



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

Wednesday, November 13, 2013

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

CONSENT AGENDA

1. **Approval of the September 30, 2013 Open Forum Mayor and Council Meeting Minutes (to replace the Council Brief approved on October 14, 2013); Approval of the October 28, 2013 Mayor and Council Meeting Minutes.**
Administration
Approved
2. **Approval of City Sponsorship for thirteen (13) special events between January and June 2014**
Community Development
Approved
3. **Approval for the Mayor and/or City Administrator to sign a contract with THC, Inc. for Right of Way Acquisition Services for the Holcomb Bridge Road Westbound Through Lane Project in the amount of \$36,992.**
Transportation
Approved

Approval of the Consent Agenda

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

In Favor: 6

REGULAR AGENDA

Mayor's Report

1. **Reading of a Proclamation for National American Indian Heritage Month.**

Mayor Wood conducted the reading and proclaimed that November has been designated as National American Indian Heritage Month to honor the contributions of American Indians.

Administration and Finance Department - Councilmember Rich Dippolito

2. **Approval of an Ordinance to amend the City Charter related to the Roswell Municipal Court. (First Reading)**
Presented by Michael Fischer, Deputy City Administrator

This amendment provides for Municipal Court personnel for the effective operation of the Municipal Court of Roswell by deleting Section Ch. 7.100 Court Services; Section Ch. 7.110 Clerk of Court; Section Ch. 7.120 Solicitor and Deputy Solicitors; Section Ch. 7.130 Marshals; and Section Ch. 7.140 Other Court Personnel and adding a new Section Ch. 7.100 Court Personnel which reads: The City shall be authorized to provide for such Court personnel as deemed appropriate for the effective operation of the Municipal Court of the City and the timely administration of justice.

A motion was made by Council Member Dippolito, seconded by Council Member Wynn, that this Item be Approved on First Reading and placed on the Mayor and City Council agenda for 11/25/2013. The motion carried by the following vote:

In Favor: 6

Community Development - Councilmember Nancy Diamond

3. **RZ 201301671, 1270 Strickland Rd., Larry Strickland, Land Lot 428.** *(This item was deferred from the October 14, 2013 Mayor and Council Meeting)*
Presented by Bradford D. Townsend, Planning & Zoning Director

The applicant requests a rezoning from R-2 to an R-2 Conservation Subdivision for the single family development containing 14 homes.

A motion was made by Council Member Dippolito, seconded by Council Member Wynn, that this Item be Approved with the following Conditions:

- 1. The owner/developer shall develop the subject property in accordance with the site plan stamped "Received October 29, 2013 City of Roswell Community Development Department."**
- 2. The number of lots within the subdivision is not guaranteed with the approval of the zoning.**
- 3. A stormwater concept plan, approved by the Public Works Department, shall be completed prior to the submittal of the Land Disturbance Permit.**
- 4. The Conservation Area shall be open to the public beyond the 14 lot subdivision.**
- 5. The HOA covenants shall be in place to maintain the conservation area from invasive species and to maintain the path.**

Council Members Dippolito, Wynn, and Orleans voted in favor. Council Members Igleheart and Price were opposed. Council Member Diamond recused herself. The motion carried by the following vote:

In Favor: 3

Opposed: 2

Recuse: 1

Enactment No: R2013-11-75

4. **SB 201303169, 650 Jones Rd., Michael Statham, Land Lot 307.**
Presented by Bradford D. Townsend, Planning & Zoning Director

The Applicant requests approval of a stream buffer variance for a 100' buffer and a 150' impervious setback encroachment.

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

In Favor: 6

Enactment No: R2013-11-76

5. **SB 201303170, 690 Jones Rd., Benjamin Miller, Land Lot 307.**
Presented by Bradford D. Townsend, Planning & Zoning Director

The Applicant requests approval of a stream buffer variance for a 100' buffer and a 150' impervious setback encroachment.

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

In Favor: 6

Enactment No: R2013-11-77

6. **Final Plat 201303048, 9050 Nesbit Ferry Rd., Nesbit Reserve, TPG Development, LLC/Michael A. Smith, Land Lot 835.**
Presented by Bradford D. Townsend, Planning & Zoning Director

This is the Final Plat for Nesbit Reserve. The subdivision is for nineteen (19) residential single family attached lots. All conditions of the rezoning have been completed. The plat has been signed by the City Engineer.

