



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, January 27, 2014

7:00 PM

City Hall

WELCOME

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

Pledge of Allegiance - Shirley Lowe

CONSENT AGENDA

1. **Approval of the December 23, 2013 Mayor and Council Meeting Minutes (to replace the Council Brief approved on January 13, 2014); Approval of the January 6, 2014 Special Called Mayor and Council Meeting Minutes (to replace the Council Brief approved on January 13, 2014); Approval of the January 13, 2014 Mayor and Council Meeting Brief.**
Administration
Approved

Approval of the Consent Agenda

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

In Favor: 6

2. **Approval of a fee increase for Non-Resident television recycling effective February 10, 2014.**
Public Works/Environmental
The Roswell Recycling Center has been informed by the electronics vendor, Atlanta Recycling Solutions, that the vendor will be changing how they charge for televisions due to more stringent U.S. Environmental Protection Agency rules. Beginning January 1, 2014, the vendor will charge \$0.30 a pound instead of \$10 per unit, which

will result in an overall cost increase for the recycling of televisions. In order to keep the net costs to the Recycling Center down, the fees for non-residents only to recycle televisions will increase to \$20 per television from the current \$10 per television. This increase will not impact Roswell residents.

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

In Favor: 6

3. Approval of the Revisions to the Historic Gateway Memorandum of Agreement (MOA) between the National Park Services (NPS), Federal Highway Administration (FHWA), Georgia Department of Transportation (GDOT) and the City of Roswell. *(This item was carried over from the January 13, 2014 Mayor and Council meeting)*
Transportation

On February 11, 2013 Mayor and Council approved the MOA with nine (9) requests from the NPS in return for approximately 1.1 acres of land that will be needed for the Historic Gateway project.

The revisions requested by the National Park Service Superintendent are as follows:

- Language to clarify the pavement in the parking lot (265 Atlanta Street) be porous*
- NPS's current Allenbrook sign be relocated to their new entrance on Atlanta Street*

GDOT requested the following:

- Language to specify whether each mitigating action is proposed to be part of the project or a separate action by the City.*

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

In Favor: 6

REGULAR AGENDA

Mayor's Report

1. Reading of a Proclamation for Georgia Day.

Mayor Wood conducted the reading of the Proclamation honoring the founding of the State of Georgia on February 12, 1733, and also acknowledging and celebrating the state's history and accomplishments.

2. Reading of a Proclamation for Black History Month.

Mayor Wood conducted the reading of the Proclamation honoring national Black History Month and Roswell Black History Month. The 2014 Roswell Roots Festival

includes six exhibits and (20) special events all throughout the month of February. A short film trailer was shown from Roswell's 2013 poetry slam, "Slammin in a Suburb." The full length film by Michael Harper, Screenwriter, Producer, and Director with Mad Mouth Media and Cogitate Productions will be shown February 12, 2014 at Aurora Cineplex in Roswell.

Recognition of the City Roswell - Winner of the Active City Challenge - See.Walk.Cities

Mayor Wood announced that the City of Roswell has been recognized as The Most Active City in Georgia for 2013, as part of the See Walk Cities in the CMEcompete program in the State of Georgia. The Mayor recognized City Clerk Marlee Press as the most active participant in the City of Roswell, having accumulated the most points. The Mayor congratulated Ms. Press and presented her with a trophy.

3. Recognition of the City of Roswell receiving the Atlanta Regional Commission (ARC) Green Communities Gold Level Award.

The City has recently been re-certified under the Atlanta Regional Commission's (ARC) Green Communities Program to the Gold Level. The City of Roswell was first certified in 2009 at the Silver Level.

ARC launched the Green Communities Program in 2009 to foster greater environmental stewardship by recognizing local governments that invest in programs leading to a more sustainable Atlanta region. ARC's Green Communities program is the only program in the country that seeks to transform a region by promoting sustainability through a "green" certification program for local governments.

