



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 21, 2010

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: Brandon Tardif and Davis Tardif, Boy Scout Troop #841, Alpharetta, Ga.

Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Director of Transportation Steve Acenbrak; Transportation Deputy Director David Low; Transportation Planning Manager Chris Chovan; Transportation Accounting Specialist Karen Bernard; Community Development Director Alice Wakefield; Community Development Deputy Director Clyde Stricklin; Planning & Zoning Director Brad Townsend; City Engineer Jean Rearick; Fire Chief Ricky Spencer; Fire Marshall Paul Piccirilli; Chief of Police Ed Williams; Finance Director Julia Luke; Purchasing Manager Richard Brownlee; Strategic Planning and Budgeting Director Keith Lee; Strategic Planner/Budget Analyst Denise Brown; Financial Analyst Lynn Williams; Human Resources Director Diane Whitfield; Human Resources Assistant Wendy Ademy; Environmental/Public Works Director Stuart Moring; Environmental/Public Works Deputy Director Yvonne Douglas; Recreation, Parks, Historic and Cultural Affairs Director Joe Glover; Mayor's Executive Assistant Robyn Kenner; Mayor's Special Projects Coordinator Jennie Bushey; Community Relations Manager Julie Brechbill; Community Relations Coordinator Kimberly Johnson; Building Operations Technician Doug Heieren; and Deputy City Clerk Betsy Branch.

CONSENT AGENDA

- Approval of June 14, 2010 Council Brief Minutes.**
Administration and Finance
Approved

2. **Approval for the Mayor and/or City Administrator to sign an annual renewal contract for excess workers' compensation coverage with Midwest Employers Casualty Company in the amount of \$84,667**
Administration and Finance
Approved
3. **Approval for the Mayor and/or City Administrator to sign a contract with Duncan Pipeline, Inc. for the construction of the waterline replacement on South Atlanta Street in the amount of \$639,824.15.**
Environmental/Public Works
Approved
4. **Approval for the Mayor and/or City Administrator to sign contracts for On-Call Construction Services with Frank Suddeth & Sons, Wade Coots Company, Inc., and Georgia Development Partners for Water Resources related work in the Public Works/Environmental Department.**
Environmental/Public Works
Approved
5. **Approval for the Mayor and/or City Administrator to sign a contract with JJE Constructors, Inc. for Stormwater Remediation at the Roswell Recycling Center in the amount of \$84,528.23.**
Environmental/Public Works
Approved
6. **Approval for the Mayor and/or City Administrator to sign a contract with Crigler Enterprises, Inc. for a replacement baler at the Roswell Recycling Center in the amount of \$39,939.**
Environmental/Public Works
Approved
7. **Approval of a Resolution to apply for a 2010 Edward Byrne Memorial Justice Assistance Grant (JAG).**
Public Safety
Approved

8. **Approval of Budget Amendment 3800-06-21-10 to amend the FY 10 E911 Fund expenditure budget in the amount of \$106,000.**
Public Safety
Approved
9. **Approval of Budget Amendment 3250-06-21-10 to recognize \$32,000 in additional revenue and authorize \$32,000 in additional expenditures for FY 10 in the Confiscated Assets Fund.**
Public Safety
Approved
10. **Approval of a Memorandum of Understanding (MOU) between the Fulton County Department of Health and Wellness and the City of Roswell Police Department.**
Public Safety
Approved
11. **Approval of a Memorandum of Understanding (MOU) between the Fulton County Department of Health and Wellness and the City of Roswell Fire Department.**
Public Safety
Approved
12. **Approval of Budget Amendment 6120-06-21-10 to recognize \$150,000 in additional revenue and authorize \$150,000 in additional expenditures for FY 10 in the Recreation Participation Fund.**
Recreation, Parks, Historic and Cultural Affairs
Approved
13. **Approval for the Mayor and/or City Administrator to sign a contract with Hasley Recreation and Design, Inc. for the East Roswell Park Playground Renovations in the amount of \$134,900.**
Recreation, Parks, Historic and Cultural Affairs
Approved

Approval of the Consent Agenda

There was no public comment.

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

In Favor: 6

REGULAR AGENDA**Mayor's Report****1. Proclamation for Amateur Radio Week.**

1. Proclamation for Amateur Radio Week.

Mayor Wood read the proclamation recognizing the North Fulton Amateur Radio League and proclaimed the week of June 21-27, 2010 as Amateur Radio Week in The City of Roswell Georgia. The North Fulton Amateur Radio League will hold their annual Field Day event and contest in the City Of Roswell at Waller Park Extension and all citizens of the City of Roswell are encouraged to attend, Saturday, June 26 and Sunday, June 27. Jim Payne, representative of the North Fulton Amateur Radio League expressed appreciation to the City of Roswell for hosting their field day event each year. The North Fulton Amateur Radio League Field Day event last year had the most attendance of any field day in the United States or Canada last year. In addition, Mayor Wood read a proclamation recognizing Jim Stafford, of the North Fulton Amateur Radio League, as the Radio Amateur of the Year, internationally.

2.

Approval of the Millage Rate of 5.455 mills for the FY 2011 Budget. (Second Reading)

2. Approval of the Millage Rate of 5.455 mills for the FY 2011 Budget. (Second Reading)

City Attorney David Davidson conducted the reading of an Ordinance to Adopt Millage Rate stating: Now, therefore, the Mayor and Council of the City of Roswell wish to establish a millage rate of 5.455. The millage rate has a component of 4.059 for the general fund, operating and capital improvements budget, and a 1.396 mills component for servicing bonded indebtedness. The millage rate may require adjustment upon approval of a certified Tax Digest for the year 2010.

Mr. Davidson noted that if approved, this would be the second reading of the ordinance. Mr. Davidson confirmed for Mayor Wood that this millage rate is the same as it was last year and the year before; there is no change in the millage rate, up or down.

Council comment:

Councilmember Orlans inquired of Mr. Davidson if the procedure necessary was to pass the budget ordinance before the millage rate ordinance. Mr. Davidson replied there is no legal requirement that Council pass it in that order; however, the millage rate is set to fund the expenditures contemplated in the budget, so that would be the normal practice.

Motion: Councilmember Orlans moved to defer the vote on the millage rate until after the vote on the FY2011 Budget. Councilmember Wynn seconded. No further discussion. The motion passed unanimously.

Return to:

2. Approval of the Millage Rate of 5.455 mills for the FY 2011 Budget. (Second Reading)

Mayor Wood noted that the discussion on the Millage Rate was deferred earlier in the meeting.

Motion: Councilmember Orlans moved for Approval of the Millage Rate of 5.455 mills for the FY 2011 Budget. (Second Reading) Councilmember Dippolito seconded. No further discussion. Public comment invited. None was heard. City Attorney David Davidson confirmed the reading of the ordinance was conducted earlier in the meeting. The motion passed unanimously.

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

In Favor: 6

Enactment No: Ord 2010-06-10

3.

Approval of the FY 2011 Budget for the City of Roswell, Georgia in the amount of \$93,057,832. (Second Reading)

3. Approval of the FY 2011 Budget for the City of Roswell, Georgia in the amount of \$93,057,832. (Second Reading)

City Attorney David Davidson conducted the reading of AN ORDINANCE ADOPTING A BUDGET FOR THE FISCAL YEAR 2011 FOR EACH FUND OF THE CITY OF ROSWELL, GEORGIA, PURSUANT TO ARTICLE VI, CHAPTER 6 OF THE CHARTER OF THE CITY, BEGINNING JULY 1, 2010, AND ENDING JUNE 30, 2011, APPROPRIATING THE AMOUNTS SHOWN IN EACH BUDGET AS EXPENDITURES, ADOPTING THE ITEM OF ANTICIPATED FUNDING SOURCES, PROHIBITING EXPENDITURES TO EXCEED APPROPRIATIONS, AND PROHIBITING EXPENDITURES FROM EXCEEDING ACTUAL FUNDING SOURCES AND AMENDING THE CODE OF ORDINANCES TO EFFECTUATE SUCH ADOPTION stating: Now, Therefore, the Mayor and Council of the City of Roswell, pursuant to their authority, do hereby adopt the following Ordinance:

1.

The City of Roswell, Georgia hereby adopts a budget for the Fiscal Year 2011, said budget being described below and shown on Attachment "A" for each fund of the City of Roswell, Georgia:

General Fund	\$ 55,916,413
Confiscated Assets Fund	\$ 506,570
E-911 Fund	\$ 1,586,541
Tree Bank Fund	\$ 0
Soil Erosion Fund	\$ 100
Cemetery Care Fund	\$ 23,500
Leita Thompson Fund	\$ 62,500
Hotel/Motel Fund	\$ 441,187
Solid Waste Fund	\$ 9,621,231
Water and Sewer Fund	\$ 3,459,379
Recreation Participation Fund	\$ 4,933,348
Group Benefits Fund	\$ 6,738,921
Risk/Liability Fund	\$ 863,393
Worker's Compensation Fund	\$ 446,350
Impact Fee Fund	\$ 0
Capital Projects Fund	\$ 2,051,299
Debt Service Fund	\$ 6,407,100
Total Expenditure Budget	\$ 93,057,832

A millage rate of 5.455 mills is hereby established as part of the approved budget based on the estimated digest of Fulton County. The millage rate has a component of 4.059 for the General Fund and a 1.396 component for the General Obligation Bond Debt Fund. This millage rate may be adjusted at a future date based on receipt of a certified digest.

This budget fixes the number of established full-time positions of the City at 611.

Mayor and Council further also adopt a Capital Improvement Plan for Fiscal Years 2011 through 2015 as attached hereto and incorporated herein as Schedule "B."

Mayor and Council further approve the re-appropriation of all capital projects listed in

Schedule "C". This is a listing of currently appropriated capital projects which will be re-appropriated as of July 1, 2010 with the passage of this ordinance.

This budget also adopts a policy of keeping, at minimum, 25% of budgeted expenditures for the General Fund within fund balance at the end of each fiscal year.

This budget also adopts a policy of keeping, at minimum, 16.67% of budgeted expenditures for the Solid Waste Fund within fund balance at the end of each fiscal year.

This budget also adopts a policy of keeping, at minimum, 16.67% of budgeted expenditures for the Water Fund within fund balance at the end of each fiscal year.

This budget also reserves \$2,045,406 within fund balance in the Worker's Compensation Fund representing the City's aggregate liability for Worker's Compensation.

This budget also reserves \$1,500,000 within fund balance in the Risk and Liability Fund. Reserved funds would be used to cover any catastrophic loss/uncovered claims as well as any significant, unbudgeted, inmate medical liability.

Mr. Davidson noted that if approved, this would be the second reading of the ordinance.

