



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, June 25, 2012

7:00 PM

City Hall

WELCOME

- Present:** 4 - Council Member Nancy Diamond, Council Member Jerry Orlans, Council Member Betty Price, and Council Member Becky Wynn
- Absent:** 3 - Mayor Jere Wood, Council Member Rich Dippolito, and Council Member Kent Igleheart

Staff Present:

City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Police Chief Dwayne Orrick; Fire Chief Ricky Spencer; Environmental/Public Works Director Stu Moring; Recreation and Parks Director Joe Glover; Human Resources Director Dan Roach; Community Development Director Alice Wakefield; Finance Director Keith Lee; Transportation Deputy Director David Low; Community Relations Manager Julie Brechbill; Community Relations RCTV Producer/Director Amy Kargus; Community Relations Digital Media Designer Joel Vazquez; City Clerk Marlee Press.

Pledge of Allegiance - Led by Frank Seidman

Mayor Pro Tem Wynn Wood asked the Boy Scouts in the audience to introduce themselves. Kyle Bradsher from Troop #985 said he is working on his citizenship badge and his community merit badge. Joshua Rippin from Troop #431 said he is working on his communications merit badge.

CONSENT AGENDA

1. **Approval of May 30, 2012 Mayor and Council Meeting minutes (detailed minutes to replace Council Brief minutes adopted on June 11, 2012); Approval of June 11, 2012 Mayor and Council Meeting Brief.**

Administration

Approved

2. **Approval of a Reimbursement to Georgia Emergency Management Agency (GEMA) in the amount of \$151,783.56.**

Administration

****This item was pulled off the Consent Agenda and discussed following approval of the Consent Agenda.****

Since Councilmember Dippolito was not present, City Administrator Kay Love presented the item.

Ms. Love said this is related to the September 2009 storms that the city had and received reimbursement from. There were multiple facilities and damage and the two largest ones that the city needs to reimburse them for are the Adult Recreation Center and the damage to Riverside/Azalea Parks. What has happened is since the city is insured for those buildings, when Risk Management notified the insurance company, they came out along with GEMA so they were being worked in tandem. The city was reimbursed by the insurance company everything above the deductible. The city also received GEMA funds for that amount. They do not finalize the reimbursement until after all what they call "packets" or "bundles" have been audited and they audit anything over \$60,000.

The city turned in some 29 bundles for reimbursement for different items across the city. It has been audited by GEMA, sent to FEMA for approval, went back to GEMA and now it is to the city to reimburse this money. This is basically the money already provided to the city in the form of reimbursement of the two which are the Adult Recreation Center and the parks.

Council Comment:

Councilmember Price asked since apparently \$151,000 worth were deemed ineligible, is it just that the city didn't know they were going to be ineligible.

Ms. Love said no. It wasn't that they were ineligible, it was because the city had already received a reimbursement from the insurance company for such damage. They meet the criteria and are eligible but the way that the GEMA reimbursement runs is first the city draws off of any insurance and then GEMA provides funding for amounts that are not insured. That does include the deductible that the city had to pay as well as anything above the amount that the insurance claim provided back to us.

Councilmember Price asked if then \$22,000 was ineligible. Ms. Love said not from the Adult Recreation Center. The city had 29 bundles of requests. There was some labor related to Recreation and Parks whereby you cannot request reimbursement for time that people are already on duty. It has to be overtime so those Recreation and

Parks stats were just an error related to us turning in the payroll amounts so they had already been paid by the city and therefore that is not eligible for reimbursement from GEMA.

Councilmember Price asked if that sets the city up for any type of penalties. Ms. Love said no. Councilmember Price confirmed that it is just that the city is just now being billed for it. Ms. Love said it is very common that the city may turn in equipment or supplies and once GEMA goes in and audits that, they go back through timesheets. During a storm, the city is just basically trying to put in manpower to clean the mess up so it was not something that was done in any malfeasance.

Public comments were invited. No public comments were made.

A motion was made by Councilmember Price, seconded by Councilmember Orlans, for Approval of a Reimbursement to Georgia Emergency Management Agency (GEMA) in the amount of \$151,783.56. The motion carried by the following vote:

In Favor: 3

- 3. Approval for the Mayor and/or City Administrator to sign a renewal contract for excess Workers' Compensation coverage with Midwest Employers Casualty Company in the amount of \$84,385.**

Administration

Approved

- 4. Approval of Budget Amendment 10015850-06-25-12 to increase the FY2012 Approved Revenue budget by \$228,000, increase the FY2012 authorized Use of Reserves by \$454,324 and increase the FY2012 Approved Expenditure budget by \$332,324.**

Finance

****This item was pulled off the Consent Agenda and discussed following approval of the Consent Agenda.****

Finance Director Keith Lee said this Budget Amendment would increase revenues by \$228,000; increase the use of reserves by \$454,324 and increase the expenditures by \$332,324. He said this involves five (5) funds: 1) the Confiscated Assets Fund; 2) Recreation Participation Fund; 3) Hotel/Motel Fund; 4) Workers Compensation Fund; and 5) Debt Service Fund.