4. Approval of a Resolution establishing the Rules of Mayor and Council Conduct.

This Resolution establishes a policy of the Rules of Mayor and Council conduct. The purpose of the rules is to foster an environment of civility and effectiveness, and to establish the manner in which the Mayor and Council interact with City staff.

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

In Favor: 6

Enactment No: R 2014-01-02

Community Development - Councilmember Nancy Diamond

5. Approval of an Ordinance to create the Unified Development Code Map. (First Reading)

Presented by Bradford D. Townsend, Planning and Zoning Director

The Unified Development Code (UDC) and map is a complete rewrite of the existing zoning ordinance and a change to the zoning map. During the development of the 2030 Comprehensive Plan one reoccurring theme was the overly burdensome, confusing and sometimes prohibitive Zoning Ordinance. As a result, one of the

action items identified to keep the City moving forward toward its 20-year vision of the Comprehensive Plan was to update the Zoning Ordinance. While the City's Zoning Ordinance has been continually updated, many of the standards within the ordinance are dated and the updates over the years have resulted in an overly complicated and confusing set of regulations.

The UDC map corresponds with the districts in the text. The biggest change to the map is the removal of the FC-A classification and establishing a zoning district for all of these properties that closely matches what the properties were allowed in Fulton County. The E-1, E-2, R-1 and R-2 residential zoning classifications dimensional requirements are staying the same, but are being renamed to RS-87, RS-30, RS-18 and RS-12 so as to represent the minimum lot size within each category. An AG-43 zoning category is being added to represent existing agriculturally used property within Roswell. Several commercial mixed use designations have been added to coincide with the Comprehensive Plan policies to foster redevelopment in the corridors and nodes districts and the downtown districts to match the character areas identified in the 2030 Comprehensive Plan.

Several overlay districts in the current zoning ordinance and map are being removed and being replaced with individual mixed use districts. All current multi-family properties have been classified with a proposed compatible UDC designation. The areas on the proposed UDC map that allow for properties to be developed over three stories in height are ones that currently allow for that or represent existing structures of that height. The industrial area and Alpharetta Highway/Holcomb Bridge Road area have been proposed for additional height to allow for redevelopment.

A motion was made by Council Member Diamond, seconded by Council Member Dippolito, to Approve First Reading of UDC Map with amendments to reference spreadsheet numbers 1-446 except the following line numbers: 15 , 16, 32, 37 - 45, 98-100, 177-179, 198, 222-226, 244-256, 284-345.

On the multi-colored list, numbers 2 and 4 in the yellow, numbers 11 and 12 in the blue and number 14 (purple item). Items on the blue section, numbers 1, 2, 4, 9, and 10 were included in the spreadsheet.

Change the 3 Old Scott Road parcels to AG-43.

This item will be placed on the Mayor and City Council agenda for 2/10/2014 for the Second Reading.

Councilmembers Diamond, Dippolito, Wynn, and Orlans voted in favor. Councilmembers Igleheart and Price were opposed.

The motion carried by the following vote:

In Favor: 4

Opposed: 2

Environmental / Public Works Department - Councilmember Kent Igleheart

- 6. Approval of Charleston Oaks Homeowners Association's (HOA) application through the City's Lakes and Ponds (L&P) Partnership Program for funding in the amount of \$22,500 and approval of Budget Amendment 24071301-01-27-14.**

Presented by Stuart Moring, Director of Public Works/Environmental

The Charleston Oaks HOA has submitted an application for project funding in the amount of \$45,000 through the L&P Partnership Program. The City portion, if approved, is \$22,500 and is to be used for removing accumulated sediment in the pond in accordance with the objectives of the L&P Partnership Program. Staff has evaluated the benefits of the dredging in light of the program objectives and recommends inclusion in the program.

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

In Favor: 6

- 7. Approval for the Mayor and/or City Administrator to sign a contract with Municipal Equipment Sales, Inc. for a 2014 Residential Rear Loader Garbage Truck in the amount of \$148,640.**

Presented by Stuart Moring, Director of Public Works/Environmental

Invitation to Bid #13-344C-C was issued for a replacement residential rear loader garbage truck and three (3) bids were received ranging from \$147,900 to \$157,022. Municipal Equipment Sales, Inc. was the lowest responsive, responsible bidder meeting all required specifications in the amount of \$148,640.

