



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, October 13, 2014

7:00 PM

City Hall

WELCOME

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

Pledge of Allegiance - Cody Jackson - Greater Rome Young Marines and Cub Scouts - 4th Grade, Roswell North Elementary

CONSENT AGENDA

1. **Approval of the September 10, 2014 Mayor and Council Meeting Meeting Minutes (to replace the Council Brief approved on September 22, 2014); Approval of the September 22, 2014 Mayor and Council Meeting Brief; Approval of the September 29, 2014 Special Called Mayor and Council Meeting Brief; Approval of the Special 29, 2014 Mayor and Council Open Forum Brief**
Administration
Approved
2. **Approval of a Resolution to Reallocate North Fulton Community Charities' Program Year 2014 Community Development Block Grant (CDBG) Funds in the amount of \$20,542**
Administration
Approved
Enactment No: R2014-10-50

3. **Approval for the Mayor and/or City Administrator to sign a Georgia Department of Transportation (GDOT) Indemnity Agreement for Streetlights for the SR 140 Westbound through Lane and Streetscape Project**
Transportation
Approved

Approval of the Consent Agenda

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

In Favor: 6

REGULAR AGENDA

Mayor's Report

1. **Reading of a Proclamation for National Red Ribbon Week**
Mayor Wood read a Proclamation commemorating the campaign to wear a red ribbon to show support for a drug-free environment as established by Congress in 1988.
2. **Reading of a Proclamation for Cyber Security Awareness Month**
Mayor Wood read the Proclamation proclaiming the month of October 2014 as National Cybersecurity Awareness Month to recognize the importance of cybersecurity and observe this month with activities, events and training that will enhance our national security and resilience.
3. **Approval of a Planning Commission Appointment - Jeff Jablonski**
A motion was made by Council Member Diamond, seconded by Council Member Wynn, that this appointment to the Planning Commission for a 3 year term be approved. The motion carried by the following vote:
In Favor: 6

Community Development - Councilmember Becky Wynn**4. RZ 201402071, Creekview Village, Land Lot 417, S. Atlanta Street***Presented by Jackie Deibel, Planner III*

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that RZ 201402041, Creekview Village, for a change of conditions from a 1999 zoning be deferred and be placed on the Mayor and City Council agenda for 11/10/2014. Also, CU 201402072, Creekview Mixed Use, for a conditional use was deferred with the rezoning as one vote and will be placed on the 11/10/14 Mayor and City Council agenda. The motion carried by the following vote:

In Favor: 6

5. CU 201402072, Creekview Mixed Use, Land Lot 417, Atlanta Street*Presented by Jackie Deibel, Planner III*

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that CU 201402072, Creekview Mixed Use, for a conditional use be deferred along with RZ 201402041, and both be placed on the Mayor and City Council agenda for 11/10/2014. The motion carried by the following vote:

6. RZ201402667, CV 201402668 and CU 201402669, Parkside, 1243 and 1247 Canton Street, Land Lot 410, Dahlhauser Group, LLC.*Presented by Jackie Deibel, Planner III*

A motion was made by Council Member Wynn, seconded by Council Member Igleheart, that this rezoning with a conditional use and two concurrent variances be deferred and be placed on the Mayor and City Council agenda for 11/10/2014. The motion carried by the following vote:

In Favor: 6

7. RC 201303321, Metropolitan River Protection Act Certificate, 241 Valley Ridge Drive, Land Lot 381, Jason Yowell, Lot One*Presented by Jackie Deibel, Planner III*

A motion was made by Council Member Wynn, seconded by Council Member Orlans, that this Metropolitan River Protection Act Certificate for Lot 1, 241 Valley Ridge Drive, Land Lot 381 be approved. There was one motion for Lots 1 to 6. The motion carried by the following vote:

In Favor: 6

Enactment No: R2014-10-51

8. **RC 201303321 Metropolitan River Protection Act Certificate,
185 Spring Drive, Land Lot 378, Jason Yowell, Lot Two**
Presented by Jackie Deibel, Planner III

A motion was made by Council Member Wynn, seconded by Council Member Orland, that this Metropolitan River Protection Act Certificate for Lot 2, 185 Spring Drive, Land Lot 378 be approved. There was one motion for Lots 1 to 6. The motion carried by the following vote:

In Favor: 6

Enactment No: R2014-10-52

9. **RC 201303321, Metropolitan River Protection Act Certificate,
Azalea Drive, Land Lot 381, Jason Yowell, Lot Three**
Presented by Jackie Deibel, Planner III

A motion was made by Council Member Wynn, seconded by Council Member Orland, that this Metropolitan River Protection Act Certificate for Lot 3, 242 Valley Ridge Drive, Land Lot 381 be approved. There was one motion for Lots 1 to 6. The motion carried by the following vote:

In Favor: 6

Enactment No: R2014-10-53

10. **RC 201303321, Metropolitan River Protection Act Certificate,
180 Azalea Drive, Land Lot 380, Jason Yowell, Lot Four**
Presented by Jackie Deibel, Planner III

A motion was made by Council Member Wynn, seconded by Council Member Orland, that this Metropolitan River Protection Act Certificate for Lot 4, 180 Azalea Drive, Land Lot 380 be approved. There was one motion for Lots 1 to 6. The motion carried by the following vote:

In Favor: 6

Enactment No: R2014-10-54

11. **RC 201303321, Metropolitan River Protection Act Certificate,
Azalea Drive, Land Lot 380, Jason Yowell, Lot Five**
Presented by Jackie Deibel, Planner III