The Confiscated Assets Funds is a recognition of both revenues and expenditures. The expenditures are related to rental of vehicles and software licenses. The Recreation Participation Fund is recognition of both revenues and expenditures. Revenues are revenues that what we have already collected and expenditures are related to instructor fees, fees on employees and contract services. The Hotel/Motel Fund is related to use of fund balance for the purchasing and replacement of some computers and software as well as the use of the contingency funds that requires the approval of Mayor and Council. The Workers Compensation Fund is an allocation of the fund balance related to some experiences we have had this year or occurrences we have had.

The Debt Service Fund is related to the use of Fund Balance for the appeals that is impacting our Tax Digest.

Council Comment:

Councilmember Price said when they talked this over at committee, it was just hard to follow and she thought it would be easier to follow but she is still having trouble following it because the numbers add up fine but she doesn't see where the \$454,324 and the \$332,324 come from.

Mr. Lee said the \$454,324 will not be representative in any change or in any of the numbers in the budget or in the numbers that are presented. He said they are simply having to allocate the use of the fund balance as opposed to general revenues that have been received in the Debt Service Fund. He said what we currently have is in the Debt Service Funds which is an allocation of \$6M for property tax. We are not going to receive that amount of revenue thus we are going to have to allocate the use of Fund balance so the revenues remain the same. The expenditures are the same as well.

Councilmember Price wanted it confirmed that the \$454,324 represents a shortfall in property tax and Mr. Lee said yes in the Debt Service Fund. He said the \$228,000 is itemized on their chart in various funds. The \$332,324 is also in various funds. He showed a new spreadsheet which breaks down the expenditures and revenues by Fund that shows revenues of \$28,000 for the confiscated assets and \$200,000 for the Recreation Participation Fund which increases the revenues by \$228,000. It also shows the expenditures for Confiscated Assets, Hotel/Motel, Recreation Participation and Workman's Compensation.

Councilmember Price asked Mr. Lee if they anticipate any other changes between now and the end of the year. Mr. Lee said no.

Public comments were invited. No public comments were made.

A motion was made by Councilmember Orlans, seconded by Councilmember Diamond, for Approval of Budget Amendment 10015850-06-25-12 to increase the FY2012 Approved Revenue budget by \$228,000, increase the FY2012 authorized Use of Reserves by \$454,324 and increase the FY2012 Approved Expenditure budget by \$332,324. The motion carried by the following vote:

In Favor: 3

**5. Approval to extend the Lakes and Ponds Partnership
Program funding for Martins Landing Foundation (MLF), Inc.
Public Works/Environmental**

****This item was pulled off the Consent Agenda and discussed following approval of the Consent Agenda.****

Director of PW/Environmental Stu Moring said several years ago Martins Landing had applied for funding under the L&P Partnership program that was approved at that time in the amount of \$100,000. For a variety of reasons they have been unable to initiate that construction but they do anticipate with the other things that they have done that they will start that construction in July. This is a time extension for them to undertake this work.

Mayor Pro Tem Wynn said there are questions she heard from Ms. Russell so she asked Mr. Moring if he could explain the L&P Partnership program, who can apply and the reasons for them having this in the budget.

Mr. Moring said this is a partnership program among private lake owners and the city basically to undertake renovations of lakes that help the city to satisfy the Water Resources Improvement Requirements under the city's National Pollutant Discharge Elimination System (NPDES) permit. This program was established 13 or 14 years ago and the city has done 6 or 8 projects. He said what staff has found with prior projects done is that it improves the water quality discharge that comes out of those lakes which is a responsibility that the city has under the state permit. While it is private property, there is a public benefit that results.

Mayor Pro Tem Wynn requested that Mr. Moring explain the matching. Mr. Moring said the arrangement is that the organization that applies must contract for the work and have approved plans by the city's Water Resources Division and then they undertake the work and the city will reimburse 50% of eligible costs. In this case their project estimate was \$200,000 so the city share is estimated at \$100,000.

Council Comment:

Councilmember Price asked if there is money in that account. Mr. Moring said yes and that it is programmed in a Purchase Order for \$100,000. Councilmember Price asked if there is money remaining in that fund. Mr. Moring said that money is specifically allocated to this project for \$100,000. There is not a body of funds in this program.

Ms. Love explained how it works. She said they have not allocated any new funding for that program so the city has had a number of applications over the years, whereby they have allocated funding. This money was earmarked for the Martins Landing project. The time has expired and Martins Landing is moving forward but they have not completed it so they are basically requesting a rollover of those funds. There is no new money in FY12, the current year we are getting to end at the end of the week nor is there any new funding for FY13.