Strategic Planning and Budgeting Director Keith Lee, with the use of a PowerPoint slide presentation, reviewed principles used in developing the proposed budget. Those principles are: Council is to be presented a balanced budget such that the revenues are greater than or equal to the operating expenses, plus the maintenance capital; General Fund use of reserves is for one-time capital and road repairs-reconstruction; No tax increase; Maintain twenty-five (25) percent of the General Fund fund balance for operating expenditures; Current level of service will be maintained. Mr. Lee noted that the city's revenues equal the proposed expenses for FY 2011, thus a balanced proposed budget is presented. Mr. Lee stated the millage rate is equivalent to last year's, 5.455 total mills, is proposed with 1.396 for debt service. The city's millage rate in 2005 was 6.087 mills; the city operates with the lowest maintenance and operating fund of any surrounding cities. The city's proposed expenditure budget is \$55.9 million; to maintain three months of operating expenditures (25%), \$13.979 million. Currently, there is \$27 million in the fund balance. By policy, the city is to retain \$13.9 million; the reserve above policy is \$13.28 million, available for programming. Changes from FY 10 to FY11: no one-time capital funded; staffing changes in Community Development RIF; Fire Department phased staffing plan; operational changes to reflect functional activity (meaning some personnel are moved out to internal services funds); no use of reserves for maintenance capital. Mr. Lee reviewed and discussed the sources of all funds for the City of Roswell. The total of all funds is \$93.4 million. Property tax represents 27.9% of the sources of funds. The use of the funds is \$53.057 million; 53% of those expenditures are in salaries; 23.5% of those expenditures are in operating. The total source of revenues is \$55.9 million of which \$19.6 million is from property tax; \$18.2 million is from sales tax. Mr. Lee noted that Police department expenditures are \$16.3 million or 29.2%; Recreation and Parks department is \$10.1 million or 18.2%. General Fund Expenditures by function: Salaries and benefits make up 62.71%; Operating is 21.35% of the total budget. He stated that within this budget, it has proposed Maintenance Capital that totals \$1.756 million with \$960,000 citywide facility maintenance. Mr. Lee provided a General Fund Add/Delete list in current form; a balanced budget with the use of \$112,911 of Reserves. The Add/Delete list includes a request in the Confiscated Assets fund for the digital video

system, in the amount of \$48,000. The Add/Delete list contains adjustments in the Group Benefits fund for the Defined Contribution Pension Plan study and in an increase in Group Benefits expenditure from the Community Development reorganization. Mr. Lee provided the Capital Projects fund Add/Delete list totaling \$7.63 million. Mr. Lee stated the next and final step is to approve the budget.

Mayor Wood called for Council questions. None were heard.

Mayor Wood stated that for three years the city has been balancing the budget by spending down reserves. The last year in which expenditures did not exceed revenue was 2008. In 2009, 2010, and now 2011, our expenditures are exceeding our revenues. The Mayor stated that as the reserves are spent down, the city will have no choice but to either cut expenses or raise taxes. He believes expenses should be cut before taxes are raised. Mayor Wood displayed a graph of the city's revenue history which shows that from 2008, which was the peak year, revenues have fallen 10%; from \$62.3 million to \$55.9 million. Mayor Wood said operating, maintenance, capital, and road re-surfacing history have gone up since 2008; expenses incurred year after year have increased. Mayor Wood noted that he supported the addition for the citywide road resurfacing program amount of \$1,800,000; it is a part of recurring cost of doing business. New capital is not being looked at; operating costs and maintenance, and recurring capital are at \$57 million. Even though there has been a 10% drop in revenues, city expenditures, even with this budget, have not decreased. Mayor Wood stated in 2008 reserves set aside by policy was \$26 million. If this budget is approved with the Capital improvement projects list, the city will be down to \$6 million in reserves. Mayor Wood stated a large part of that is being used for operating expenses. He added that if projected out, without any new capital expenditures, in 2015, the city will be in the hole. Mayor Wood stated "We as a Council have said 'we are going to continue to balance the budget by using reserves.'" He added that cannot go on; expenses will have to be cut by about 10% because that is how much revenues have fallen (approximately \$6.4 million). Sixty percent (60%) of the city budget goes to salaries and benefits. Mayor Wood said "Any meaningful cut is going to have to cut some employees." In 2008, the year revenues were the highest, the city employed 613 people. In 2009, revenues fell, but leveled out, city employee expenses were not cut; the city employed 624 people; some positions were cut because vacancies were not filled; the city employed 618 people. Mayor Wood explained that since the vacancies are not there this year, he looked at Community Development because he knew there was a fall in business in that department. The Community Development department handles new development; new development in the city dropped seventy (70) percent. He asked staff to prepare a budget cut of thirty (30) percent from the peak; this year it is about fifteen (15) percent, which was realized this year; from that, ten employees would be cut. The net change was only seven employees because we have added in three fire marshals; staff recommended one position in the Fire department be cut, that net change is two (2) additional employees. Ultimately, the city is looking at eliminating seven (7) positions. He further stated that the Add/Delete list, which some Council members are suggesting be approved, has cut that back, so only two employees would be cut from last year. The Mayor said that as the city revenue has fallen by ten percent, if all the employees were put back in the budget, we would actually see an increase in the number of employees in the city, which will draw down reserves or result in raising taxes. Mayor Wood stated a hard look should be taken at cutting salaries before taxes are raised; the reserves will not last forever; it does not have to all come out of employees but when there is a ten percent drop in revenues and sixty percent of expenses are in employees, some employees will have to be cut. Mayor Wood said "If you saw a ten percent cut in the employee salaries and benefits that wouldn't be the seven employees I'm talking about; it wouldn't be the two employees that Council is talking about, it would mean

sixty employees. We have to take a hard look at what do we really need in this city and a hard look at taxes. I submit to you my proposal of cutting net seven positions from the budget is only a baby step. It is not the end of where we need to go and is a beginning. I would encourage the Council to take a hard look at cutting positions.”

Discussion of Add/Delete List of June 21, 2010.

Mayor Wood asked if there were any other add or delete items to add to the list. No Council comment was made. The Mayor requested that each line item be discussed by the Council member who made the request and the grounds for that request.

Councilmember Orlans stated that since he was the Administration department liaison, he was delegated to make the motions; there would be several motions for changes, adds, deletes; there would be a motion for the final approval of the budget as amended; there would also be a motion for the capital fund.

Motion: Councilmember Orlans moved to Amend the Mayor's FY2011 Budget as presented to include General Fund Add/Delete List as presented tonight, with sixteen (16) items totaling \$1,444,163, in changes.

Mayor Wood requested that before he takes a motion, there be discussion for justification of each add and each delete on the list. Councilmember Orlans replied that he had made a motion. Mayor Wood stated that he would not call for a vote until there was discussion of the list.

General Fund Council Add/Delete List 6/21/2010

Add / Citizens Survey

Councilmember Orlans, referring to the, stated the Citizens Survey is to implement a marketing program for the city that was recommended; \$15,000. Mayor Wood asked if all the citizens would be surveyed or a portion. Councilmember Orlans stated all citizens would be surveyed. Mayor Wood asked if it is known what the questions would be. Councilmember Orlans stated this would have to be funded and developed before the questions will be known. Councilmember Orlans said the general parameters of the study will be to position in the city in a marketing position to take advantage of any change in the economy and to be more aggressive in our economic development; the study will provide more details. Mayor Wood asked how the study is going to help the city in accomplishing the goals. Councilmember Orlans stated that each item on the budget is not up for final approval at this meeting; each will return as a particular item, presented to the Mayor and Council before the money is spent. He noted that the citizen survey may not move forward when it is discussed in detail; if Council chooses not to do the citizen survey because it won't serve the need, the money will not be spent; this is just setting up the budget to try to move forward.

Delete / Elimination of Deputy Chief of Logistics position – Fire

Mayor Wood stated he understood that the Fire Department recommended the elimination of this position; he requested that Fire Chief Ricky Spencer address the justification of this recommendation. Chief Spencer explained that it is a result of the request for three battalion commanders and reorganization of the Fire department. With the reorganization of the Fire department, they would eliminate one deputy chief spot in logistics and move the fire marshal into a deputy chief spot, therefore having a salary savings of \$63,100. This would provide a better working relationship with deputy chiefs and improve the Fire department through reorganization. City Administrator Kay Love stated this is a companion part of the reorganization in the Mayor's Proposed Budget which included adding the three battalion chiefs. She explained that staff failed to include this offset to the next item on the list which

includes the \$1,000 that goes along with it. Chief Spencer stated the proposed \$1,000 would be the upgrade from the fire marshal position to the deputy chief position, allowing a raise of that much money.

Add / Reactivation DDA and DA – training requirements (placeholder)

Mayor Wood asked if this was staff or Council initiated. Councilmember Orlans replied that is a placeholder looking at economic development and moving the city forward; it is the reactivation of the city's Downtown Development Authority or Development Authority. He reiterated that Council would receive more details on that issue from staff and will move forward with it at that time. Mayor Wood stated that it was his understanding that if we reactivate these, this would cover the costs for the State required training/qualification for the people who volunteer to serve on this authority.

Delete / Reduce Citywide Vehicle Replacement funding

Mayor Wood stated there was \$220,000 for this item in the budget; he requested the reason why it is being reduced by \$70,000. Councilmember Orlans replied that was originally the estimate projected by staff; the cost was changed; the general consensus is that it can be reverted back to the cost of \$150,000 presented by staff. Mayor Wood asked if \$150,000 is spent a year on cars, what age will the cars need to get to in order to manage that. City Administrator Kay Love replied the city's vehicle replacement policy is based upon age of the vehicle and associated mileage; cars on the list are reviewed annually by Fleet Management to determine which vehicles meet the criteria although they may not be replaced, that depends on the use and function of the vehicle. Deputy City Administrator Michael Fischer stated there is an amount of approximately \$300,000 in savings from last year; adding in the \$150,000, the city is actually looking at \$450,000 for next for vehicles. A determination was made as to which vehicles were priority vehicles for replacement; Police and Transportation departments will be the two areas to receive replacement vehicles next year. Four police vehicles were absolutely necessary for replacement at \$152,000. Three Transportation vehicles were necessary for replacement at \$261,000. Approximately \$37,000 will be left over as contingency for items which may come up over the year. Mr. Fischer noted that another vehicle was listed by Fleet Management which was up for replacement but will be put off until possibly 2013. Mayor Wood asked how much should be allocated each for vehicle replacement. Mr. Fischer stated "If we take what we don't purchase this year because we have dropped the budget down for capital, next year we are looking at about \$2.8 million as what is on the list. However, that list will be revised each year as we are doing this year, to try to look at vehicles instead of just replacing them as they come up but to look at the condition and mileage and see if rather than just replacing vehicles because they are on a list we would replace because they are needed. It is anywhere from a million and a half to next year at \$2.8 million. We had a large number of vehicles come up all at once. We will wait and change them based on the condition and mileage of vehicles." Mayor Wood asked if the amendment passes, how much will be spent this year on replacement vehicles. Mr. Fischer replied \$450,000; next year the estimate is \$2.8 million. Mayor Wood stated what is not replaced this year would need to be replaced next year. Mr. Fischer confirmed that was correct; the cost goes to \$1.3 million in 2013; \$1.8 million in 2014; \$626,000 in 2015.

Delete / Reduce in Car Video Replacement Program funding

Councilmember Orlans stated this was a result of staff discussion and the department that \$10,500 could be reduced in this program. Mayor Wood asked if this funding was reduced this year to \$25,000, what the budget would look like next year. Chief Williams stated the \$35,000 is programmed out for several years; he added that approximately \$45,000 would be needed next year if the program continues,

these costs are actually being deferred; several cars now have inoperable cameras so this will go towards fixing those and keeping them repaired until next year.

Delete / Reduce Road Safety Program funding

Mayor Wood stated he understood this was Council initiated. Councilmember Orlans replied that was correct; it was reviewed by staff with consideration given as to what the program will do in the future; it was felt that it could be reduced. More information will be provided by the department on this in the future, adjusted or changed, or possibly eliminated. Mayor Wood inquired with Director of Transportation Steve Acenbrak what projects would be eliminated with a reduction of \$45,000. Mr. Acenbrak replied no programs will be eliminated; what they will do is consider the city wide needs of various corridors and intersections and look for creative ways to solve problems and improve safety, manage traffic, improve pedestrian and bicycle safety, adjust estimates, and look to other capital projects in a local area that the city could add synergy to, to stretch these dollars. Mayor Wood asked if the city would be doing less of these road safety projects with the reduction of \$45,000. Mr. Acenbrak stated that was correct; items which would be reduced could be road striping; video feedback cameras used for traffic calming in some areas; slight curb adjustments for drainage improvements; countdown pedestrian timers. He added there are a variety of projects that are within this program that the department uses to make these improvements.