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

In Favor: 6

- 8. Approval for the Mayor and/or City Administrator to sign a contract with Consolidated Disposal Systems, Inc. for a 2014 Commercial Front Loader Garbage Truck in the amount of \$222,493.**

Presented by Stuart Moring, Director of Public Works/Environmental

Invitation to Bid #13-344B-C was issued for a replacement front loading refuse collection body and chassis. Four (4) bids were received ranging from \$222,493 to \$230,941. Consolidated Disposal Systems, Inc. was the lowest responsive, responsible bidder meeting all required specifications in the amount of \$222,493.

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

In Favor: 6

Recreation and Parks Department - Councilmember Jerry Orlans

9. **Approval to reject all bids received for construction of the Adult Recreation Center Therapeutic Pool, Bid #13-267-C, and approval to revise the scope of work and rebid the project.**

Presented by Joe Glover, Director of Recreation and Parks and Historic Cultural Affairs

Invitation to Bid #13-267-C was issued for construction of the Adult Recreation Center Therapeutic Pool. Seven responses were received and the base bids ranged from \$2,950,000 to \$3,665,700. All bids exceeded the original budgeted amount for this project. The low bidder, Pool Management Inc. has failed to respond to repeated requests to meet with City staff. The City has been in contact with the second lowest bidder, USA Pools, Inc. to discuss scope of work and pricing options.

Due to funding, staff recommends reducing the scope of work and re-bid the project on a smaller scale in order to get the cost within budget.

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

In Favor: 6

10. **Approval for the Mayor and/or City Administrator is sign a contract with American Labor Construction to replace the Founders Cemetery Ornamental Wrought Iron Fence in the amount of \$50,879.**

Presented by Joe Glover, Director of Recreation and Parks and Historic Cultural Affairs

Invitation to Bid # 13-330-D was issued for the material and installation of an ornamental wrought iron fence at Founders Cemetery and three (3) bid responses were received ranging from \$50,879 to 77,248. American Labor Construction is the most responsive responsible bidder in the amount of \$50,879. This is a joint project between the City of Roswell and the Roswell Women's Club.

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

In Favor: 6

Administration and Finance Department - Councilmember Rich Dippolito

11. **Approval for the Mayor and/or City Administrator to sign a Georgia Municipal Association (GMA) Supplement Lease Agreement for two (2) Horton Fire Rescue Trucks in the amount of \$333,516.**

Presented by Keith Lee, Director of Finance

Funding for the purchase of two fire rescue trucks will be provided through the Georgia Municipal Association (GMA) Lease Program. The Master Lease Agreement was approved in August 2013 and this action will approve a "lease supplement" to the Master Lease Agreement for this purchase with a term of 7 years at an interest rate of 1.8% and annual payments of \$50,233. The total interest paid will be \$18, 112.

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

In Favor: 6

City Attorney's Report

12. Approval of a Resolution to set qualifying fees for the 2014 Special Election to fill the vacancy of the Chief Judge of the Municipal Court of Roswell.

Georgia Election Code Section 21-2-131(a)(1) provides that qualifying fees shall be fixed no later than February 1st. The following qualifying fees shall apply to candidates seeking the office of Chief Judge of the Municipal Court of Roswell in the election to be held on May 20, 2014: Judge \$2730. A copy of the Resolution shall be published in a newspaper of general circulation following its adoption.

A motion for approval was made by Council Member Wynn, seconded by Council Member Price. The motion carried by the following vote:

In Favor: 6

Enactment No: R 2014-01-03

13. Recommendation for closure to discuss personnel, litigation and real estate.

A motion for approval was made by Council Member Dippolito, seconded by Council Member Wynn. The motion carried by the following vote:

In Favor: 6

Adjournment - 11:07 p.m.