Public comment:

Janet Russell said Mr. Moring stated that Martins Landing asked for this money about 4 or 5 years ago. She said if they can't get their act together in 5 years to spend \$100,000, she doesn't think they deserve it and who is going to oversee what they do. She said she has sat in on those meetings for years about the city helping private lakes like Martins Landing, Lake Charles and probably the one in Brookfield West. She said no other citizen has public access to those bodies of water for anything, not to even walk around them to enjoy them. There are signs posted everywhere that say "private property" and "keep out." She said it is their tax dollars that are helping them to boost their property values which is what that lake does. She said that they can talk about water quality, runoff and improvements but the bottom line is those lakes help them sell their houses in their subdivision. She said the city is not helping her to manage her property to make it more valuable and she doesn't think the city taxes need to be doing that. After 4 years, she doesn't care if that \$100,000 has been sitting in an account or sequestered away, she doesn't think the city needs to be spending that anymore. She said she remembers when they became a foundation. The only way they could get that money was to become a foundation because before that they were just an HOA and they couldn't do that so they became a foundation. She said Martins Landing is a beautiful place and that lake is a real asset but it is no asset to her if she can't use it. She doesn't like that city taxes and public monies are being paid to boost somebody's property values.

A motion was made by Councilmember Diamond, seconded by Councilmember Orlans, for Approval to extend the Lakes and Ponds Partnership Program funding for Martins Landing Foundation (MLF), Inc. The motion carried by the following vote:

In Favor: 3

6. **Approval of a Resolution authorizing the City of Roswell to apply for a FY2012 Bulletproof Vest Partnership Grant.**
Public Safety

Approved

7. **Approval of a Memorandum of Understanding (MOU) Between the State Road and Toll Authority and the City of Roswell.**
Public Safety

****This item was pulled off the Consent Agenda and discussed following approval of the Consent Agenda.****

Mayor Pro Tem Wynn said since she is the Public Safety liaison and she has several issues on the agenda she has asked Councilmember Diamond to present any Public Safety items.

Chief Orrick said this is a pretty simple MOU. All of their cars have the little decal on them that allows them to go through the toll booth on GA400 and in the past they have charged the Police Department when they are going out to the county jail or Fulton County courts to go through the toll. He said now they will be able to go through for free. He said the officers have to be on duty or doing police related business.

Council Comment:

Councilmember Price said there is a line in the Agenda Item Summary that says to exempt from toll payment on a toll facility when operating an official Agency vehicle, on official law enforcement business. She added that the subsequent sentence says it allows the Agency's law enforcement officers operating official agency vehicles when off-duty to be exempt from toll payment on a toll facility with occupancy requirement ("HOV Requirements") if the number of occupants in the Agency vehicle meets the HOV requirements of that toll facility. She said that sounds to her that it is also being used off-duty in a city owned vehicle. She wanted to know why anybody would be on GA400 off-duty in a city owned vehicle with several people in the car.

Chief Orrick said they should not be unless they are going home. He said it can be a combination of several things. If they have more than one person in the car usually in the back seat and or if the officer, but he doesn't know of any officers, that live south of GA400, south of the toll booth. That is the only exception he can think of.

Councilmember Price asked if this is getting charged to the City. Chief said no. He added that under the new agreement, everytime they go through there on duty, going back and forth to work in the morning or afternoon, there will be no charge. Right now they have to pay for it.

Councilmember Price asked if another city employee had to take GA400 going to work they would have to pay the toll? Chief Orrick assumes that unless they are in a

city vehicle. Councilmember Price added that no one should have to pay the toll since that was supposed to expire but that is another issue altogether. She said she sees this as a little discriminatory but it is helpful. Chief Orrick said what this comes down to is the state is not charging local governments for vehicles to go up and down GA400.

Public comments were invited. No public comments were made.

A motion was made by Councilmember Diamond, seconded by Councilmember Orlans, for Approval of a Memorandum of Understanding (MOU) between the State Road and Toll Authority and the City of Roswell which allows Roswell law enforcement officers operating an official Agency vehicle, on official law enforcement business, to be exempt from toll payment on a toll facility. The motion carried by the following vote:

In Favor: 3

8. **Approval of a Memorandum of Understanding (MOU)
between the Police Departments of Roswell, Alpharetta and
Milton for a Unified North Fulton SWAT Team.**

Public Safety

Approved

Approval of the Consent Agenda

Council Comment:

Councilmember Price requested that Consent Items #2, Approval of a Reimbursement to GEMA; #4, Approval of a Budget Amendment; #5, Approval to Extend the Lakes and Ponds Partnership program; and #7, Approval of a MOU between the State Road and Toll Authority and the City of Roswell be pulled from the Consent Agenda for further discussion.

Public comment:

Janet Russell thanked Councilmember Price for bringing up Item #5. She said she would like some clarification on this. She has sat in over the years on countless meetings on why the city is funding Martins Landing Foundation. She said it is primarily for their lake. She said the discussion was that it was about lakes, water, etc. She wanted to know why the city is funding it if it is not a public lake. She said she can't use it and she can't even walk around it.

Mayor Pro Tem Wynn thanked Ms. Russell.