Add / Community Development Restructuring (Elimination of 4 positions – add back 6 positions from proposed budget)

Mayor Wood stated he understood this item was Council initiated. Mayor Wood stated he had proposed eliminating ten positions. The Mayor asked which positions would be added back in. Councilmember Orlans replied they were the positions presented in relation to the reorganization of Community Development. City Administrator Kay Love stated the four positions remaining included the vacant land development position; GIS, planner, building inspector position; she suggested that the organization chart be referred to for the six positions added back in. Strategic Planning and Budgeting Director Keith Lee, referencing a city organization chart used during a Mayor and Council work session stated “Under Support Services, the records coordinator has been added back in; the Code Enforcement officer has been added back in; one of the Planner II positions has been added back in; Code Enforcement officer and admin assistant has been added back in; and the Com Dev Program manager has been added back in.”

Delete / Eliminate part-time position in Mayor's Office

Councilmember Orlans confirmed for Mayor Wood that this item was Council initiated. Mayor Wood asked for justification for the elimination of this position. Councilmember Orlans replied the position was left vacant for a period of time; there was consideration whether it was needed or not, as well as question whether or not it was accomplishing work for the city versus outside of the city; in addition, six council members have one assistant therefore, perhaps the Mayor's one assistant could also handle the duties of this part-time position. There was discussion whether the Mayor's executive assistant Robyn Kenner, could handle the part-time position duties in addition to her full-time position duties. Councilmember Orlans stated he supported the entire add/delete list; he did not know if Council was in unanimous agreement; that would be determined upon whether or not amendments are made to leave the position in or not. Councilmember Igleheart seconded the motion and stated that he felt that they were helping with the suggestion to cut positions.

Jennie Bushey, Mayor Wood's part-time special events assistant spoke on the following:

- Resident of Roswell for seven years.*

- Five years experience as special events coordinator for Mayor Giuliani.
- Job description for the City of Roswell: Plan, organize and coordinate all special events at the discretion of the Mayor; attend meetings and represent the Mayor's office with service organizations throughout Roswell; initiate and coordinate all efforts to publicize promotion of the Mayor's office; assist and prepare a variety of publications, materials, and programs that originate from the Mayor's office.
- Read her daily work record February 2010 to present; hired in January 2010.

Councilmember Igleheart suggested a break in order for those citizens who were waiting for the roundabout agenda item to go home and return later.

Robyn Kenner, Mayor Wood's full-time executive assistant spoke on the following:

- Purpose of her job is to provide high level secretarial and administrative support functions directly for city officials, including the Mayor, Council, and/or City Administrator.
- Works 8 hours per day in Mayor's office; checks and handles email and voice mail before coming into Mayor's office in the morning; late evenings, on weekends, and holidays.
- Current full-time duties would not permit enough time to perform additional duties handled by special events coordinator; those additional special events duties would require time away from the Mayor's office inside City Hall and not practical.

Mayor Wood said the facts provided prove that Ms. Bushey's job duties do not include helping the advancement of his political career.

Delete / Reduce Special Events from \$60,000 to \$55,000 and cap Roswell Bike Festival City sponsorship at \$20,000.

Councilmember Orlans stated this moved from \$30,000 to \$25,000 last year with the general thought to move them to being self sufficient and the reason for the reduction of \$5,000.

Add / Add Traffic Counts Program (originally submitted as One-Time Capital)
Councilmember Orlans said this should be in the Transportation Operations Budget.
Mr. Acenbrak explained the counts are needed to perform safety aspects of congestion analysis across the city's 42 square miles.

Delete / Reduce Citywide Facilities Maintenance

City Administrator Kay Love stated there was Council and staff discussion on this item. The number has been refined throughout the process. The items to be included in the FY 2012 Facilities Condition Assessment Program will not be altered. This change reduces the amount of contingency in this program to deal with unforeseen items. Assistant City Administrator Mike Fischer stated there are funds which will rollover from FY 2010; these funds are from savings due to the building economy. FY 2010 projects were completed during FY 2010. The total amount in the proposed budget for FY 2011 is \$915,000 for a total of \$1.2 million. He stated all projects which must be programmed to keep the buildings functioning are in FY 2011; then building groups were programmed out to work on a building at a time; \$1.1 million was programmed of the \$1.2 million; approximately \$54,000 is left over for contingency. The remaining items are programmed for FY 2012; approximately \$850,000 is for FY 2012 that will need to be worked on for that year. If the city does not use the entire \$54,000 in contingency in FY 2011, that will be applied to FY 2012. Mr. Fischer noted this is a ten year plan. It generally runs from about \$1.5 to \$1.8 million to around \$2.2 to \$2.5 million for maintenance on city buildings for each year. It varies depending on what buildings get pulled in; \$1.8 million is a close average to the years going out eight years from now. He confirmed for the Mayor that it will be

more costly in the future. Mr. Fischer replied that the cost goes up for awhile and then trails back off on the last few years; the most important and bigger mechanical items will be covered in the first few years of the program. The higher numbers will be over the next few years with FY 2012 being the fairly good year at \$850,000, then, a fluctuation in the \$2.2 and \$2.3 million range.

Add / Recreation Supplies (Recycling Containers)

Councilmember Orlans stated this addition of \$2,000 would be for the placing of additional recycling containers in some of the parks.

Delete / Reduce Council Training/Travel (from \$3,000 to \$2,000 per Councilmember)

Councilmember Orlans stated this reduced Council travel and training by one third; per Council member down from \$3,000 to \$2,000.

Add / Strategic Economic Development Plan

Councilmember Orlans stated this has been recommended by staff in the department to help the city become competitive in looking for economic development going forward; the plan would be developed, and presented to Mayor and Council; this is would be a placeholder. He noted that Alpharetta is in Phase II of their Economic Development Plan. Mayor Wood asked if this is a marketing plan and asked what it means. City Administrator Kay Love explained that as part of the economic development work plan and program, which has been discussed at Committee and more information to be provided at the next Committee meeting, it is known that the city has the desire to be more aggressive in economic development to reach out to businesses to promote our city, development and redevelopment as well as to become more business friendly. A master plan is necessary to understand the goal and objectives in a comprehensive view, with priorities as set by the Mayor and Council aligned with the city's vision and mission statement. This will be used by staff to develop and work plan, Council can set priorities and allocate funding accordingly in the next critical five years. Mayor Wood said this is a plan and not an implementation of marketing. Ms. Love stated that was correct; the deliverables will come out of that. The Mayor asked what deliverables this plan might suggest the city should do. Ms. Love replied "Which types of businesses we target; which areas of the city we take a look at as it relates to a tax allocation district. It would help analyze the Opportunity Zone and whereby we might be able to attract businesses. It will look at the resources that are currently out there and not duplicating efforts of the Chamber or other cities in the region. It takes a look at transportation components, it is a multi-faceted plan." She noted that she could not say what the deliverable will be specifically, because she does not know what the vision or goals are of this Council regarding that initiative. Mayor Wood said "I understand we have a lot of folks currently on staff to plan and do economic development, why do we believe that we need to bring in somebody from outside and that we do not have the current resources on staff to do this." Ms. Love replied "We actually do not have a lot of people in Economic Development. This came out of a desire to be more aggressive and to take a different approach to economic development; to develop an overall plan and determine where we might garner resources, look at public and private partnerships and many things which the city has not embarked upon." She further stated that the city does not have resources within the department; there are land use planners that compliment the process but they are not economic development planners.

Add / Use of Reserves for Strategic Economic Development Plan (Source of Funds)

Mayor Wood asked if the city is going to spend \$120,000 to plan and put this \$112,000 to carry out the plan. Ms. Love stated yes, the net of the Add/Delete List to

this point netted a positive \$6,000. The difference that was the amount needed was this \$112,000 that would come from Reserves as a one time type of expenditure.

Council comment:

Councilmember Igleheart stated he was a little concerned about the use of reserves for the Strategic Economic Development Plan. He further stated that as Council looks at the overall budget, there may be other sources throughout the year, primarily vacancy savings and some other avenues, for the purpose of passing the budget tonight for this, he was okay with that.

Councilmember Price stated she would take some ownership for the Economic Development Plan; her thinking was that with the original budget proposal, the savings, and the number of employees would more than double pay for this plan but as it turned out, it appears that there is not a consensus on Council to eliminate as many positions as the Mayor had proposed, therefore that is why this deficit shows at this point.

Public comment on the Add/Delete List:

Lee Fleck, Martins Landing, said only Mayor Wood recognizes the reality that municipal employees exist because of private sector productivity; declining revenues do not justify the current staffing or benefit levels; the current Add/Delete List will result in a deficit budget for 2011; if Council wishes to save six jobs, then they should make cuts elsewhere to keep those jobs.

No further public comment. No further Council comment.

Mayor Wood stated he was advised by Councilmember Orlans that he was speaking on behalf of Council and that Council believed that the special events project position in his office was one that should be cut. The Mayor said we appreciate Council looking at something to cut but he did not hear justification for this cut in his office; it was not heard that Ms. Bushey was working on political events for him. Mayor Wood said all of the things that Ms. Bushey was doing at a minor cost to the city were of great benefit for the city. Ms. Bushey was one of the leaders to get our Census numbers up; staff was also involved. The Census response rate went from 72% in 2000, to 75% response this year, which demographically, he could only explain because of her help; Roswell's census response was better than Alpharetta, substantially better than Sandy Springs, and tied with Milton; only Johns Creek did better. Mayor Wood said he did not know what her future projects would be; it is a part-time job. In the past, a large percentage the east side of and the northwest quadrant of Roswell were annexed due to the efforts of this position. There was discussion regarding special events and festivals he would like to see happen in Roswell. He noted the position pays \$15,000 per year; he hoped that Council would not find this position unnecessary.

Vote on Council Add/Delete List: The motion passed unanimously.

Motion: Councilmember Orlans moved to Amend the Mayor's FY11 Budget as presented to include the Confiscated Assets Fund Add/Delete List as presented in tonight's package, in the amount of \$48,000; that is a delete. Councilmember Diamond seconded.

Council comment:

Councilmember Price stated she was aware that there were some additional revenues in Confiscated Assets fund that she understood were reallocated to salaries and some other items. She asked if this \$48,000 was coming from that or something different. Ms. Love replied that it would come from the revenue in the Confiscated

Assets fund. The Confiscated Assets item was a previous action that Council took for a budget amendment. There is fund balance or reserves in the Confiscated Assets fund to support this expenditure. It was requested through the regular Capital budget and that source of funds can be used to fund this, as opposed to the General Fund.

Councilmember Dippolito asked if it would be possible to fund the In Car Video Replacement program from Confiscated Assets. Chief Williams stated it would be legal and possible. Councilmember Dippolito asked why that is not being pursued.

Public comment invited. None was heard. No further Council discussion.

Vote: The motion passed unanimously.

Motion: Councilmember Orlans moved to Amend the Mayor's FY11 budget as presented to include Group Benefits Fund Add/Delete List as presented tonight in a total amount of \$104,112 in changes for a total of \$6,752,407. Councilmember Price seconded. Public comment invited. None was heard. No further discussion. The motion passed unanimously.

Motion: Councilmember Orlans moved to Approve the Mayor's FY11 budget with the amendments as passed tonight.

