He said the city is pleased that the American Legion and VFW are working so well together in helping our veterans and being good citizens of the City of Roswell.

Mr. Keefer said if a veteran wishes to take advantage of this program, they could come to the VFW or the Warrior Center, which is located near the public works facility, at the back entrance to the Waller Park extension.

2. **Approval of the reappointment to the Recreation Commission - Willie Russell.**

A motion was made by Councilmember Igleheart, seconded by Councilmember Wynn, that the reappointment to the Recreation Commission - Willie Russell be approved. The motion carried by the following vote:

In Favor: 5

3. **Approval of a Resolution supporting the continuation of population based distribution of Local Option Sales Tax (LOST).**

City Attorney David Davidson summarized the resolution saying it would provide that the distribution of the proceeds from the Local Option Sales Tax be based on the population for each municipality and the county share would be the population of the unincorporated area of the county. Mayor Wood said this would result in a slight increase of the percentage that goes to the City of Roswell. He said there is the support of the other North Fulton mayors and once this is passed in North Fulton, they will take it to South Fulton and said he would appreciate the Council's support of this resolution.

There was no public comment.

A motion was made by Councilmember Wynn, seconded by Councilmember Orland, that a Resolution supporting the continuation of population based distribution of Local Option Sales Tax (LOST) be approved. The motion carried by the following vote:

In Favor: 5

Administration and Finance Department - Councilmember Jerry Orlans

4. **Approval for the Mayor and/or City Administrator to sign a contract for design services for the adaptation of the City of Roswell Logo and Tagline with Henderson Shapiro and Peck.**

Julie Brechbill, Community Relations Manager

Community Relations Manager Julie said two firms bid on this contract and were evaluated based on years of experience, qualifications of their staff, projects of like size and scope, and project understanding and approach. The evaluation committee unanimously picked Henderson Shapiro and Peck as the most qualified responder to provide the design services for the City of Roswell. She said there would be no cost to the City. Henderson Shapiro and Peck are providing their services pro bono. She said staff recommends approval of this contract. Ms. Brechbill announced Roswell's new tagline, "This is Living. This is Roswell."

Mayor Wood thanked Councilmember Diamond for bringing this opportunity to the City. He said there would be discussion about branding and strategy in the Work Session following the Council meeting.

There was no public comment.

A motion was made by Councilmember Orlans, seconded by Councilmember Diamond, for the Mayor and/or City Administrator to sign a contract for design services for the adaptation of the City of Roswell Logo and Tagline with Henderson Shapiro and Peck. The motion carried by the following vote:

In Favor: 5

Transportation Department - Councilmember Rich Dippolito

5. **Approval for the Mayor and/or City Administrator to sign a contract with K.M. Davis for the demolition of the Oxbo Apartments in the amount of \$34,135.**

Presented by Clyde Stricklin, Land Development Manager

Land Development Manager Clyde Stricklin said there were seventeen bids with a broad range from \$34,135 to \$180,831. The low bidder, K.M. Davis was reviewed and they are a qualified entity. Mayor Wood asked Mr. Stricklin to explain more about the project and asked if this is just the first step. Mr. Stricklin said this is the first step on a road project to modify the Oxbo Road issues at the intersection of Oxbo and Highway 9 that is an unsafe intersection and one that staff has been working on for years to resolve. The plan is to move the intersection south a bit, so there is a little wiggle room on Oxbo Road and provide connectivity between Elm Street and Pleasant Hill. The combination of those two things would give the city a new roadway. In order to do that they had to pick one piece of property and the owner was agreeable to sell. The City purchased the property and the building, which has been blighted for some time and needs to be removed. Mayor Wood said the hope is that this will encourage redevelopment of that area, open a new street network, and perhaps acquire a regional detention pond. Mr. Stricklin said those are

all possibilities. Mayor Wood said this also opens up many possibilities; blight removal, transportation, and perhaps some water quality as well. Mr. Stricklin agreed it was all of those things. Mayor Wood said it is a great project and thanked Mr. Stricklin for bringing it forward.

There were no Council questions or public comment.

A motion was made by Councilmember Dippolito, seconded by Councilmember Orlans, for the Mayor and/or City Administrator to sign a contract with K.M. Davis for the demolition of the Oxbo Apartments in the amount of \$34,135. The motion carried by the following vote:

In Favor: 5

Community Development - Councilmember Betty Price

- 6. Approval of a Resolution to transfer Community Development Block Grant (CDBG) funding from the Arts Village Project to the Adult Recreation Center (ARC) Expansion Project in the amount of \$120,712.43.**
Presented by Alice Wakefield, Director of Community Development

Director of Community Development Alice Wakefield said because the cost for the last item came in so low, there is approximately \$120,000 left over in that Arts Village project. Staff is requesting that the remaining \$120,712.43 be transferred to the FY2011 project for the Adult Recreation Center Expansion Project. Mayor Wood asked if this would be for expanding the exercise facility. Ms. Wakefield said that was correct.

There was no public comment.

A motion was made by Councilmember Dippolito, seconded by Councilmember Wynn, that a Resolution to transfer Community Development Block Grant (CDBG) funding from the Arts Village Project to the Adult Recreation Center (ARC) Expansion Project in the amount of \$120,712.43 be approved. The motion carried by the following vote:

In Favor: 5

Environmental / Public Works Department - Councilmember Becky Wynn

7. Approval to submit an application for Community Wildlife Habitat Certification through the National Wildlife Federation.