A motion was made by Councilmember Diamond, seconded by Councilmember Price, to Approve the Consent Agenda with four (4) items being approved: #1 - Approval of the minutes; #3 - Approval of the renewal contract for excess Workers' Compensation; #6 - Approval of the FY2012 Bulletproof Vest Partnership Grant; and #8 - Approval of a MOU for a Unified North Fulton SWAT Team. It was approved to remove Items #2, #4, #5 and #7 for further discussion. The motion carried by the following vote:

In Favor: 3

REGULAR AGENDA**Administration and Finance Department - Councilmember Rich Dippolito**

**1. Approval of the Priorities for the 2013 Community Development Block Grant (CDBG) Entitlement program.
Presented by Michael Fischer, Deputy City Administrator**

Deputy City Administrator Michael Fischer presented this item. He said at the May 15th Administration and Finance Committee meeting staff was requested to identify some of the community needs here in the city as it relates to developing some priorities for the 2013 CDBG Grant Funding priorities that will be used and identified for the Action Plan that will be written for the 2013 Grant Cycle and also for the Consolidated Plan that has to be put together as far as what type of programs use the CDBG funding. He said currently the city has committed \$177,587 of the 2013 CDBG funding to go to the redevelopment of the Veranda at Groveway development. There is \$80,026 of administration funds that come out of the CDBG funding for the two Action Plans that needs to be done and also for the impediments for the fair housing standards. That leaves \$160,000 remaining in the program for the subrecipients to be able to use that funding for those programs that they may want to apply for.

Mr. Fischer added that this application process will be competitive that they put together for the subrecipients and there are three (3) priorities that are recommended tonight that have been taken out of several studies that the city has done in the past on how to move the city forward and out of those studies the three (3) priorities being recommended are: 1) Neighborhood revitalization activities - those are activities that would directly impact any decent and affordable housing in the city; 2) Community economic development activities – those activities listed in the grant process are activities that can help with any type of job creation, any type of business incubators; activities that applicants may be able to use to further business and jobs in the target area; and 3) Public facilities improvement activities – those can be activities that pertain particularly to waterlines or any other infrastructure that would have any public good in the public area.

Mr. Fischer said in looking at these priorities there is also a recommendation after some discussion regarding some type of a matching program for these subrecipients and the recommendation tonight is to allow a matching program based on bonus points given to the applicants so if there are applicants out there that are willing to put some of their own money into the project they can do that as well and be awarded with some bonus points through the competitive process. He said the request tonight is to approve the CDBG priorities that were listed which were those three so that staff can move forward with the Action Plan and Consolidated Plan and begin the application process with any subrecipients that would like to apply for the CDBG funding.

Council Comments:

Councilmember Nancy Diamond said she likes this approach and like the bonus points idea rather than the city setting out how it would go. She asked if they anticipate publishing the whole point system with the application or is that something staff looks at when they get it.

Grants Manager Danny Blitch said last year they actually had a scoring system that they used and they can very easily modify it and they can add that preference in. They would publish that along with the Grant Manual and the grant application they would make available hopefully after this meeting.

Councilmember Diamond asked about the \$177,587 that they allocated to the Housing Authority project. If that funding or tax grant does not come through, would the city have a waiting list from this group or would we re-let the applications. Mr. Fischer said it is really either one at this point. He said they can go back out and they would have to amend the Action Plan at that point to be able to do another project. It can go back out competitively, and can use the city since the city is the one allowing it to go to the Housing Authority. The city can use it for a project that is qualified. That would come back to Mayor and Council for final approval on where that money would go. He added that Councilmember Diamond is correct that if the tax incentives that the Housing Authority is looking for do not come through, that money would stay with the city. Councilmember Diamond asked about the \$160,000 and wanted to clarify out in a public forum that it is basically the money that the city projects will be competing with the non-profits for that pot of money. Mr. Fischer said that is correct and it equals the same amount of last year and that money is still available.

Councilmember Price said that the anticipated grant is for approximately \$417,000. Mr. Fischer said correct. She said the \$177,000 is committed leaving \$240,000 but yet they are talking about a remaining \$160,000 the difference being \$80,000. She asked if that is the administration cost. Michael said yes. She said that is 33% out of the grant is going for administration costs. Mr. Fischer said correct. She asked if that is standard. He said yes and that is what is allowed each year because it is for personnel and for the studies. He said some of that gets contracted out for the analysis of the impediments to housing which is one of those that a consultant will be used on so that percentage seems more than you may think but there are other administration tasks that need to be done so the funding is provided by CDBG for that. She asked if they are talking about the analysis to the impediments and is that the thing that the city is required to do and what does it cost for somebody to analyze the impediments that may or may not be there.

Mr. Blitch said they have done a cost estimate. They have worked with other communities that are in our jurisdiction as well as some that are similarly sized but in other parts of the country and the estimates that they have been able to come up with are \$40,000. He said they are hopeful that they will be able to negotiate something because we already have a lot of statistics and a lot of data. They are hopeful that they will be able to negotiate something in the \$20,000 to \$25,000 range.

