



# City of Roswell

38 Hill Street  
Roswell, Georgia 30075

## Meeting Minutes Administration and Finance & Recreation and Parks Committee

*City Administrator Kay Love*  
*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*

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Monday, April 12, 2010

5:00 PM

Room 220

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*Meeting was called to order at 5:03 p.m.*

### **CALL TO ORDER/ROLL CALL**

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

*Staff Present: Kay Love – City Administrator; Michael Fischer – Deputy City Administrator; Julia Luke – Finance Director; Joe Glover – Director of Recreation and Parks; Police Chief Ed Williams; Fire Chief Ricky Spencer; David Davidson City Attorney; Julie Brechbill – Community Relations Manager; Stuart Moring – Public Works Director; Diane Whitefield – Human Resources Director; Wendy Ademy – Interim Risk Manager; Patrick Dale – IT Director; and Marlee Press, Executive Assistant to Council*

**Minutes of the March 8, 2010 committee meeting were approved.**

### **Addendum to the Agenda**

- *Kay Love requested that two proposed addendum items for Recreation and Parks be added to the agenda. The first item was "Discussion of status of the smoking ban in City Park." This was added at the request of Mayor Wood. The second item was "Consideration of a Budget Amendment for the Riverside Park band stage in the amount of \$75,000."*

**Committee approved adding these items to the agenda.**

## Administration

### FY 10 Monthly Budget Status Report

- *This is the 8th month of the fiscal year.*
- *The revenues for the month are \$4.9M which is well ahead of projections for the month of February. That is primarily due to electricity franchise fees coming in a month early. For the year, our expenditures are below last year's expenditures.*
- *Sales tax for February was \$1.667M which was a decline by nearly 13%. That is primarily due to the collection process at the Department of Revenue and the procedures they changed. Averaged for January and February, we were actually ahead by \$1,200. March collections have come in and they are ahead of last year so for the three month period sales tax numbers are normal.*
- *The revenues and expenses for the Water and Sewer Funds are down which is primarily due to the entries associated with the auditor. Revenues are ahead of last year for the Solid Waste fund and expenses are slightly ahead. The revenues for Recreation Participation are catching up with last year, while expenditures are behind a little. The Hotel/Motel fund revenues are slightly below expectations.*

**Staff will update the committee on a monthly basis.**

### Consideration of the Property and Casualty Insurance Renewal

- *The City of Roswell, via a broker, engaged in a request for proposal to procure property, casualty, and liability insurance for the coverage period of 5/1/10 to 4/30/11. Trident Insurance Services, LLC, the current carrier, was the most responsive, responsible proposer in the amount of \$539,831.*
- *Staff said other than flooding claims this year, the city has done an excellent job with claims this year.*
- *The city is down another \$19,000 from last year. Also the city was able to keep the same deductibles which are very low for a municipality of our size.*
- *Staff said the goal is to take on more self-insurance with a larger deductible for less cost for the insurance. Staff added that the three reasons for the amount being down were: 1) claims were down; 2) safety and 3) less liability claims.*

**A motion was made by Council Member Nancy Diamond, seconded by Council Member Jerry Orlans, that Trident Insurance Services, LLC be the city's carrier for the coverage period of 5/1/10 to 4/30/11 and place this on the Mayor and City Council agenda for 4/19/2010. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Orlans; Council Member Igleheart; Council Member Price and Council Member Wynn

### Consideration of a Resolution to call for a Referendum regarding Redevelopment Powers

- *This item will be on the November 2, 2010 General Election ballot and will authorize the City of Roswell to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII of the Constitution and Chapter 44 of Title 36 of the OCGA, "Redevelopment Powers Law". There are no additional costs to the city to put this question on the ballot.*

**A motion was made by Council Member Rich Dippolito, seconded by Mayor Jere Wood, that this Resolution to call for a Rederendum regarding Redevelopment Powers on the November 2, 2010 General Election Ballot be approved for the Regular Agenda and placed on the Mayor and City Council agenda for 4/19/2010. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Orlans; Council Member Igleheart; Council Member Price and Council Member Wynn