A motion was made by Council Member Wynn, seconded by Council Member Orland, that this Metropolitan River Protection Act Certificate for Lot 5, 176 Azalea Drive, Land Lot 380 be approved. There was one motion for Lots 1 to 6. The motion carried by the following vote:

In Favor: 6

Enactment No: R2014-10-55

12. RC 201303321, Metropolitan River Protection Act Certificate, Azalea Drive, Land Lot 379, Jason Yowell, Lot Six

Presented by Jackie Deibel, Planner III

A motion was made by Council Member Wynn, seconded by Council Member Orlans, that this Metropolitan River Protection Act Certificate for Lot 6, 190 Azalea Drive, Land Lot 379 be approved. There was one motion for Lots 1 to 6. The motion carried by the following vote:

In Favor: 6

Enactment No: R2014-10-56

13. Approval of a Resolution to Amend the Official Code of Georgia to Exercise control over exterior paint color and landscaping within Historic District

Presented by Alice Wakefield, Community Development Director

A motion was made by Council Member Wynn, seconded by Council Member Diamond, that this Resolution be approved. This Resolution requests that the Fulton County Delegation to the Georgia General Assembly introduce Legislation to allow local historic preservation commissions to exercise control over exterior paint color and landscaping within a historic district by amending O.C.G.A. § 44-10-22. The motion carried by the following vote:

In Favor: 6

Enactment No: R2014-10-57

14. Approval of a Text Amendment to the Unified Development Code (UDC), Section 10.2, Landscaping and Screening, Section 10.2.3, Neighborhood Compatibility Buffer Table.

(Second Reading)

(This item was deferred at the September 10, 2014 Mayor and Council meeting)

Presented by Jackie Deibel, Planner III

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this text amendment to the UDC be approved on Second Reading. This adds a Type C/D buffer for new projects proposing PRD zoning next to existing PRD developments. The motion carried by the following vote:

In Favor: 6

Enactment No: ORD2014-10-10

15. Initiation of a Text Amendment to Chapters 5 and 9 of the Unified Development Code (UDC) regarding Boutique Hotels
Presented by Jackie Deibel, Planner III

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that this initiation of a text amendment be approved. This text amendment adds as a Conditional Use in the Categories DX and DS the use of Boutique Hotels. This would also increase the number of rooms in a boutique hotel in the Historic District to be 31 to 125 rooms. Councilmembers Wynn, Dippolito, Diamond, Igleheart and Orlans voted in favor of the motion. Councilmember Price opposed the motion. The motion carried by the following vote:

In Favor: 5

Opposed: 1

Environmental / Public Works Department - Councilmember Rich Dippolito

16. Approval for the Mayor and/or City Administrator to Sign a Contract with Advanced Disposal Recycling Services Atlanta, LLC (ADRSA) for Weekly Residential Curbside Recycling and Yard Waste Collection and Disposition Services in the amount of \$2,474,366.40
Presented by Alice Champagne, Interim Deputy Director of Public Works/Environmental

A motion was made by Council Member Dippolito, seconded by Council Member Wynn, that this contract with ADRSA be approved. The motion carried by the following vote:

In Favor: 6

Transportation Department - Councilmember Nancy Diamond

17. Approval for the Mayor and/or City Administrator to Sign the Amendment to the Intergovernmental Agreement (IGA) with Sandy Springs, Approval of a Change Order for the SR 9 Bicycle-Pedestrian Bridge Design, and Approval of Budget Amendment 27542200-10-13-14 in the amount of \$49,000
Presented by Steve Acenbrak, Director of Transportation

A motion was made by Council Member Diamond, seconded by Council Member Dippolito, that this amendment to the IGA, change order and budget amendment be approved. This amendment is needed due to additional regulatory requirements. The motion carried by the following vote:

In Favor: 6

18. **Approval for the Mayor and/or City Administrator to accept one (1) Right of Way Agreement for the Houze Road at Hembree Road Intersection Improvement Project in the Amount of \$250,000 and Budget Amendment BA 23042101-10-13-14 to move \$101,000 to cover the agreement amount**

Presented by Steve Acenbrak, Director of Transportation

A motion was made by Council Member Diamond, seconded by Council Member Dippolito, that this acceptance of Right of Way and budget amendment for Parcel 7 be approved. The motion carried by the following vote:

In Favor: 6

19. **Approval to File for Condemnation on Parcel #6 of the Houze Road at Hembree Road Intersection Improvement Project**
Presented by Steve Acenbrak, Director of Transportation

A motion was made by Council Member Diamond, seconded by Council Member Wynn, that this condemnation on Parcel 6 be approved. The motion carried by the following vote:

In Favor: 6

20. **Approval of a Revision to the Private to Public Streets Policy to Provide for an Appeal Process**

Presented by Steve Acenbrak, Director of Transportation

A motion was made by Council Member Price, seconded by Council Member Dippolito, to approve this revision to the policy but the vote failed. Councilmember Price and Dippolito voted in favor of the revision. Councilmembers Diamond, Wynn, Igleheart and Orlans voted against the motion to revise the policy. The motion failed by the following vote:

In Favor: 2

Opposed: 4

City Attorney's Report

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

A motion was made by Council Member Wynn, seconded by Council Member Dippolito, that recommendation for closure be approved. The motion carried by the following vote:

In Favor: 6

Adjournment - Meeting adjourned at 9:40 p.m.