Presented by Stuart Moring, Director of Public Works/Environmental

Councilmember Wynn said this is a great thing that supports the city's commitment to education and the environment. Director of Environmental/Public Works Stuart Moring said the City's Environmental Education Coordinator Vicki Culbreth had identified this opportunity through the National Wildlife Federation for community recognition that seems to fit within the city's environmental preservation goals. He said Council's approval would allow them to move forward and identify potential partners such as the Chattahoochee Nature Center and Keep Roswell Beautiful who have already signed on to the program as well as other community organizations. Essentially, this is to demonstrate environmental preservation programs within the constraints of this particular program. He said there would be no cost to the city other than the staff time of Vicki Culbreth, Janet Liberman and himself. He said staff recommends approval to proceed with this application.

Council Comment:

Councilmember Wynn asked if this would also be bringing in our schools and if the education that is already being done with the schools would be included in this. Mr. Moring said this would engage community schools both public and private as well as organizations like the Roswell Garden Club for home habitats and so forth. He said participation by each of those entities is a requirement in order for the community to receive this certification.

There was no public comment.

A motion was made by Councilmember Wynn, seconded by Councilmember Dippolito, for Approval to submit an application for Community Wildlife Habitat Certification through the National Wildlife Federation. The motion carried by the following vote:

In Favor: 5

Public Safety - Councilmember Nancy Diamond**8. Approval to renew the High Intensity Drug Trafficking Area (HIDTA) Memorandum of Understanding (MOU) between the DEA and the Roswell Police Department.**

Presented by Dwayne Orrick, Chief of Police

Chief of Police Dwayne said they are asking for approval to renew the ongoing MOU to participate in the High Intensity Drug Trafficking area also known as HIDTA. It is an initiative that works in Metro-Atlanta as it does in other metropolitan areas around the country. This includes federal, state and local law enforcement agents involving 39 local agencies from 11 counties in the metro area. Their effort is to develop intelligence and focus on drug interdiction and arrest of high level drug traffickers. Currently, the department has two officers assigned to HIDTA and the City has participated in this program for 11 years. The cost to the agency is the salaries and some of the vehicle operation costs for the two officers. In return, the city will have access to high level drug investigations and some of their intelligence networking and the ability to call them in to assist with investigations. Staff recommends that the city continue participation in this program.

Mayor Wood asked if the city also participates in the confiscation of assets. Chief Orrick said regardless of whether or not we are involved in that task group, any asset forfeiture turned over to the state and local governments are shared equally with all agencies. He said for the last three years, that has averaged about \$400,000 per year. Mayor Wood asked if over the last few years, the cost had been exceeded not just by the law enforcement benefit but by the financial benefit as well. Chief Orrick said that is correct.

Public Comment:

Lee Fleck, Martins Landing, Roswell said he met with Chief Orrick recently while following up on another subject matter, the I-Secured Communities Program and was pleased to say it is showing remarkable results and although it might not be relative to this he thought it would be appropriate to comment on it at this time. He said HIDTA is in conjunction with the E Verify program which the City started on its own in 2007, the Save program which he coerced the City into joining in April of 2009, and the I-Secured Community program which he brought to Chief William's attention that was joined in September 2009. He said the reduction in crime statistics at the tail end of Chief William's term and the fact that arrests are down 25% through the first six months of this year shows that all of these programs in combination have had very positive results on public safety and crime in this City. He complimented the execution of this program by not only Chief Orrick but also his predecessors.

A motion was made by Councilmember Diamond, seconded by Councilmember Orlans, for Approval to renew the High Intensity Drug Trafficking Area (HIDTA) Memorandum of Understanding (MOU) between the DEA and the Roswell Police Department. The motion carried by the following vote:

In Favor: 5

City Attorney's Report

9. **Mayor and Council Vote on Appeal of the Issuance of an Alcohol License (retail package/ liquor, beer & wine) to R&B Wines and Spirits and Boniface Outta, 1425 Market Boulevard #300, Roswell, Georgia. (This item was deferred from the July 25, 2011 and August 8, 2011 Mayor and City Council meetings)**

Mayor Wood said the means of measurement from liquor store to the next liquor store had been questioned and there was no real direction from the State of Georgia, therefore the Council had reviewed and established a policy. He asked City Attorney David Davidson to summarize the policy the City had established for measuring.

Mr. Davidson stated it would be the distance from the front door of one establishment to the front door of another establishment on the ground provided there are no fences, bushes, or trees in the way you would have to go around buildings, bushes or trees. This is basically the way a pedestrian would normally be able to walk not taking into account the traffic violations and other things. Mayor Wood said then it would be walking diagonally across parking lots and across streets and the most direct way to walk without having to jump a fence for example. Mr. Davidson replied that is true.

Mayor Wood said based upon this policy, the Council reached a decision to vote to deny the appeal.

Council Comment:

Councilmember Orlans said in measuring this distance, this is the only time you can legally jay walk.

There was no public comment.

A motion was made by Councilmember Orlans, seconded by Councilmember Wynn, to uphold the Alcohol Beverage Licensing Board's original decision to grant the license and deny the appeal. The motion carried by the following vote:

In Favor: 5

10. **Recommendation for closure to discuss litigation and acquisition of real estate.**

Council Comment:

Mayor Wood asked Councilmember Diamond to explain to the audience what would be discussed in the Work Session following the Council meeting. Ms. Diamond said there will be a brief update on the branding and the marketing plan for the City.

There was no public comment.

A motion was made by Councilmember Wynn, seconded by Councilmember Igleheart, for closure to discuss litigation and acquisition of real estate. The motion carried by the following vote:

In Favor: 5

Adjournment

After no further business, the Mayor and Council meeting adjourned at 7:32 p.m. to reconvene for a Work Session on a Discussion of the City Branding Marketing Update and Capital Projects and Funding.