Councilmember Price said she would really like to see some of that \$80,000 go to our non-profits or other activities as opposed to that huge administrative percentage. She doesn't like to see that.

Public comments were invited. No public comments were made.

A motion was made by Councilmember Diamond, seconded by Councilmember Orland, for Approval of the Priorities for the 2013 Community Development Block Grant (CDBG) Entitlement program with staff recommendations for three focus areas (neighborhood revitalization activities, community economic development activities, public facilities improvement activities) and adding consideration of an optional grant match for 2013 CDBG applicants with bonus points being awarded for applicants that include a match. The motion carried by the following vote:

In Favor: 3

Community Development - Councilmember Nancy Diamond**2. Approval for the Mayor and/or City Administrator to sign a contract with SAFEbuilt Georgia for Building Code Administration and Code Enforcement Services in the amount of \$695,000.**

Presented by Alice Wakefield, Director of Community Development

Community Development Director Alice Wakefield said an RFP was issued for Building Code Administration and Code Enforcement Services. They received four (4) bids and all bids were evaluated. The recommendation of the evaluation committee is that SAFEbuilt Georgia was the most responsive responsible proposer in the amount of \$695,000.

The scope of services they will be providing includes building code administration, permitting, inspections, plan review, code enforcement and public education and outreach which Ms. Wakefield said is the most important to them. She said that staff has done extensive reference checks for SAFEbuilt and they have found nothing but good comments from the various local jurisdictions that they currently serve and that they are excited about working with them and moving these two services forward.

Council Comment:

Councilmember Diamond asked Ms. Wakefield if she can talk about the options for the staff that are moving out of the department as far as applying with the new company.

Ms. Wakefield said the existing staff will have the opportunity to apply and be considered by SAFEbuilt. There is no guarantee that they will be hired by SAFEbuilt for this jurisdiction but they may be for some other jurisdiction. That is part of the scope of work which is that they would be given consideration.

Councilmember Diamond asked if they anticipate to see any difference for the citizens coming to the counter and what they will see. She asked if there would be different uniforms. Ms. Wakefield said for the counter staff there will probably be no uniforms and there will not be any difference in the staff other than it will be a new face. Her whole intent is the only difference between the SAFEbuilt staff and city staff will be that someone else signs their paycheck. She said the staff that is out in the field, Code Enforcement and Building, they will be wearing uniforms as agreed upon by both the city and SAFEbuilt. She added that the SAFEbuilt staff will be able to verify more quickly if an application is complete or not complete. She said the number one goal is to enhance customer service.

Councilmember Diamond asked if she can talk about the cost difference. She said that she knows there will be a transition cost initially but she wanted to know if they anticipate a savings to the city when this is all done.

Ms. Wakefield said she doesn't know the exact number but she thinks the savings to the city is over \$100,000. Ms. Love added that their original estimate was approximately \$150,000 exclusive to the transition period. She said they will have a much better idea when they get past that. That is on an annual basis.

Councilmember Price said she wanted to congratulate the departments in the city for being proactive in making efficient use of city resources and putting this in an entity that will hopefully lead to satisfied customers.

Public Comment:

Janet Russell said it is always nice to have a meeting a week before July 4th when nobody shows up. She said she knows she only has about 30 seconds which is so insulting to taxpayers since they helped pay for the clock. She said she is not at all proud of her City Council for doing this. She said \$695,000 to a company and then asked if they are based in Roswell because there is this whole "Find it all in Roswell" program that the taxpayers are funding in the amount of \$500,000 and they don't seem to be giving any contracts to businesses or people who live in Roswell. She said she is assuming this is going to eliminate Ms. Wakefield's job as well since she is the head of this department.

She said for years she has been told that there are two Code Enforcement officers and that is why things take a while. She said she has never had a problem with them. She said \$700,000 for the jobs of two Code Enforcement Officers and Building Code Administration but "you are eliminating 14 positions by telling them, they can come back and reapply for the same position at a lower salary with less benefits." She added "Let me tell you what the shock value is to your entire employee system in the City of Roswell. They are disheartened and saddened because you people obviously don't know how to manage human beings. Do you have any idea what the morale is like in this community? I hear it. I am not going to ask them. They come and tell me. Why would anyone in this town who works for this city try to do a good job when they think the next month or two, City Council, Ms. Love and whoever can just eliminate their job and tell them to come back and apply at a lesser salary. No one will care."

Ms. Russell said she has never had a problem with going to get a permit and she doesn't know anyone who has had a problem. She said if there are problems getting permits or making things easier, it is because the city has all these rules that these people have to go through. She said she doesn't know anyone personally who works in that department but she thinks this City Council needs to be ashamed of themselves in this economy for \$695,000 plus the unknown transition fee. She asked how much are their salaries. Clearly, it is \$695,000 plus \$150,000 but that will be a wash this year because there is a transition period.