### Changing Committee meeting dates

- *This was discussed at the March committee meeting. A fifth calendar option was added which was recommended by Councilmember Price. This calendar has the Admin Finance and R&P and Public Safety and Public Works committee meeting being on the first Monday of the month at 5:00 p.m. and the Community Development and Transportation committee meeting being on the Wednesday after the 4th Monday Council meeting at 8:00 a.m..*
- *There was discussion at the last committee meeting that many of the Council members liked Calendar #4 which was Councilmember Igleheart's recommendation. That calendar has the Admin Finance and R&P and Public Safety and Public Works committee meeting being the Tuesday after the 2nd Monday Council meeting and the Community Development and Transportation committee meeting being on the Wednesday after the 4th Monday Council meeting.*
- *Councilmember Orlans supported Calendar #2 which was keeping the Wednesday meeting as it is now which is basically the third Wednesday and then changing the Admin Finance and R&P and Public Safety and Public Works committee to the first Monday of the month since Mayor and Council is already used to being at City Hall on Monday nights. He was trying to avoid back to back meetings.*
- *Councilmember Wynn liked calendar #4 because it gives Council some time and gives staff time to get all the information that Council has requested from committee or Council. Councilmember Diamond preferred #4 because if they need to add back a Council meeting on a Monday then #2 and #5 would limit when they could have the meeting and they would have to start changing committee meetings again.*
- *Councilmember Price recommended #5 because she doesn't like two meetings back to back because there is not enough preparation time between meetings. This spreads it out so there are not committee meetings adjacent to another Council meeting.*
- *Kay Love said from talking with staff they liked #4 because with all the meetings associated with the weeks of a Council meeting, it is easier to remember and prepare. Then in the off weeks, staff is providing information and answers.*

**A motion was made by Council Member Jerry Orlans, seconded by Council Member Betty Price, that Calendar #5 be approved. This will put the Administration and Finance and Recreation and Parks committee and Public Safety and Public Works committee on the first Monday of the month at 5:00 p.m. The Community Development and Transportation committee meeting will be on the 4th Wednesday of the month at 8:00 a.m. following the 4th Monday of the month Mayor and Council meeting. This will be placed on the Mayor and City Council agenda for 4/19/2010.**

**Councilmembers Jerry Orlans, Rich Dippolito and Betty Price voted for the motion. Councilmembers Kent Igleheart, Nancy Diamond and Becky Wynn voted against the motion. Mayor Jere Wood broke the tie and voted for the motion.**

- In Favor:** 4 - Mayor Wood; Council Member Dippolito; Council Member Orlans and Council Member Price
- Opposed:** 3 - Council Member Diamond; Council Member Igleheart and Council Member Wynn

Section 3.7.3, Restaurant, regarding seating capacity requirements for limited and full pouring alcoholic beverage licenses

- *There are some licensing, compliance, and enforcement challenges with the way the current Ordinance is written regarding restaurant seating capacity for limited pouring vs. full pouring alcoholic beverage licenses.*
- *There has been discussion of a "percentage of maximum occupancy load" as a methodology to define seating capacity related to the type of alcohol license. Councilmember Orlans said with meetings with staff, the idea was to go to this percentage occupancy based on the fire department's recommendation. The initial thought process recommendation was to use the 70% figure at the tables to have a full pouring license. Legal was asked to run that figure out to the different restaurants and get some feedback and see how the restaurant owners liked the 70%. David Davidson said some liked the 65% more with one restaurant owner wanting 75%. The restaurants wanted it as low as possible.*
- *Councilmember Orlans also brought up that the owners need to self-police their establishments and staff should contact the owners to make sure they are policing people walking out of their restaurants with drinks in the front and getting them back inside. He said the license is a privilege and they need to take some ownership in what they are doing and keeping control of their own patrons.*
- *Councilmember Diamond said if the present ordinance tells them now how many seats at tables they need for the license, she would like to know which one of these percentages matches closest to what they already have.*
- *Kay Love said the percentage would be more equitable for these restaurants. Kay Love said it is more equitable. This is more on a level playing field because it is based on their maximum load which has to do with the amount of space available. It is easier to enforce it across the board and be consistent.*
- *Councilmember Orlans said what this percentage will do is it gives people that have a full pouring license illegally now to be in compliance and the ones that don't have a full pouring license, this gives them the opportunity to get one even at 70%. It will get consistency and compliance.*

**A motion was made by Council Member Jerry Orlans, seconded by Mayor Jere Wood, that the Ordinance that would change the seating requirements to 70% of maximum occupancy load be approved for the Regular Agenda and placed on the Mayor and City Council agenda for 4/19/2010. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Orlans; Council Member Igleheart; Council Member Price and Council Member Wynn