City Attorney David Davidson summarized the amendments as follows:

- The first amendment is to approve the 16 items on the Add / Delete list for the General Fund.*
- The second amendment is to approve the addition in the Confiscated Assets Fund.*
- The third amendment is the 2 additions in the Group Benefits Fund to be added.*

Councilmember Diamond seconded the motion.

Council comment:

Councilmember Igleheart stated he agreed with the initial comments made by the Mayor on the city's spending since he has advocated reducing expenditures for a long time; he disagreed with the remaining comments by the Mayor after that first point. This will be the start of further reductions and reorganizations, and the way money is spent. Within the next twelve months there will be substantial reductions realized. He reiterated that he was concerned about saying reserves will be used just for the Economic Development Plan; ultimately, reserves won't be used. Councilmember Igleheart stated he supported the budget at this time.

Councilmember Diamond said "There will be more changes and more reorganization, we will be looking at everything across the board but we felt it was important to start with us. I think we have done that in a small token way, it is symbolic of what we are headed for. We will be working really hard to make sure we make smart cuts and not just cuts across the board."

Councilmember Price asked if part of the vote needed to include an amendment or change to item #4 in view of the fact that identifies the 611 employees; with the passage of the add/delete list that number would change. Ms. Love stated the ordinance from the first reading will be changed to reflect all the changes made at this second reading, to include the dollar amount per fund, before Council actually signs it. Ms. Love stated the number of employees will be 616. Mr. Lee confirmed the

proposed budget has 611 employees; 6 are being added back in Community Development; removing 1 in the Fire department; the total is back to 616. Mr. Lee noted that the net add tonight is 5 employees.

Councilmember Price commenting on the reduction of four Community Development employees said the reduction, considering the human element, is not easy to do, it is painful and is difficult for the department; the future may bring more changes that we need to be prepared for and ready to address with more aggressiveness.

Councilmember Dippolito asked if the motion made, regarding the General Fund budget, included the Capital Projects fund budget. Councilmember Orlans answered he was planning to make the motion regarding the Capital Projects budget next.

Councilmember Dippolito stated he has never been in favor of the use of reserves for operating expenses. He believes strongly in the Economic Development Plan which will be good for the city and is worth dipping into the reserves to move it forward, but hopefully, the city will be in a position to cover it without use of the reserves.

Councilmember Orlans noted that Council is looking at several ways of reorganization to take place over the next budget year and different changes that will make this budget come through "with a fairly good surplus in it." He thanked Council and staff for all their work on the budget.

Mayor Wood inquired about the surplus Councilmember Orlans mentioned. No further discussion.

Councilmember Wynn thanked Councilmember Orlans, Administration liaison, for his leadership with the budget process this year and getting discussions going. She noted that she does not like going into reserves, but Council has decided on that to get the budget passed. Council is looking at the future to see how to make Roswell even better, to reorganize and restructure; will monitor the budget and look to make more cuts if necessary. She noted that the Council is concerned about spending the money wisely since they also are taxpayers in the City of Roswell.

Public comment invited. None was heard.

Councilmember Igleheart echoed Councilmember Price's comments regarding dealing with actual employees and those who will lose their jobs based on decisions tonight; the reduction is not a reflection of the work they have done, but is because of the current economic reality. He noted that last year he proposed city furloughs and understands the difficulty it takes on individual lives since his wife who is a school teacher was directly impacted by furloughs this past school year. Councilmember Igleheart stated Council does not take those decisions lightly and is sorry that the employee reduction was happening. More changes could occur throughout this budget year that may impact others; council is dealing with that to the best of their ability; understands their responsibility of looking at the bigger picture of spending of taxpayer dollars.

No further discussion.

Vote: The motion passed unanimously.

Motion: Councilmember Orlans moved to Approve General Fund One-Time Capital Request as listed on the screen tonight, as presented tonight, totaling \$7,063,147. Mayor Wood asked what item on this list had been discussed at an open meeting. Councilmember Orlans stated the ERP (Enterprise Resource Program) had been

discussed multiple times at different meetings over the past three years regarding whether the city wanted to support and implement it. Councilmember Orlans stated the ADA Compliance City Buildings has been going on several years to upgrade all city facilities for ADA compliance; the Stormwater Management program includes three projects which have been discussed at other times; Historic homes issues have been discussed; wood chipper was discussed which would save money for Recreation and Parks department; SR 9 ATMS (Sandy Springs to Forsyth County line) has already been committed to, funding needs to be finished; Transportation issues: (Atlanta Street multiuse connection; HBR/Old Alabama intersection; Oxbo Road alignment; Mansell Road extension have been discussed at several different work sessions and prioritized; Citywide resurfacing program and asphalt zipper will save Transportation money. Mayor Wood stated it was his recollection that staff had made these recommendations; there were no specific questions about these; was no discussion about which to include on the list. Mayor Wood said "Is it fair to say that the decision of what to include and not include on the list was not discussed specifically at an open meeting but privately among the different council members." Councilmember Orlans stated "It was discussed in multiple meetings." Mayor Wood asked if it was discussed privately with Council to come up with this list. Councilmember Orlans responded that he asked Council to give him their priorities; it was not a discussion. Mayor Wood asked "You asked for priorities. There was no discussion at all? That is what you are going to try to convince me of?" Councilmember Orlans replied "There were words exchanged, yes, but not a discussion in the way you are trying to suggest." Mayor Wood said "Well, I think your answer is yes, we came to, after we had all the budget hearings before without an open discussion of these at the budget hearings and at the previous Council meetings you and the Council members discussed coming up with the Add/Delete list for this and the other items off, outside of the regular open meeting. That is an accurate statement, isn't it?" Councilmember Orlans stated "I wasn't listening to your statement so I'm not sure." Mayor Wood replied "I think the answer is yes." Councilmember Orlans stated "That is your answer, sir." Mayor Wood stated "That is the only answer I have gotten Councilman Orlans, I haven't gotten any other answer. Words were exchanged but it wasn't discussed?" Councilmember Orlans stated "The point is, there is a motion on the floor. You can be for or against it, point by point. You were given this list a week ago. I haven't heard anything from you." Mayor Wood replied "I believe I was given this list the latter part of last week, that wasn't a week ago. There was no discussion with me, it was simply a list submitted." Councilmember Orlans stated "There were multiple discussions on it. Which ones were you not in favor of?" Mayor Wood replied "I am asking about the process that we reached here. I have no objections to the Council. I have objections to the process which the Council has taken. I think that it is inappropriate for the bulk of these discussions to be done offline not in a public hearing. I think it is unseemly." Councilmember Orlans said "To use your points, I think your point would be that the discussion is not going the way you want it. You did not want this done tonight so I think that is what the bottom line is." Mayor Wood replied "I have no objection to this list. I have objection to the process." Councilmember Orlans stated "We have done this in the past where the Capital Project budget is done the same time as the General Fund budget. We have discussed every one of these points multiple times." Mayor Wood said "Not at public hearings, from my recollection." Councilmember Orlans replied "Every meeting we have is a public hearing." Mayor Wood replied "Every meeting of the Council not every discussion among the Council members." Councilmember Orlans replied "Every meeting of the Council and every work session is a public hearing." Mayor Wood stated "That is accurate." Councilmember Orlans replied "We have discussed these multiple times at public hearing and some have been discussed over a three year period of time." Mayor Wood replied "My observation has been that this Council has made the decision on this budget not at public hearings but offline. By avoiding a meeting of more than three people, you can

do that. I still think that is inappropriate." Councilmember Orlans replied "As I said, there was not a discussion in the way you are insinuating there was a discussion."

Councilmember Price stated she is new to the budget process but the process seems flawed; by law Council is not allowed to get together more than three people at a time and it seems an unworkable process. She said that unfortunately, alliances sometimes form or discussions occur between two people, etc. Councilmember Price said "I do not think any of this is a surprise. The only surprise might be is that we are taking action on this at this time." Councilmember Price stated she had concern regarding the ERP figure which she had heard was lower, at about half this amount.

Councilmember Wynn stated at the beginning of the process, Council receives both staff's budget and the Mayor's budget. Staff's budget is usually One-Time Capital. The Mayor's budget is Unfunded General Fund One-Time Capital. She explained that the Mayor tells Council to pick out the items which they think they can "get passed" which is what they did. Councilmember Wynn stated "This has been included in the budget documents from day one. We are doing exactly what the Mayor tells us to do on the capital budget." She agreed that Council cannot meet with more than three Council members at a time. She noted that Council, as department liaisons, must decide which items are really needed; the list was brought from approximately thirty-five items down to about twenty items. Councilmember Wynn said the list is not a surprise; a work session was held on the One-Time Capitals on the CIP (Capital Improvement Program) and was discussed in public. Councilmember Wynn said "I'm sorry that the Mayor thinks that we cut him out, but that is not true. I think that this is just what he told us to do, look at what we wanted and put it back in the CIP and vote on it. That is what we are doing tonight."

Mayor Wood stated it is not illegal for more than three Council members to meet together at one time but it is illegal to meet unless the public is invited. He said he was concerned if the bulk of Council's discussion regarding the budget has gone on not in a public hearing or if they "Circumvented those laws of having open and transparent discussion by discussing it without the public being present by meeting and discussing less than four at a time. This Council seems to believe not to trust the public to engage in discussions but to wait until the last minute to present a budget in which the public doesn't know is coming and is not in a position to respond to."

Councilmember Igleheart stated "Actually, the starting point of this was that the Mayor did not present a Capital Project budget so Council had to come with that. If there wasn't any work that wasn't done, that was the start point. I agree with the others that we have met on these aspects, I can't even tell you how many times, but they have been openly discussed. The question is how much of it is actually included. Yes, there have been discussions among individual members outside of the main work shops and meetings but I do not think there was any kind of collusion or outside work that wasn't done in public hearings and public meetings. Every single one of these has been discussed publicly. Tonight is the time when we decide what we actually include." Councilmember Igleheart stated he had concerns about spending from existing city reserves without considering the overall impact over a longer period of time; the five year CIP and even longer than that. He said he hoped that Council would consider this in a bigger picture at a later date. The Enterprise Resource Program (ERP) fund amount was of concern to him whether it would actually be that much; was not supportive of this level at this time. In addition, he noted concern regarding three of the Transportation projects although he was not necessarily opposed to them (Sun Valley Extension, Oxbo Road realignment, Mansell extension) but he was not certain those three projects are ones Council needs to spend money on at this time. Councilmember Igleheart stated Council took

the responsibility that was advocated by the mayor in terms of capital projects, but he would not support the overall number based on some of the projects included; when each of these items are brought forward individually for Council approval they will be considered more specifically and may actually be lower in cost, some may not actually be done.

Councilmember Diamond reiterated that Council has met in the public forum; she remembered specific questions regarding the Historic homes/Smith Plantation support system; removal of \$45,000 for moving Police radio equipment location which resulted in funds moved into the Confiscated Assets fund. Councilmember Diamond stated "I understand it is not a perfect science and it has not been the easiest thing with vacations and full time jobs, for part time people in the summer to coordinate, but I think forming alliances and allegiances is overstating it. I think we have all tried to do our best to do the right think for the city. I do not think there is anything backhanded or sinister in anything we have done."