Ms. Russell said "Meanwhile you are setting free 14 employees who have worked really hard for this city and you wonder why people don't want to do business in Roswell. Why would they when the people that work for you are treated like garbage. As a taxpayer, we have a real problem with finances here. It is all about the lack of respect for the people who do the jobs at the bottom. You don't pay them enough to live in the city because they don't earn enough money to live here and then you let them go when they make less than Kay Love in one year." She added that Ms. Love makes more than \$150,000 in one year and the city is worried about saving that. She said this is an insult to everyone in this community. She said "I know you are going to say 'you should be glad to have a job, you haven't had a raise in 5 years, we've raised your health premiums, and that doesn't really matter because you have a job.' This is not a way to treat people. It is the same way you treat people about the whole MARTA transit system. You just don't care because it doesn't really affect you. I am embarrassed to say to people in Roswell that this City Council has made this decision."

Ms. Russell added that they are letting go of a veteran. She said she is calling the Georgia Department of Veteran Affairs. She said every day you see in the

newspaper that veterans come home and they can't find a job. She said she loves this city but she is ashamed to see them doing this. She told Alice Wakefield that she is next because they did it to everyone else.

Mayor Pro Tem Wynn asked Ms. Love to respond to comments Ms. Russell brought up.

Ms. Love said that Ms. Russell mentioned that city has two Code Enforcement Officers. She said there are five in that area. She said it was mentioned that there were 14 employees and there are 11 employees. She said this is not something the city takes lightly and that the employees are the city's most important assets. One of the positive things about this, is there are opportunities with a company like SAFEbuilt or with any of the other companies that proposed to provide them opportunities that they don't have with the City of Roswell for certain advancements, and bonuses for different things in the company. That is something they looked long and hard at and in effort for us to deliver a better service and a more robust service in a proactive way, this is what SAFEbuilt does and that is all they do. She said the city is going to try this and if it doesn't work then they will tweek it as needed because the bottom line is to deliver a high level service to the citizens; Ms. Russell's comments are appreciated. She said we will not know until we try. It certainly has a financial benefit but it is not just about the financial aspects. These employees will have an outboarding plan and compensation package to help them transition to their new position whether it be with SAFEbuilt or some of the other persons who proposed or another endeavor that they choose.

No further public comments. The public hearing was closed.

A motion was made by Councilmember Diamond, seconded by Councilmember Price, for Approval for the Mayor and/or City Administrator to sign a contract with SAFEbuilt Georgia for Building Code Administration and Code Enforcement Services in the amount of \$695,000. The motion carried by the following vote:

In Favor: 3

3.

**Approval of an Amendment to Chapter 5, Building and Construction, of the City of Roswell Code of Ordinances.
(First Reading)**

Presented by Alice Wakefield, Director of Community Development

Ms. Wakefield said this is an amendment to Chapter 5, which is specifically to Chapter 5.1.2, the Chief Building Official and Chapter 5.1.3, the Appointment. The Code of Ordinance currently reads that the Chief Building Inspector is appointed by Mayor and Council for a term of four (4) years and that individual is reappointed every four years by Mayor and Council and that inspector can also approve employees as assistants as needed. She said what they are asking for in this First Reading is that those provisions be amended so it mirrors what has currently happened which is that the Chief Building Official reports directly to the Community Development Director and also allows the city to appoint a private contractor to carry out those services. This amendment to the Code of Ordinances will support the action just taken regarding SAFEbuilt being appointed the entity to provide the Building Code services.

City Attorney David Davidson conducted the first reading of AN ORDINANCE TO AMEND CHAPTER 5, BUILDING AND CONSTRUCTION, OF THE CITY OF ROSWELL CODE OF ORDINANCES stating: pursuant to their authority, the Mayor and City Council adopt the following ordinance:

1.

The Code of Ordinances of the City of Roswell, Chapter 5, Building and Construction, Article 5.1 Section 5.1.2 Chief Building Inspector, shall be amended by deleting said Section in its entirety and replacing said Section with a new Section 5.1.2 which shall read as follows:

Section 5.1.2 - Chief Building Official.

There is hereby created the position of chief building official who shall administer the provisions of this chapter and have the powers, duties and responsibilities described herein and as stated in the state minimum codes. The chief building official shall serve as the "building official" of the City of Roswell as such term is used in the state minimum codes, and shall enforce and interpret the building and technical codes adopted by this chapter. Nothing contained herein shall prohibit the city from contracting with a qualified professional or professionals to perform the duties, administration and responsibilities of the chief or assistant building official(s) of the city and such professional(s) shall have full power and authority under this chapter and as stated in the state minimum codes to perform all duties therein.

2.

Chapter 5, Building and Construction, Article 5.1, is further amended by deleting therefrom Section 5.1.3, Appointment and substituting therefor a new Section 5.1.3 to read as follows:

Section 5.1.3 - Supervision

The chief building official shall be retained by, report to and work under the direct supervision of the Director of Community Development. The Director of Community Development with the approval of the City Administrator may hire qualified assistant building official(s) as is required or necessary to properly enforce the building and technical codes.