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

In Favor: 6

7. **Approval of a Text Amendment to Chapter 3, Alcoholic Beverages, Sections 3.1.2 and 3.2.5 of the City of Roswell Code of Ordinances and Article 6, Chapter 6.4, C-3, Highway Commercial District of the City of Roswell Zoning Ordinance to allow for Microbreweries. (Second Reading)**
Presented By Bradford D. Townsend, Planning and Zoning Director

This proposed text amendment will add manufacturing and microbrewery to Chapter 3, Alcoholic Beverages, Section 3.1.2 and Section 3.2.5, to the Code of Ordinances. This also amends Chapter 6.4, C-3, Highway Commercial District, Section 6.4.2 Permitted and Conditional Uses to include "microbrewery" as a permitted use in the C-3 zoning category and "not permitted" in all other zoning categories in the Zoning Ordinance.

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

In Favor: 6

Enactment No: ORD 2013-11-12

8. Approval of a Resolution to submit Urban Redevelopment Plan I (URP) and Opportunity Zone I (OZ) Amendments to the Department of Community Affairs (DCA).

Presented by Alice Wakefield, Community Development Director

Since the OZ I was last amended in 2012, various requests have been received from individual property and business owners about having their locations included in the OZ. Some of these locations are not in the current URP Area. The two-fold approach is to propose amendments to the Urban Redevelopment Area I, then to propose amendments to the OZ I.

Urban Redevelopment Area Additions: 1) Minhinette Drive and Canton Street north of Woodstock Rd.; 2) Marietta Highway across from Bulloch Hall and west at Willeo Road and Coleman Road; 3) East Crossville Road, Crabapple Road, and Macy Drive; and 4) Hilton Hills subdivision and Clara Drive.

Urban Redevelopment Area Deletions: Azalea Point located at Heritage Trail and Atlanta Street

These parcels were initially included since they are in the Historic District boundaries. However, these residential properties are not in need of redevelopment.

Opportunity Zone Area - Amendments to the OZ areas:

- 1. Spruill - includes the Spruill property next to Sanctuary Park, and the Old Roswell Corners subdivision to the south of it.*
- 2. Crossville - properties north of the intersection of Crossville Rd. and Crabapple Rd.*
- 3. Minhinette - properties on the northern portion of Minhinette Dr. and on Canton St. north of Woodstock Rd.*
- 4. Old Roswell - Old Roswell Exchange office park and the abandoned house to the north of it.*
- 5. Ramsey - the block on the north side of Ramsey St.*
- 6. Bulloch - properties from Marietta Hwy. between Spring and Barrington, Mimosa and Bulloch, and the south side of Bulloch to the Dolvin House.*
- 7. Marietta Hwy. - properties at Willeo Rd and Coleman Rd, and several individual businesses between these two nodes.*

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

In Favor: 6

Enactment No: R2013-11-78

Transportation Department - Councilmember Betty Price

9. Approval by the Mayor and/or City Administrator to sign a contract with Johnson Landscaping for the River to the Square Trail Project in the amount of \$567,182.58.

Presented by Steve Acenbrak, Director of Transportation

Invitation to Bid #13-262-C was issued and 9 bids were received with costs ranging from \$608,734.18 to \$906,000. Johnson Landscaping was the lowest, responsive, responsible bidder in the amount of \$608,734.18, with a negotiated final price of

\$567,182.58.

The project consists of constructing 2,693 lineal feet (or 0.51 miles) of multi-use trail ranging from 10 to 12 feet in width along SR120 from Willeo Road to the Bulloch Hall driveway. Due to the higher than expected bid prices, some of the add alternate items (lighting, benches, and trash cans) are not included in this contract.

A motion was made by Council Member Price, 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 to sign a contract with Northwest Georgia Paving, Inc. for road resurfacing in the amount of \$1,508,720.50.

Presented by Steve Acenbrak, Director of Transportation

Invitations to Bid #13-282-C, 13-283-C and 13-284-C were issued and seven (7) bids were received for these projects ranging from \$1,508,720.50 to \$1,983,213.07. Northwest Georgia Paving, Inc. was the lowest responsive, responsible bidder for each of these projects with a total amount of \$1,508,720.50. The project will mill, patch, resurface and stripe:

- Woodstock Road from Canton Street to Crossville Road - (#13-282-C)*
- Nesbit Ferry Road from Holcomb Bridge Road to the City limits - (#13-283-C)*
- Hembree Road from Elkins Road to Crabapple Road and Norcross Street from the Grimes Bridge roundabout to Canton Street - (#13-284-C)*

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

In Favor: 6

City Attorney's Report

11.

Recommendation for closure to discuss personnel and real estate.

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

In Favor: 6

Adjournment

With no further business, Mayor and Council adjourned at 9:24 p.m.