**Amendment to Chapter 13, *Offenses and Miscellaneous Provisions*, of the City of Roswell Code of Ordinances**

- *This is an "open container" Ordinance to prohibit a person from having any alcoholic beverages in any open container while on the public streets, sidewalks or rights-of-way, or in any public or semipublic parking facility within the City of Roswell. This was discussed at the February committee meeting and deferred. There have been meetings at staff level to discuss the merits of enforcement vs. an Ordinance.*
- *Councilmember Orlans had suggested not going forward with this ordinance because it would apply to too many other situations across the city (ex: cul-de-sac or block parties). He felt by the restaurants policing their restaurants and enforcing the seating requirements, this open container ordinance would not be needed.*
- *David Davidson said our current ordinance prohibits a licensed establishment from letting someone carry something out of a restaurant. Mayor Wood said under the current ordinance there is nothing to prevent someone from walking down the street with open alcohol containers. He said these neighborhood parties can request a special event permit. He said there can be perfect enforcement of all of the restaurants but it is not going to prevent people from having a party from the back of their truck with alcohol. That is why he said he supported an Open Container Law.*
- *Councilmember Dippolito said this ordinance is a good idea. The only time it will become a problem is if someone complains about a neighbor having a neighborhood party. Kay Love said the Police Department does have the ability to use discretion.*

**A motion was made by Mayor Jere Wood, seconded by Council Member Becky Wynn, that the amendment to Chapter 13 of the Code of Ordinances regarding open containers be approved for the Regular Agenda and placed on the Mayor and City Council agenda for 4/19/2010. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Orlans; Council Member Igleheart; Council Member Price and Council Member Wynn

### Discussion of the transcribing of the Boards and Commission minutes - Guidance

- *This was added at the request of the Councilmember Betty Price. She thought that the verbatim minutes from the Boards and Commission meetings were too lengthy and not needed.*
- *The City contracts with a former employee to transcribe the minutes of various boards and commissions. The cost is approximately \$12,000 annually and is based on an hourly rate of \$15 for transcription services. Oversight of the contract is the responsibility of the Community Development Department. The advantage of verbatim minutes is that a complete record is created of the discussion for each item acted upon. They provide the history and public discussion of each item. Staff uses the minutes regularly to verify discussion, intent, and actions when research is necessary for variances, zonings or when aesthetics are in question. Open records requests are easily addressed by having the verbatim minutes readily available and court challenges benefit by having the verbatim minutes as well.*
- *Councilmember Orlans said he reads these minutes. He has found over the years that is a good way to have a feeling of what is going on with the different boards and commissions. It has given him insight on who to have on the boards. An outline or short synopsis does not get the true flavor of the meeting. Councilmember Wynn agrees with him. She doesn't read all of them but if there is something in there that she wants to know, she likes knowing the whole story and what everyone is saying. Councilmember Diamond added that being a new Councilmember these verbatim minutes help when she is not familiar with all the board members.*
- *Councilmember Price asked if they can at least shave off some of the animosity. Kay Love said it is on record so it can't be altered.*
- *David Davidson said all meetings are recorded. He said we do have a public record of all Council, committee and Boards and commission meetings. Anyone can request a copy of the recording.*

**Most of the committee members agreed that the verbatim minutes for the Boards and Commissions are very helpful. Committee agreed not to change the way the minutes are transcribed.**

### NFMA Gubernatorial Debates - Guidance

- *The North Fulton Mayors' Association (NFMA) is sponsoring the debates to be held at Roswell United Methodist Church on April 22 (Republicans) and 29 (Democrats) from 7:00 to 9:00 p.m. This is not a City sponsored event; however, there is a request that each City contribute staff time to the debates in the form of public relations and/or public safety.*
- *Community Relations has put this on the website and RCTV to promote the event.*
- *Since it is in Roswell, there will be some need for some traffic control in that area and also having some police present. Chief said they would retask some of the officers on those nights for traffic control so it would not cost them any overtime. There are some soft costs associated.*
- *Mayor said the biggest expense is the expense of the Church. Each of the North Fulton Mayors has contributed the costs for the use of the facility. That is not coming from city funds but it is coming out of the Mayor's pockets.*

**Committee agreed that Roswell can contribute staff time to the debates in the form of public relations and public safety. They agreed that the Chief can retask some of the officers on those nights of the debates for traffic control.**

## Finance

### Investment Report

- *The portfolio balance is holding strong and the city is just barely exceeding what the balance was the same time last year. The rates still continue to drop but we are still way ahead of our benchmarks. Staff is very diligent at looking at getting the best rates for the investments. Staff will keep the committee updated on a monthly basis.*