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

Public comments were invited. No public comments were made.

A motion was made by Councilmember Diamond, seconded by Councilmember Price, for Approval of an Amendment to Chapter 5, Building and Construction, of the City of Roswell Code of Ordinances on First Reading, and be placed on the Mayor and City Council agenda for 7/9/2012. The motion carried by the following vote:

In Favor: 3

4. Approval of an Amendment to Chapter 3, Alcoholic Beverages, of the City of Roswell Code of Ordinances. (First Reading)

Presented by Alice Wakefield, Director of Community Development

Ms. Wakefield said the reason for this amendment is to clarify who may obtain a catering permit related to a special event. She said currently all that information is located in one section but it is not clear as to when a catering permit is needed. The intent to this is to simplify by adding language that says:

- That applicants who are neither licensed to serve/sell alcoholic beverages by the City nor operate as a bona fide nonprofit civic organization must use a licensed caterer to serve/sell alcoholic beverages at a special event*
- That establishments licensed by the City to sell alcohol on their premises need to obtain a catering permit when holding a special event off their premises.*
- That establishments licensed by the City to sell alcohol on their premises do not need to obtain a catering permit when holding a special event on their premises.*
- That bona fide nonprofit civic organizations may obtain a specific nonprofit permit to sell or serve alcohol without the need to use a caterer but limited to twice per year.*

City Attorney David Davidson conducted the first reading of AN ORDINANCE TO AMEND CHAPTER 3, ALCOHOLIC BEVERAGES, OF THE CITY OF ROSWELL CODE OF ORDINANCES stating: pursuant to their authority, the Mayor and City Council adopt the following ordinance:

1.

The Code of Ordinances of the City of Roswell, Chapter 3, Alcoholic Beverages, Article 3.2 Section 3.2.5 Alcoholic Beverage Caterers, is hereby amended by deleting Section 3.2.5(a)(1) and replacing said Section with a new Section 3.2.5(a)(1) to read as follows:

Section 3.2.5 - Alcoholic Beverage Caterers

(a) License Requirements—Resident Caterers.

1. Any alcoholic beverage retailer possessing a valid license from the City of Roswell to sell malt beverages, wine or distilled spirits by the drink at a fixed location within the city may apply for an off-premises license that authorizes sales at authorized catered event(s) or function(s).

2.

Chapter 3, Alcoholic Beverages is further amended by deleting therefrom Article 3.7 Section 3.7.9 Special Event Pouring Permit; Temporary Permits for Nonprofit Civic Organizations, and replacing said Section with a new Section 3.7.9 to read as follows:

Section 3.7.9 - Catering Permits in Conjunction with a Special Event

(a) A special event permit applicant that does not have a current City of Roswell Alcoholic Beverage License and is not a bona fide nonprofit civic organization who desires to sell or serve alcoholic beverages temporarily (no more than 3 days) for consumption on a non-licensed premises during a special event shall employ, use or contract with an alcoholic beverage caterer for such service.

(b) *If an existing alcoholic beverage licensee desires to sell or serve alcoholic beverages temporarily (no more than 3 days) for consumption on a non-licensed premises, said licensee shall obtain an alcoholic beverage catering license pursuant to Section 3.2.5 of this Chapter in conjunction with a special event permit.*

(c) *If an existing alcoholic beverage licensee desires to sell or serve alcoholic beverages temporarily for consumption beyond the licensed premises but either connected to the licensed premises or on the same property under their sole possession, said licensee shall obtain a special event permit but is not required to obtain a catering license since the special event is an extension of the licensed premises.*

(d) *A bona fide nonprofit civic organization that desires to sell or serve alcoholic beverages temporarily (no more than 3 days) for consumption on a non-licensed premises during a special event shall pay a fee of fifty dollars (\$50.00) to obtain a permit authorizing the organization to sell or serve alcoholic beverages for consumption on the premises of the special event. No more than two (2) permits may be issued to an organization in any one (1) calendar year. The organization shall hire an off-duty police officer of competent jurisdiction to be present during the event. For the purposes of this section, a bona fide "nonprofit civic organization" is defined as an organization which is an exempt organization under Section 501(c) or (d) of the Internal Revenue Code of 1986, as amended.*

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

Council Comment:

Councilmember Orlans wanted to clarify that everyone needs a catering license if they are going to deal with alcohol except for non-profits. He also wanted to know the logic of where this came from since they don't know what they are doing any more than a licensee with a liquor license going off premise does.

David Davidson said the state law provides a specific exception for them so the city is just following exactly what the state does and it reads exactly like this.