Councilmember Orlans stated he agreed with Councilmember Igleheart's statement that each of these items will still be voted on by the Council, things may change by the time they come forward, but this is the best list put together to move forward at this point in time. Some of the items may be done and some may not be done. Councilmember Orlans noted that the ERP has been worked on for a long time. He asked Ms. Love to comment on the \$3.3 million for the ERP which is on the list. Ms. Love stated there has been some discussion and concern over the years regarding the lack of a specific number for this project. In 2003, when she was new to the City of Roswell, a study conducted by the GFOA regarding the money the City of Roswell might need for such a project. Since then, the city engaged Plante-Moran for overall ERP project management; they reported the project cost would be approximately \$5 million. The cost has recently been reviewed, fine tuned, and reduced the \$3.5 million request down to \$3.2 million. Ms. Love stated it is not known what the exact number will be; this is the "best guess based on the current legacy systems that we have in place, the analysis that has been done regarding required integration required replacement." Ms. Love stated "We are almost ready to go out on the street with the RFP. When it comes back, we certainly will have a much better idea about the proposed costs for it; there are some items we can negotiate such as integration, or data conversion; the basic costs of the modules are what they are for the systems that we need in place to become more efficient in the way that we deliver services and the way we support the transactions of a \$100 million dollar budget for the City of Roswell as a whole." She noted there was discussion of funding only a portion at \$1.7 million. Ms. Love stated "We will work within the budget that you give us, however when vendors go out and take a look at the money appropriated for a budget that could preclude some of the larger vendors from proposing. When we get the dollar amount, if it comes back \$4.8 million we would be back to the Council for additional funding. If there is support for it, this is funding coming from reserves. There are other opportunities we could finance the system. I don't think that is fiscally prudent for us, but being on a pay as you go basis we are going to come back to you anyway for it. Our thought was that if we are committed to it, then lets fund the money in this budget and should it not be that dollar amount then that money would not be utilized and go back into reserves. As has been pointed out, we have to come back to you anyway for the final approval. This is allocating the funding in support of moving forward the project as a whole." Ms. Love asked Mr. Fischer to review the funding level and examples of efficiencies. Mr. Fischer stated that back in 2008, the estimate was about \$4.95 million for this project; it has been as high as \$5.1 million which is a very small amount of change over this total project. Currently, the total is about \$4.9 million; \$3.3 million for this budget. Mr. Fischer explained that what makes it somewhat different is that we are not just doing a general financial enterprise resource planning project, we are also looking at Public Safety and the

ticketing services within the city and court management; some hardware will be needed with our infrastructure for integration to run it and manage it. Mr. Fischer said "We have to get the data into that system with the data conversion, so ultimately right now, we are back at \$4.98 million which is very close to where we have been since the inception of talking about the numbers back in 2008." He showed examples of savings from the use of a similar program at Palm Beach Gardens, Florida and a city in Massachusetts. He stated the Fulton County School System just completed their ERP project; they disposed of about ten legacy systems which were stand alone proprietary systems; Fulton County identified over \$4 million in costs savings by doing best practices and combining and integrating their systems so they could work together. Mr. Fischer stated a survey answered by 1,600 entities regarding ERP showed the payback with their system was anywhere from 2-6 years. Mr. Fischer estimated approximately \$1.2 million savings per year based on a four year payback at \$4.9 million. Based on the statistics and the information found, there is significant savings with ERP; it will make us more efficient, get data out better and get data in quicker; the system will work for us instead of everything being done manually; it will help with the management of our business processes.

Councilmember Orlans stated when he was first elected to Council, the city's Pentamation system had just been installed; it was outdated probably within a year and never served its purposes. Council is trying to put in a system which will benefit the city for a long time, which will allow all the departments to work together. Council has tried to fine tune this as best as possible. The \$3.3 million in tonight's budget is what Council feels is needed to move this forward, although when the bids come in the cost could be higher or lower but Council will decide at that point as to what should be included. Councilmember Orlans stated the two major items in the Capital Project Fund are: the Financial Management System (ERP) at \$3.3 million; Citywide Resurfacing Program (every 20 years) at \$1.8 million. There are other Transportation items which will be addressed and decided upon by Council as each project comes along

Mayor Wood stated there was a motion on the table to Approve General Fund One-Time Capital Request as listed on the screen tonight, as presented tonight, totaling \$7,063,147. Councilmember Wynn seconded.

Public comment was invited. None was heard.

Council comment:

Councilmember Dippolito noted he was concerned with the \$3.3 million for the ERP and the return on investment but was pleased that hopefully there would be a four to five year payback. When this item returns to Council he wants to review the numbers and also see proof that there will be a huge return on the investment of the \$5 million which may be spent on this.

Mayor Wood noted that if any Council members wished to remove an item, they could make a motion to remove a specific item, otherwise, the vote would be for the motion as a whole.

Amendment: Councilmember Igleheart moved to remove the Northeast Connector Phase I Sun Valley Extension, \$300,000. The motion failed for lack of a second.

Amendment: Councilmember Igleheart moved to remove the Oxbo Road re-alignment, \$450,000. The motion failed for lack of a second.

Amendment: Councilmember Igleheart moved to remove the Mansell Road extension, \$50,000. The motion failed for a lack of a second.

Amendment: Councilmember Igleheart moved to reduce the ERP from \$3.3 million to \$1.7 million. Councilmember Price seconded the motion.

Councilmember Igleheart stated that based on discussions he has had with folks in the industry, he believes the \$5 million is a much higher number than needed; Council would ultimately support whatever dollar figure is needed but it should be started out lower.

Councilmember Price stated she felt the city should initiate the process with a lower dollar amount.

Councilmember Diamond stated that at this point it is a semantic argument; Council is behind this project and will evaluate whatever number comes back.

Councilmember Orlans reiterated that the number was fine tuned as best as possible; the latest meeting with the consultants was last Wednesday; he added that it will or will not come out of reserves as we need it.

There was no public comment.

Vote: The motion failed 2-4. Councilmember Igleheart and Councilmember Price voted in favor of the motion. Councilmember Orlans, Councilmember Wynn, Councilmember Dippolito and Councilmember Diamond voted against the motion.

There were no additional motions as to the Council Add / Delete List for Capital Projects.

Further discussion:

Councilmember Price stated that since funding for this is coming from reserves, she thought it seemed more reasonable that these items be addressed one at a time, which has to be done anyway, so why is Council voting on it at this point.

Mayor Wood replied that there is a motion and a second on the table To Approve the Council Add/Delete List totally \$7,063,147, although he understood her reservations. No further discussion.

Vote: The motion passed 4-2. Councilmember Orlans, Councilmember Wynn, Councilmember Dippolito, and Councilmember Diamond voted in favor of the motion. Councilmember Price and Councilmember Igleheart voted against the motion.

A motion was made by Council Member Jerry Orlans, seconded by Council Member Becky Wynn for Approval of the General Fund One Time Capital Requests as presented tonight totaling \$7,063,147. The motion passed 4:2. Council Member Orlans, Council Member Wynn, Council Member Dippolito, and Council Member Diamond cast their vote in favor. Council Member Price and Council Member Igleheart were opposed.

A motion was made by Council Member Jerry Orlans, seconded by Council Member Nancy Diamond, that the FY2011 Budget be Approved as Amended, on Second Reading. The motion carried by the following vote:

In Favor: 6

Transportation Department - Councilmember Rich Dippolito

4. **Approval to initiate the right-of-way acquisition process for Parcel 4 for the Norcross Street/Warsaw Road at Grimes Bridge Road intersection Improvement Project in an amount not to exceed \$55,000, approval of Budget Amendment 9610-06-21-10 authorizing the use of project contingency funds, and approval for the Mayor and/or City Administrator to sign a construction contract with the most responsive, responsible bidder in an amount not to exceed \$1,000,000.**

Presented by Steven D. Acenbrak, Director

4. Approval to initiate the right-of-way acquisition process for Parcel 4 for the Norcross Street/Warsaw Road at Grimes Bridge Road intersection Improvement Project in an amount not to exceed \$55,000, approval of Budget Amendment 9610-06-21-10 authorizing the use of project contingency funds, and approval for the Mayor and/or City Administrator to sign a construction contract with the most responsive, responsible bidder in an amount not to exceed \$1,000,000.

Transportation Director Steve Acenbrak stated Parcel 4 was successfully negotiated with the homeowner, including a provision to take the measures necessary to preserve and protect the large specimen trees in this yard. The parcel is located on the southeast corner of the intersection. A line diagram was displayed which indicated the improvements negotiated with the homeowner. The homeowner currently has a driveway off Melody Lane. Mr. Acenbrak stated that based on the configuration of the roundabout, we have agreed to rebuild his driveway off of Warsaw Road, providing more distance away. The plans have been modified accordingly; the sidewalk will be kept. Mr. Acenbrak noted this item is for approval to move forward with the construction of the intersection and to move forward with advertising and hiring of a contractor; it is fully funded.

Council comment:

Councilmember Dippolito noting the mention of a proposed driveway asked if the city is giving the property owner a lump sum for the homeowner to handle that improvement. Mr. Acenbrak replied the Transportation department negotiated the scope of these improvements, which arrived at the amount of \$55,000 and agreed to. The Transportation department will create the curb cut off of Warsaw and the homeowner will take the initiative to make those improvements. Councilmember Dippolito clarified that item is for the acquisition of the right-of-way, approval of the budget amendment authorizing the use of contingency funds for the project itself, and also approval for the City Administrator to sign a construction contract; Council is approving this project in totality, although there is a second item following this one which would be for an additional right-of-way acquisition.

Motion: Councilmember Dippolito moved for Approval to initiate the right-of-way acquisition process for Parcel 4 for the Norcross Street/Warsaw Road at Grimes Bridge Road intersection Improvement Project in an amount not to exceed \$55,000, approval of Budget Amendment 9610-06-21-10 authorizing the use of project contingency funds, and approval for the Mayor and/or City Administrator to sign a construction contract with the most responsive, responsible bidder in an amount not to exceed \$1,000,000. Councilmember Wynn seconded.

Public comment:

Sue Depare, 500 Chadwick Court, asked if the driveway plans would be reviewed by the Design Review Board; she was concerned with protection of esthetics in the neighborhood; proper spending of \$180,000.

Councilmember Dippolito clarified that this particular item is for \$55,000; the \$180,000 the speaker mentioned is for the second item related to this intersection improvement. Councilmember Dippolito asked Community Development staff to address how the improvements the property owner would like on this property would be approved; would they be required to obtain a land disturbance permit for the driveway; if they add to the house, would they need to bring it before the Design Review Board. Community Development Director Alice Wakefield replied this would be approved through the normal land disturbance process and would be reviewed by the city engineer, the Environmental and Public Works department, and the Transportation department. It would follow the normal permit process where the driveway is not required to go to the Design Review Board. Councilmember Dippolito asked if the impact to the specimen trees will be reviewed during the permitting process. Ms. Wakefield replied that was correct. Councilmember Dippolito asked if any improvements to the house would be required to go to the Design Review Board. Ms. Wakefield replied no; not for a single family home.

Ann Watson, 990 Melody Lane, asked what will happen to the house at 1030 Grimes Bridge Road since the city is purchasing that property. Mr. Acenbrak noted that was actually the next agenda item on tonight's agenda. He stated the house will remain the way it is; a minor improvement will be made with the addition of a privacy fence; it will be hooked up to the sanitary sewer system. Ms. Watson asked if the homeowner will move out and if it will become a rental property. Mr. Acenbrak confirmed the current homeowner has plans to stay in the home and rent it from the city for as long as they wish to remain in the home.

Bobby Riggs, facility manager for church located at Grimes Bridge and Norcross Street, asked what is the future use of the property after the homeowner no longer wishes to lease the home. Mr. Acenbrak replied that whenever the Smith's decide to vacate that property, the current plan is to put it back on the market and sell it as a residential property.

No further public discussion.

Council comment:

Councilmember Diamond stated this project will be an improvement to the area and of benefit but there should be courtesy shown to this neighborhood since they have just gone through the bridge construction in that same area.