**Staff will keep the committee updated on a monthly basis.**

### Consideration of the recognition of Jake Hersko, Finance Department Intern

**Committee approved that the Finance Department can recognize and congratulate Jake Hersko at the Mayor & Council Meeting on 4/19/2010.**

## Recreation and Parks

### Consideration of a joint Work Session of Mayor and Council and the Cultural Arts Board regarding the Long-Range Strategic Plan for the Cultural Arts Center (CAC) on 4/19/10

**The discussion regarding a joint work session for the Long-Range Strategic Plan for the Cultural Arts Center (CAC) was deferred to a later date not yet determined.**

### Discussion of the status of the smoking ban in City Parks - Guidance

- *The Second Reading of the Ordinance to allow smoking in Roswell Parks only in designated areas was approved at the November 16, 2009 Mayor and Council meeting. It said that such designated areas shall be approved by resolution of Mayor and Council after recommendation from the Roswell Recreation Commission.*
- *Councilmember Igleheart said the Recreation Commission did get staff to put together a set of locations where smoking areas could be but the Commission asked if Council would be willing to reconsider a total ban. Staff was requested to provide Mayor and Council a copy of those designated areas to help in their decision process.*
- *Councilmember Dippolito wanted some information on why Recreation Commission wanted this ban. Joe Glover stated that there were newspaper articles about other cities and other counties that have put a ban on there and it was then brought up at a Commission meeting for Council to consider that.*
- *Mayor said that Committee has two options: 1) To allow smoking in those designated areas as approved by a Second Reading of the Ordinance by M&CC on November 16, 2009 or 2) to rescind the November 16, 2009 M&CC vote and have a total smoking ban.*

**Committee approved that the Ordinance regarding the smoking ban in the parks be placed on the Mayor and City Council on 4/19/2010. Staff was requested to also send Mayor and Council the alternatives the Recreation Commission suggested if Council wanted allowable designated areas for smoking.**



### Consideration of a Budget Amendment for the Riverside Park band stage in the amount of \$75,000

- *Staff requested to transfer \$75,000 from the Impact Fee account to add the roof system to the new stage and pavilion at Riverside Park. In addition to the roof system, this will include a new electrical system with lighting and electrical receptacles and other necessary electrical needs. Staff added that the stage is just about completed and they have the opportunity to go ahead and install a roof system because they have a design and a plan for it. There is still over \$700,000 left in the Impact fee account and the money is not spoken for with another project at this time.*

**A motion was made by Council Member Becky Wynn, seconded by Council Member Betty Price, that this Budget Amendment for the Riverside Park band stage be approved for the Regular Agenda and placed on the Mayor and City Council agenda for 4/19/2010. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Orlans; Council Member Igleheart; Council Member Price and Council Member Wynn

### Wireless Connectivity on City Properties and Parks

- *The city has been approached by a company to add wireless internet access to a variety of the park locations. The company, Wireless Town, provides access for free in return for running advertisements on the web pages as users are connected.*
- *Staff said there is some concern as to the limited control over advertisers and the content of the ads so there is an option of providing wireless service by doing it in-house but there will be cost involved. The IT department is investigating having sponsors for the connection service.*
- *Michael Fischer said that this started with Recreation and Parks but staff has been taking a look at expanding this wireless connectivity to other city facilities.*
- *Councilmember Igleheart said the reason this is being pushed now is Wireless Town has been asked by Bike Roswell to help with the registration for the bike race coming in (Criterium) and that registration would take place at the Recreation Area Park. Scott Bromley from Wireless Town said since the race registration is in a city park, he thought it would be appropriate to ask the city if it was okay to operate the wireless device in the park. There is no cost to the city.*
- *Councilmember Igleheart asked if the Mayor and Council were okay to do this wireless connection in the park on a temporary basis and then move forward to looking at this on a permanent basis so that the city can provide wireless service in the parks for free.*
- *Kay Love added that from a procurement standpoint, when they are looking at this long term, they need to ensure there is appropriate competition when looking at corporate sponsors. She said when they look at this longer term, the wireless access would be looked at in all city facilities and not just the parks.*

**Committee agreed that Wireless Town can provide their wireless service temporarily for the Criterium Bike Race. The agreement will be with Bike Roswell but Council agreed that they can do this in the city parks. Committee also agreed that staff can proceed looking at wireless access at city properties and parks longer term. This will come back to committee at a future date.**

*Meeting adjourned at 7:21 p.m.*