Councilmember Price said the Item Summary says there is no financial impact but if this is enacted, will the city see an increase in permitting, decrease in permitting, increase in revenues or no change? Ms. Wakefield said it would be no change. This is just clarifying when you need a permit. Councilmember Price asked if this could lead to more permits. Ms. Wakefield said not necessarily. Councilmember Price said if there are more permits, that is more charges. She asked if the non-profits are exempt or non-exempt. Ms. Wakefield said the charge is \$50.

Councilmember Diamond wanted to clarify with David Davidson that this is not a substantive change to anything that the city is already doing and that it is just clarifying the parameters. Mr. Davidson said yes.

Public comments were invited. No public comments were made.

A motion was made by Councilmember Diamond, seconded by Councilmember Orlans, for Approval of an Amendment to Chapter 3, Alcoholic Beverages, of the City of Roswell Code of Ordinances on First Reading, and be placed on the Mayor and City Council agenda for 7/9/2012. The motion carried by the following vote:

In Favor: 3

Public Safety - Councilmember Becky Wynn

Mayor Pro Tem Wynn said the next items are Public Safety and since Councilmember Diamond was the liaison to that department last year, she is asking her to substitute for her.

5. Approval of a Memorandum of Understanding (MOU) between the City of Roswell and the City of Pelham for housing sentenced inmates.

Presented by Dwayne Orrick, Chief of Police

Chief Orrick said this is a MOU for the city to house inmates who are in the municipal facility for more than 72 hours in the City of Pelham detention facility. They will come and transport those inmates on Monday, Wednesday and Friday. They will provide basic medical that is outlined in the contract as well as transportation, food, recreation of the services for \$30/day.

There were no questions from Council. Public comments were invited. No public comments were made.

Councilmember Price added that seeing as now some of our residents might be housed in a location far from Roswell it might serve as a warning to them to try to avoid that so their family members won't have to drive all that distance to visit them.

A motion was made by Councilmember Diamond, seconded by Councilmember Price, for Approval of a Memorandum of Understanding (MOU) between the City of Roswell and the City of Pelham for housing sentenced inmates. The motion carried by the following vote:

In Favor: 3

6. Approval of a Resolution of the City of Roswell endorsing the Georgia Open Roads Policy.

Presented by Ricky Spencer, Fire Chief and Dwayne Orrick, Chief of Police

Fire Chief Spencer said this is a Georgia Open Roads Policy: Quick Clearance for Safety and Mobility Endorsement Resolution. This was signed into existence in 2011 by the Georgia Department of Public Safety, the Georgia Department of Transportation and the Governor of Georgia. As the policy suggests, a new benchmark and standard for traffic incident response on Georgia roadways and public safety remains the highest priority during a traffic incident and that public safety agencies and traffic incident responders shall re-open the roadway as soon as possible on an urgent basis.

Fire Chief Spencer added that the City of Roswell Police and Fire Departments agree that clearing the travel portion of a roadway is a high priority and that roadways will not be closed or restricted any longer than is absolutely necessary and not forgoing the safety of our officers and our firefighters.

Council Comment:

Councilmember Orlans asked Chief Spencer if they have always had this approach. Chief said yes and they are just signing into an agreement with the Resolution to make it all good.

Public comments were invited. No public comments were made.

A motion was made by Councilmember Diamond, seconded by Councilmember Orlans, for Approval of a Resolution of the City of Roswell endorsing the Georgia Open Roads Policy. The motion carried by the following vote:

In Favor: 3

7. Approval of a Resolution to apply for a FY2012 Assistance to Firefighters Grant (AFG) in the amount of \$44,000.

Presented by Ricky Spencer, Fire Chief

Chief Spencer said they are seeing Mayor and Council approval in the amount of \$44,000 in federal funding for the purchase and installation of "Vehicle Exhaust Extraction Systems" at Fire Stations three and six. The stations were selected based on need and the fact that the stations are fully staffed and operated 24-hours a day.

He said that back in 2004, when they originally applied for a Firefighters Grant in the amount of \$111,000, the previous administration stated that we only had 5 of our 7 stations that were staffed 24/7. Since 2004, we have actually started staffing all of our fire stations and staff feels this is a need they need to put in place to prevent the firefighters and the people who visit the fire stations from having to breathe the exhaust fumes from the fire trucks when they are cranked up. He added that is also requires a matching grant from our Grant Contingency Fund for \$11,000 for a total of \$55,000.

There were no questions from Council. Public comments were invited. No public comments were made.

A motion was made by Councilmember Diamond, seconded by Councilmember Orlans, for Approval of a Resolution to apply for a FY2012 Assistance to Firefighters Grant (AFG) in the amount of \$44,000. The motion carried by the following vote:

In Favor: 3

City Attorney's Report

8. Recommendation for closure to discuss personnel and acquisition of real estate.

A motion was made by Councilmember Price, seconded by Councilmember Diamond, that recommendation for closure be approved. The motion carried by the following vote:

In Favor: 3

Adjournment

After no further business, the Mayor and Council meeting adjourned at 8:58 p.m. Mayor and Council reconvened for a Work Session for a discussion on the Holcomb Bridge Road Corridor Study.