Councilmember Dippolito stated this project has raised a lot of neighborhood concern which hopefully, the city has addressed and answered; after much research and discussion with other municipalities, he feels this is the best solution and hopefully, in a year everyone will be discussing what a success it is.

Vote: The motion passed unanimously.

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

In Favor: 6

5. **Approval of Resolution to purchase the property located at 1030 Grimes Bridge Road as part of the Norcross Street/Warsaw Road at Grimes Bridge Road intersection Improvement Project in an amount not to exceed \$180,000.**

Presented by Steven D. Acenbrak, Director

5. Approval of Resolution to purchase the property located at 1030 Grimes Bridge Road as part of the Norcross Street/Warsaw Road at Grimes Bridge Road intersection Improvement Project in an amount not to exceed \$180,000.

Director of Transportation Steve Acenbrak stated this property is being acquired for compassionate reasons in that the action represents the best interests of both the property owner and the city; both parties entered into this agreement freely. Mr. Acenbrak added it is an unusual action but it is the best solution that could be agreed to for the time. The action is fully funded.

Councilmember Dippolito agreed that this is unusual for the city, but because of extenuating circumstances of Ms. Smith's age, the city wanted to be fair and make sure she is taken care of.

Motion: Councilmember Dippolito moved for Approval of Resolution to purchase the property located at 1030 Grimes Bridge Road as part of the Norcross Street/Warsaw Road at Grimes Bridge Road intersection Improvement Project in an amount not to exceed \$180,000. Councilmember Orlans seconded.

Council comment:

Councilmember Price inquired about the building the berm before some of the activities ensue. Mr. Acenbrak confirmed the contractor will be directed to create the privacy fence and connect them to the sanitary sewer before any other land disturbance activities.

Vote: The motion passed unanimously.

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

In Favor: 6

Enactment No: R2010-06-30

Environmental / Public Works Department - Councilmember Becky Wynn

6. **Approval for the Mayor and/or City Administrator to sign a contract amendment with Community Waste Services (CWS) to exercise the remaining two (2) twelve (12) month renewal periods of the City contract with CWS in return for the provision of residential recycling carts.**

Presented by Stuart Moring, Director

6. Approval for the Mayor and/or City Administrator to sign a contract amendment with Community Waste Services (CWS) to exercise the remaining two (2) twelve (12) month renewal periods of the City contract with CWS in return for the provision of residential recycling carts.

Environmental/Public Works Director Stuart Moring stated that Mr. Charles Slade, vice president of CWS, who the city has contracted with for several years, proposed providing enclosed, wheeled, 65 gallon recycling containers to be provided free to city residents in exchange for a contract amendment that would "lock in" the remaining two, one-year extensions for the term of the contract. At committee, there was question of the possibility of providing similar recycling containers for city parks. Mr. Moring stated that as part of the arrangement for this, Mr. Slade has offered to immediately provide approximately 35 smaller containers to the Recreation and Park department; they also will provide approximately 25 containers, free of charge, thereby reducing the net cost of whatever the Recreation and Parks department decides to purchase.

Motion: Councilmember Wynn moved for Approval for the Mayor and/or City Administrator to sign a contract amendment with Community Waste Services (CWS) to exercise the remaining two (2) twelve (12) month renewal periods of the City contract with CWS in return for the provision of residential recycling carts. Councilmember Diamond seconded.

Council comment:

Councilmember Price stated "I just to want to clarify and make sure that we would have not renewed this, otherwise." Mr. Moring replied the contract was set up for an initial period and a total, and one year extensions totaling five years; two more one-year extensions remain. Mr. Moring stated CWS is probably spending half a million to one million dollars on these and needs to be able to amortize that expense by locking in the remainder time period of that contract. Mr. Moring stated the service from CWS has been far better than that of the two previous contractors, and noted that there have been zero complaints from Council regarding this firm's service to the city. He recommended future extensions with CWS. Councilmember Price asked if the terms of the contract, otherwise, remain the same as the previous years. Mr. Moring confirmed everything else would remain the same; this is only for locking in that final two year period.

Councilmember Igleheart expressed his appreciation to Mr. Slade and CWS for the great work they have done and especially for the Parks recycling. Mr. Moring noted that Mr. Slade was in attendance.

Councilmember Orlans agreed that CWS has always done a great job for Roswell, understanding what the city and the citizens need.

Vote: The motion passed unanimously.

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

In Favor: 6

7. **Approval of the City of Roswell's 2010 Solid Waste Management Plan (SWMP).**

Presented by Stuart Moring, Director

7. Approval of the City of Roswell's 2010 Solid Waste Management Plan (SWMP). Councilmember Wynn requested a clarification for accepting feedback from the public; she asked if this plan is in draft form and will return to Council if there are any changes in the plan. Mr. Moring stated that was correct; he clarified that under the rules of the Department of Community Affairs (DCA), we are required to have three public hearings in order to present and receive input and then finalize the Solid Waste Management Plan; it is in a sense the opening public hearing for the ultimate approval of the Solid Waste Management Plan. The Comprehensive Solid Waste Management Act of 1990 requires a ten-year update of the Solid Waste Management Plan and requires additional updates when there are substantial changes. The last update occurred in 2005. Due to the annexation and the change of vendors for the transfer station, an update to the plan is necessary at this time. Mr. Moring stated the requirement tonight is to have a public hearing, receive any comments, and advise residents that there will be a thirty day comment period until July 21, 2010, in which the city will continue to receive comments and input regarding the Solid Waste Management Program. The DCA requires that this plan be coordinated and incorporated in the City's Comprehensive Plan. Mr. Moring noted that the current plan is available on the City website and at City Hall.

Motion: Councilmember Wynn moved to Open the Public Hearing for the City of Roswell's Solid Waste Management Plan. Councilmember Price seconded the motion. No further discussion. The motion passed unanimously.

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

In Favor: 6

8. **Approval of a Resolution to enter into an agreement with the Georgia Soil and Water Conservation Commission (GSWCC) and the Fulton County Soil and Water Conservation District (FCSWCD) regarding emergency repair of the Little River Watershed Dam #39.**

Presented by Stuart Moring, Director

8. Approval of a Resolution to enter into an agreement with the Georgia Soil and Water Conservation Commission (GSWCC) and the Fulton County Soil and Water Conservation District (FCSWCD) regarding emergency repair of the Little River Watershed Dam #39.

Mr. Moring explained that the Little River watershed Dam #39 is also known as the Brookfield West or Brookfield Country Club dam that forms the lake there. The dam was constructed by the Federal government approximately fifty (50) years ago. Most recently, storms this past September caused substantial damage. The Fulton County Soil and Water Conservation District is responsible for the dam and has obtained assistance from the State and from the Federal Natural Resources Conservation Service to make necessary repairs but a local agent is needed to oversee the work and they have requested the City of Roswell to do that. Mr. Moring stated the city's Legal department has worked out the legal terms and will make clear that we will accept no short term or long term liability or responsibility for the dam; the city will administer the contract. The estimated cost for repair is \$139,000 which will be paid from Federal and State funds.

Motion: Councilmember Wynn moved for Approval of a Resolution to enter into an agreement with the Georgia Soil and Water Conservation Commission (GSWCC) and the Fulton County Soil and Water Conservation District (FCSWCD) regarding emergency repair of the Little River Watershed Dam #39. Councilmember Dippolito seconded. No public comments were made.

Council comment:

Councilmember Wynn reiterated that this does not involve any city funds, only staff time. Mr. Moring stated that was correct. No further discussion.

Vote: The motion passed unanimously.

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

In Favor: 6

Enactment No: R2010-06-31

Administration and Finance Department - Councilmember Jerry Orland

9. **Approval of a Temporary Addendum to the Georgia Municipal Employees Benefit System (GMEBS) Defined Benefit Plan Adoption Agreement dated June 21, 2010; approval of an Early Retirement Incentive Plan (ERIP) implementation contract with The Segal Company in an amount not to exceed \$30,000; and approval of Budget Amendment 9002-06-21-10; and to reappropriate the funds in FY 2011.**

Presented by Kay Love, City Administrator

9. Approval of a Temporary Addendum to the Georgia Municipal Employees Benefit System (GMEBS) Defined Benefit Plan Adoption Agreement dated June 21, 2010; approval of an Early Retirement Incentive Plan (ERIP) implementation contract with The Segal Company in an amount not to exceed \$30,000; and approval of Budget Amendment 9002-06-21-10; and to reappropriate the funds in FY 2011.

City Administrator Kay Love noted Council had received the draft addendum in their packets but the final document was placed by their seat; there were no substantive changes to it except the Internal Revenue Code Regulations were inserted. Ms. Love stated the addendum will allow the city to implement a voluntary early retirement incentive program for eligible employees who meet the criteria by December 31, 2010. This applies to 76 potential early retirees. There are two groups. One group who currently meets the Rule of 80; the city's normal retirement age which is age 65 plus 5 years of service; or age 55 plus the sufficient combined years of age and service to meet the rule of eighty. A second group of eligible employees who meet the Rule of 70-79; this group has to attain the age of 55 by December 31, 2010 and the appropriate combination of age and years of service to qualify under the program. Part of the agenda item also allows the city to engage the services of Segal and Company to help implement the early retirement incentive program should it be approved, which will consist of analysis of the benefits available to those people eligible in this program to go through the education process. This is the first time the City of Roswell has embarked upon such a program. There is a voluntary participation window of 45 days from July 1, 2010 to August 16, 2010. During that period of time, once a person elects to participate in the program, they will have seven (7) days to revoke their decision. Outside Legal and Financial advice is encouraged since the city will not advise the person what is in their best interest. Part of the process is the possibility of reorganization within the City of Roswell; Council will determine what positions will be filled and when they will be filled. Ms. Love stated she has identified a number of positions should those persons decide to participate in the program that the city would like to negotiate their time of departure to allow the city to make preparations across departments. Some departments are impacted in greater numbers than others so there will be consideration for the work to carry on plus the necessity of replacing some positions, allowing the city to make some reorganizations and efficiencies in anticipation of the ERP, the financial system, payroll system, and other legacy systems being replaced. It is not known how many of the 76 eligible employees will participate until after the election window has closed; this is the reason for the "Not to Exceed an amount" regarding the budget consideration. Since this spans the fiscal year and the reason for a request to carry over the funds into FY 2011 and Budget Amendment approval request. The funding comes from the Group Benefits fund and does not impact the General fund. The General fund, and other funds, some Enterprise funds, would be impacted by way of the persons who are paid from those funds now; that impact would be realized through salary savings from the period of time the position would be vacant or should that position not be filled. Ms. Love stated the budget would then be impacted in the

current year or whereby us replacing that person, depending on the salary that we hire the replacement person in as.

Council comment:

Councilmember Dippolito stated he thought this is a good concept for the city. It has good potential to save Roswell taxpayers a lot of money through the budgeting process and the potential reduction if force. The intent is that as certain positions are vacated they are not automatically going to be refilled, but there will be a process. Understandably, there are some positions that will have to be filled but even for those, there will be some sort of a process where those positions are brought to Council so that Council can approve those prior to those being automatically back filled. Ms. Love stated that was correct; nothing will be posted and no decision will be made regarding any individual position until we know the totality of the impact and that will be brought to Council in total related to the impact on the organization as a whole. Councilmember Dippolito asked if she envisioned that as a committee process or a personnel issue which would be done in closure. Ms. Love replied initially it would be a closure item related to personnel. Once that decision is made regarding those particular people and positions regarding how long they will remain and who will participate, then it will move to committee for the actual budget impact, reorganization and official approval to change the full time equivalence of the city.

Motion: Councilmember Orlans moved for Approval of a Temporary Addendum to the Georgia Municipal Employees Benefit System (GMEBS) Defined Benefit Plan Adoption Agreement dated June 21, 2010; approval of an Early Retirement Incentive Plan (ERIP) implementation contract with The Segal Company in an amount not to exceed \$30,000; and approval of Budget Amendment 9002-06-21-10; and to reappropriate the funds in FY 2011. Councilmember Igleheart seconded. Public comment invited. None was heard. No further discussion. The motion passed unanimously.

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

In Favor: 6

10.

Approval of an Ordinance to amend Chapter 3, Alcoholic Beverages, Section 3.7.3, Restaurant, regarding seating capacity requirements for limited and full pouring alcoholic beverage licenses. (Second Reading)

10. Approval of an Ordinance to amend Chapter 3, Alcoholic Beverages, Section 3.7.3, Restaurant, regarding seating capacity requirements for limited and full pouring alcoholic beverage licenses. (Second Reading)

City Attorney David Davidson conducted the reading of an ORDINANCE TO AMEND CHAPTER 3.7.3 (b), ALCOHOLIC BEVERAGES, OF THE CODE OF ORDINANCES OF THE CITY OF ROSWELL stating: the Mayor and Council of the City of Roswell, pursuant to their authority, do hereby adopt the following Ordinance: 1. Chapter 3, Alcoholic Beverages, of the Code of Ordinances of the City of Roswell, is amended by deleting Chapter 3, Section 3.7.3 (b) and (c) in their entirety and substituting a new Section 3.7.3 (b) to read as follows:

(b) Have at least 70% of its maximum occupancy load (as determined and set by the fire marshal), as seats at tables within the restaurant. The remaining available occupancy may be seats at a bar. Any seats in a sidewalk café attached to the restaurant shall not count for purposes of this section, unless such seats are also counted toward maximum occupancy of the restaurant. If a restaurant meets the requirement of 70% of its seats at tables, it shall be eligible for either a limited pouring license or a full pouring license.

Mr. Davidson noted that he had read the ordinance which was approved at the first reading of the ordinance, which is regarding 70 percent maximum occupancy load; there is a staff proposal for changes which is the 60 (sixty) seats or 60% of the maximum occupancy load.

Motion: Councilmember Orlans moved for Approval of an Ordinance to amend Chapter 3, Alcoholic Beverages, Section 3.7.3, Restaurant, regarding seating capacity requirements for limited and full pouring alcoholic beverage licenses (Second Reading), with the proposed staff changes from the first reading as highlighted in the Council package. Councilmember Diamond seconded.

Mayor Wood asked if any existing businesses serving alcoholic beverages will be precluded from serving alcoholic beverages by the passage of this ordinance. Mr. Davidson replied no.

Public comment invited. None was heard.

Council comment:

Councilmember Price stated she was concerned regarding the term "maximum occupancy load" in that it is a "floating" definition; is that a number which can be determined by anyone based on looking at the formula in the ordinance or is it a number that can only be identified by the Fire Marshal or Chief Building official. Mr. Davidson explained that the Fire Marshal issues the maximum occupancy load certificate/placard displayed in each restaurant; it is a definite number calculated by a formula. He noted that the fire marshal works with the chief building official and, based on ADA requirements and other requirements in the building codes, sometimes the number will change. City Administrator Kay Love stated "They are experts in that area so while a lay person may take that code and read it, I think the interpretation could cause the city to be in a less than favorable position, thus the wording for those two specific positions who have the authority to make that determination in the code. I suspect other people can read it but I certainly wouldn't

take on that responsibility to determine what the occupancy load should be without conferring.” Councilmember Price asked if there could be a discrepancy in interpreting the code, that there might be a dispute. Mr. Davidson replied no, it is issued by the Fire Marshal. Paul Piccirilli, Fire Marshal explained that the established occupancy load is based on the Fire Safety Code which has multiple factors, those are included in the Code book and are based on square footage and use of the space. Also incorporated into the determination is whether the establishment has adequate exiting for that occupant load; it is established by the Code, based on occupant load calculation factors in the Code book. Councilmember Price asked if that number could be reproduced easily between two people of his training. Mr. Piccirilli replied that the established occupancy load is posted on the wall of the restaurant, as required by the Code for assembly occupancy, for the purpose of informing the patrons inside the building and for the manager to understand the limits of the building.

Councilmember Diamond asked if another Fire Marshal came in six months later, would he come up with the same number. Mr. Piccirilli explained that once the number is established, there should be no reason to change it unless the proprietor requests a change, but a change to the occupancy load would be based on a Code analysis done by an architect, that analysis would then be submitted for approval; in the last six months this has happened a couple of times.

No further public discussion. No further Council discussion.

Vote: The motion passed unanimously.

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

In Favor: 6

Enactment No: 2010-06-11

11. **Approval for the Mayor and/or City Administrator to sign a contract(s) with the selected housing partner(s) for the Neighborhood Stabilization Program (NSP1) Grant in the amount of \$678,042 and approval of Budget Amendment 7323S1-06-21-10 in the amount of \$678,042.**

Presented by Michael Fischer, Deputy City Administrator

11. Approval for the Mayor and/or City Administrator to sign a contract(s) with the selected housing partner(s) for the Neighborhood Stabilization Program (NSP1) Grant in the amount of \$678,042 and approval of Budget Amendment 7323S1-06-21-10 in the amount of \$678,042.

Deputy City Administrator Michael Fischer stated RFP 10168-B was issued to identify a housing partner to participate in the Neighborhood Stabilization Program which the Department of Community Affairs DCA issues as a grant. Fulton County is the administrator of that grant. Mr. Fischer stated the grant provides for the housing partner to have funding to buy, repair, and refurbish bank owned properties and then sell them or rent them to qualified families within the city limits of Roswell. Four housing partners responded to this RFP. North Georgia Community Housing Development, also known as Habitat for Humanity, was selected by the review committee with the highest overall combined scores. This grant provides \$678,042 for housing activities. Mr. Fischer stated staff recommended the approval of North Georgia Community Housing Development as the housing partner and recipient of the NSP1 Grant funds.

Council comment:

Councilmember Orlans asked if the recommendation was for the entire amount is to go to Habitat for Humanity. Mr. Fischer stated that was correct and confirmed that the funds would be totally within the city limits of the City of Roswell. Councilmember Orlans noted they have not done any projects within the city limits for awhile. Mr. Fischer noted that it can only be used with the city limits. The other respondents were: Find a Way Home; Project Cost Solutions; and APD Solutions. Councilmember Orlans asked if there was any consideration of splitting the grant funds among the groups. Mr. Fischer replied that was discussed but staff was up against a time limit from Fulton County and also, DCA is looking to get it accomplished under a tight rein because the funds must be obligated by August 20, 2010. He pointed out that these properties must be under contract by September 5, 2010, or the city does not qualify for the program. It requires focus on getting the projects done quickly and who could get it done within that amount of time. Mr. Fischer stated staff considered responses from groups that included time deadlines, listed people qualified, and listed properties they were working on; it was felt that it would be better to work closely with one entity instead of splitting the funds over two or three. Mr. Fischer also pointed out that there is no partial funding; if one group qualifies but the other does not, that will prevent the city from being qualified for the entire program. Staff is hopeful that next year it can be done significantly earlier so that the city can work with more groups. Councilmember Orlans asked if there was assurance that these groups have properties lined up in Roswell, which can be closed on in time. Mr. Fischer replied yes, the groups are aware of the guidelines.

Councilmember Wynn asked who has the final word on which properties are chosen for purchase. Mr. Fischer stated that as long as the properties qualify within the bank owned guidelines stated in the grant, the group can acquire those properties that qualify, and place people in those houses which also qualify under the grant; there are specific guidelines which they must follow. Councilmember Wynn asked if the city will be overseeing this grant. Mr. Fischer replied absolutely; qualification will be

required as this goes forward.

Motion: Councilmember Orlans moved for Approval for the Mayor and/or City Administrator to sign a contract(s) with the selected housing partner(s) for the Neighborhood Stabilization Program (NSP1) Grant in the amount of \$678,042 and approval of Budget Amendment 7323S1-06-21-10 in the amount of \$678,042. Councilmember Dippolito seconded.

Public comment:

Sue Sharp, Executive Director of Find A Way Home, clarified that they made application for the grant and feel they should be given consideration for some component of this program, having worked closely with the city to align ways to get the NSP1 funding; two entities together would expedite the timeline and would not be a hindrance. Ms. Sharp added they bring much expertise to the table and noted they did not cite nor mention specific properties because "that was told to us by the City; not to cite specific properties."

Aaron Fortney, who will replace Ms. Sharp as Executive Director of Find A Way Home, stated this is a Roswell based organization with a strong presence in this area which has the means to carry out at least a portion of this project. Two or more groups working on this would expedite the process and increase the likelihood that all of the money will be obligated by the specified time. If the real estate market does not move as quickly as this project anticipates it will, this organization has the resources and the affordable rental program in place so that these properties could be quickly put into their affordable rental program before they are sold.

Ms. Sharp stated "I hope that Council is aware of the fact that if these properties do not resell after purchase and renovated, it is conditional that they could be put into rent and to my knowledge, Habitat has never had a rental property program."

No further public comment.

Council comment:

Councilmember Orlans asked Ms. Sharp and Ms. Fortney if they have properties which are lined up and could be purchased before September. Ms. Fortney replied "When we were preparing our response to the RFP, we did some research in the specified areas and identified a number of potential properties. We didn't include specific properties in our proposal because the foreclosures that are currently listed move at such a fast pace that we did not want to commit to purchasing a certain property and then once the notice to proceed was issued have that property not be available at that time." Councilmember Orlans asked if they have property identified and able to close on by September. Ms. Fortney replied yes.

Councilmember Dippolito directing his comments to Ms. Sharp, said he recalled that approximately a year ago when he worked on this with her as the Council Community Development liaison, that the Federal government would release these funds to the county and we would have something fairly quickly, but because of the timing, just specific neighborhoods were identified and not the actual houses. He noted that Ms. Sharp had mentioned partnering with Habitat for Humanity and historically when there have been funds available either through similar programs or other Community Development programs we have split half between Find A Way Home and Habit for Humanity, so it would have been a logical conclusion in this instance. He asked how Ms. Sharp would envision splitting the funds, would it be 50-50; would they take the lead. Ms. Sharp responded that in the past with HOME funds, funding was split for the feasibility of it. She stated in this case it would be even more practical to do that. Ms. Sharp stated "Quite frankly, we have more of the expertise needed to do this

because we do the rental component, so I don't know that Habitat should take the lead." She stated when the NSP1 proposal first came out, there were discussions regarding ideas for the use of the funds so as to not let these funds be at a loss to the city; down payment assistance programs were discussed; a "windshield" survey was done to identify properties with potential foreclosure, and a more extensive study was conducted to identify concentrated areas in Roswell for the projection of the need of this funding. Ms. Sharp stated they encouraged the city to step forward and participate in this funding as opposed to Sandy Springs which passed it up based on the fact that they felt "they would not have enough foreclosures."

Councilmember Dippolito stated that based on what he had heard he would withdraw his second to the motion unless Councilmember Orlans decided to modify his motion.

Councilmember Orlans stated that historically, the city has split these funds up between these two organizations and wondered why it was not being done this time.

Mr. Fischer replied he did not think that either one of the organizations or the other could not do a good job. Based on the fact that the monies are contingent upon everything being done and being done correctly, the city did not feel that it was fair, this late, to have an entity relying on another entity to get their requirements completed. Mayor Wood asked if it is possible to split this funding into two separate halves. Mr. Fischer replied absolutely. Mr. Fischer confirmed for Mayor Wood that both groups qualify and noted that his only concern if Council splits the funding, is that each entity is relying on the other entity to make qualification and he could not guarantee funding if qualification is not met. Mr. Fischer stated "If we split the money 50-50 and if Find A Way Home meets all the qualifications and they go out and purchase a couple of houses, half of this money worth of houses, and they meet all their obligations, but Habitat for Humanity runs into obstacles and they cannot get theirs completed, that means we don't qualify for the grant and DCA keeps the money. If we don't qualify for the grant, we don't just get partial reimbursement. We either get reimbursed for our portion or we don't." Mayor Wood asked if the city is taking a risk by accepting this grant. Mr. Fischer replied it is the housing partners that are putting the money up to purchase. Mayor Wood asked if the vote could be deferred since the other organization has not been heard, and asked for clarification of the deadline date. Mr. Fischer replied that August 20, 2010 is the date of obligation for the money; Council could vote on this at another meeting, although it would narrow the time. Mayor Wood stated that he would not be comfortable enforcing a partnership unless both entities were comfortable with the partnership, since this must work as a partnership and is not two split grants. Mr. Fischer agreed.

Restated Motion: Councilmember Orlans stated the two organizations have worked together with the city to split funds and suggested that the funds be split between the two organizations; staff work with both organizations so that if one organization falls behind by a certain date, then that half is shifted to the organization that has everything in place by a certain deadline. Mayor Wood replied that the restated motion was not specific or well defined; he assumed Councilmember Orlans' motion is to approve this with discretion of Mr. Fischer to resolve the details. Councilmember Orlans added "and work with them on the timeline." Mayor Wood inquired with City Attorney David Davidson if that would meet with his approval to have a motion with delegating that authority to Mr. Fischer. Mr. Davidson replied "It is basically partnering with two housing groups to spend all the funds." Councilmember Orlans agreed; he confirmed that the groups would begin with a 50-50 split of the funds as the initial approach. If it then appears that one organization cannot meet the guidelines, the second organization can step in and use it all, and then the funds shift to that organization. Mayor Wood asked for clarification of the motion. Councilmember Dippolito commented that he was concerned about placing this

responsibility on Mr. Fischer unless he wants to accept it; he asked if there was an opportunity for Council to approve to split the funds but for Council re-visit it in July to re-evaluate it with Mr. Fischer's recommendations; the two Council meetings in July occur on the 12th and 26th. Mayor Wood asked if this was a motion to split 50-50 and to resolve the details later or, is this conditional approval with the ability to go back and withdraw approval and not be 50-50. Councilmember Dippolito replied that his suggestion is that it be split 50-50, and then if it needs to be re-visited come the end of July, then it could be awarded to one organization or the other. Councilmember Orlans asked Councilmember Dippolito if he wanted it to return to Council whereas he was trying to delegate that to Mr. Fischer so that it would not have to return to Council. Councilmember Orlans stated he was fine with that in the motion since it accomplishes what Council is trying to do. Councilmember Dippolito added that it would only need to return to Council if there is an issue with the split. Mayor Wood stated Council would be conditionally approving it withholding the right to change their mind. Councilmember Dippolito replied that his suggestion was a 50-50 split and in July if there is an issue with it or concern about either party meeting the deadline, then staff has the opportunity to bring it back to Council to award it to just one organization. Councilmember Orlans replied "A 50-50 split with a review in July by Council, to see if everything is on track, and if not, make adjustments." Mr. Fischer added "To reallocate the percentage." Mr. Davidson confirmed that would work. Mayor Wood stated to put it in legal terms, it is not a final approval it is a conditional approval; both sides need to understand it is subject to being revoked. The Mayor added "I don't want either one to be surprised if this Council changes its mind." Mr. Davidson explained that it is a final approval of working with both organizations but the percentage of dollars may change from fifty percent to zero. Councilmember Orlans stated the criteria strictly will be based on these timelines and if they can be met in order to secure the money. Mr. Davidson restated the motion saying "This would be an approval for the Mayor and/or City Administrator to sign a contract or contracts with Habitat for Humanity and Find A Way Home for the Neighborhood Stabilization Program grant in the amount of \$678,042 and approval of the budget amendment with the understanding that the monies would be split fifty-fifty (50-50) in the beginning but would be subject to review by Council if it appears that the money will not be obligated in time per the grant requirements. Councilmember Orlans stated that restated motion met his approval. Councilmember Dippolito seconded. Public comment invited. None was heard.

Council comment:

Councilmember Price noted that since this had not gone to Committee and Council had only seen it since this agenda packet had arrived to them, she questioned why the entity Habitat for Humanity is not in attendance at the meeting; regardless, she would not hold this item from moving forward. Mr. Fischer replied that North Georgia Community Housing Development is the actual name but is a chapter of Habitat for Humanity. Councilmember Orlans noted that an organization was not named in the packet material for this agenda item. Mr. Fischer apologized and clarified that due to the agenda deadlines for the printing and delivering of the agenda packets to Council, their packet material did not include the name of the organizations who were still submitting their information to the city after the agenda deadline.

Councilmember Diamond requested that this item be revisited and updated at the coming Wednesday, Community Development meeting to include Habitat for Humanity's response and a list of properties. Mr. Fischer confirmed he would update Council on this item and would speak with Habitat for Humanity.

Vote: The motion passed unanimously.

A motion was made by Council Member Jerry Orlans, seconded by Council Member Rich Dippolito, that this Item be Approved with Changes. The motion

carried by the following vote:

In Favor: 6

12. **Approval of Budget Amendment 7544-06-21-10 for the Historic Roswell Convention and Visitors Bureau to appropriate contingency funds in the amount of \$9,000.**
Presented by Keith Lee, Director of Strategic Planning and Budget

12. Approval of Budget Amendment 7544-06-21-10 for the Historic Roswell Convention and Visitors Bureau to appropriate contingency funds in the amount of \$9,000.

City Administrator Kay Love explained that this is the traditional plan of spending contingency money by the Convention and Visitor Bureau that Council approves in the annual budget. These items submitted fall within the guidelines of what was adopted in the FY 2010 Budget. Mr. Keith Lee, Director of Strategic Planning and Budgeting stated that Roswell Convention and Visitors Bureau Executive Director Dotty Eris requested that this item be presented to Council tonight for the reimbursement from the Contingency account for Press Hospitality Highway exhibits and banners; the specific purpose is for the allocation of those contingency funds and to seek reimbursement.

No Council comments or questions.

Motion: Councilmember Orlans moved for Approval of Budget Amendment 7544-06-21-10 for the Historic Roswell Convention and Visitors Bureau to appropriate contingency funds in the amount of \$9,000. Councilmember Price seconded. No further discussion. No public comment. The motion passed unanimously.

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

In Favor: 6

Community Development - Councilmember Betty Price

13.

Approval of a Resolution for the 2010 Comprehensive Plan Update to the Short Term Work Program and the Capital Improvement Element.

Presented by Bradford D. Townsend, Planning and Zoning Director

13. Approval of a Resolution for the 2010 Comprehensive Plan Update to the Short Term Work Program and the Capital Improvement Element.

Planning and Zoning Director Brad Townsend stated this is the annual update to the 2025 Comprehensive Plan Update to the Short Term Work Program and the Capital Improvements Element and is required to maintain the City of Roswell's Qualified Local Government status. The update will be transmitted to the Department of Community Affairs. The Community Development & Transportation Committee reviewed this item on May 19, 2010 and approved by the Planning Commission at their June 15, 2010 public hearing. Staff recommended approval.

Motion: Councilmember Price moved for Approval of a Resolution for the 2010 Comprehensive Plan Update to the Short Term Work Program and the Capital Improvement Element. Councilmember Wynn seconded. No public comments. No further discussion. The motion passed unanimously.

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

In Favor: 6

14. **Approval of an Amendment to the Erosion and Sedimentation Control Ordinance. (Second Reading)**
Presented by Alice Wakefield, Director

14. Approval of an Amendment to the Erosion and Sedimentation Control Ordinance. (Second Reading)

Alice Wakefield, Director of Community Development stated this is the second reading of a new ordinance which must be adopted by July 1, 2010 to maintain the City's Local Issuing Authority. The new ordinance is based on the Final Model Ordinance dated July 1, 2009 provided by the Georgia Soil and Water Conservation Commission (GSWCC).

City Attorney David Davidson conducted the second reading of an ORDINANCE TO AMEND CHAPTER 7, LAND DEVELOPMENT & ENVIRONMENTAL PROTECTION, ARTICLE 7.3 EROSION & SEDIMENTATION, OF THE CODE OF ORDINANCES OF THE CITY OF ROSWELL stating Now, therefore, to accomplish the foregoing the Mayor and Council pursuant to their authority, adopt the following ordinance:

1.

The Code of Ordinances of the City of Roswell shall be amended by deleting Article 7.3 Erosion & Sedimentation from the Code in its entirety and substituting therefore a new Article 7.3 Soil Erosion, Sedimentation and Pollution Control attached hereto as Exhibit "A" and incorporated herein by reference.

Motion: Councilmember Price moved for Approval of an Amendment to the Erosion and Sedimentation Control Ordinance. (Second Reading) Councilmember Diamond seconded. No further discussion. No public comment. The motion passed unanimously.

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

In Favor: 6

Enactment No: 2010-06-12

15. Approval of a Resolution to set land development fee schedule.

Presented by Alice Wakefield, Director

15. Approval of a Resolution to set land development fee schedule.

Alice Wakefield, Director of Community Development stated this resolution sets the fee regarding application requirements for the Land Development and the Soil Erosion Fund. This basically takes the fee structure out of the ordinance and places it in a resolution. The land development fee included in this resolution is consistent with the previously adopted fees. Staff recommended approval.

Council comment:

Councilmember Dippolito stated he understood the need to pull these fees out, but where would someone look to find these listed if they are not in the ordinance. City Administrator Kay Love stated the city maintains a master schedule of fees and would be listed as a revenue source. She clarified that this fee would be listed on the application, on the website, and within the master schedule of fees. Councilmember Dippolito asked where an engineer would find the fees, before the application process. Ms. Love replied it will be on the city's website as it relates to the action or function requested, for example a permit or a special event; it is also available in hard copy form in the Community Development department. Councilmember Dippolito asked if the impact fees are in the ordinance. Ms. Love replied yes. Councilmember Dippolito asked if the building permit fees are included in the ordinance. He stated people should easily find all the fees, in the same place. City Attorney David Davidson explained that an impact fee is a different type of fee in that it is not an administrative type fee; building fees and land development fees are more administrative and enforcement regulated type fees, the cost of the city providing the supervision or the regulation of that, and are not in an ordinance. He agreed that each department's fees are set by functional area. Councilmember Dippolito asked if the Community Development website includes a way for someone to easily find this Schedule of Fees. Ms. Love replied that she did not know if it was easy to find at this point, but Community Relations is working, by department, to revamp the website so as to address citizens' frequently asked questions, including fees and what those apply to. Ms. Love stated one of our goals has been that as we address the fee items, we pull them out of the ordinances, get them into resolutions, and disseminate the fee information in a more easily readable and findable manner to the public. Councilmember Dippolito reiterated his suggestion that these fees be made easier to find. No further discussion.

Motion: Councilmember Price moved for Approval of a Resolution to set land development fee schedule. Councilmember Dippolito seconded. No further Council discussion. No public comment. The motion passed unanimously.

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

In Favor: 6

Enactment No: R2010-06-33

Adjournment

After no further business, the Meeting adjourned at 11:04 p.m.

If you would like to address Mayor and Council on an Agenda Item, please fill out a Comment Card and place the completed card in the designated receptacle.