



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, December 10, 2012

7:00 PM

City Hall

WELCOME

Present: 6 - Mayor Jere Wood, Council Member Nancy Diamond, Council Member Rich Dippolito, Council Member Kent Igleheart, Council Member Betty Price, and Council Member Becky Wynn

Absent: 1 - Council Member Jerry Orlans

Pledge of Allegiance - Beverly Montezinos - Daughter of Roswell Police Officer Joel Montezinos

Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Interim Police Chief Rusty Grant; Fire Chief Ricky Spencer; Community Development Director Alice Wakefield; Planning and Zoning Director Brad Townsend; Environmental/Public Works Director Stu Moring; Environmental/Public Works Deputy Director Mark Wolff; Finance Director Keith Lee; Human Resources Director Dan Roach; Recreation and Parks Director Joe Glover; Recreation and Parks Assistant Director Morgan Rodgers; Transportation Director Steve Acenbrak; Transportation Deputy Director David Low; Budget Manager Ryan Luckett; Community Relations Coordinator Kimberly Johnson; Police Captain Geoff Robertson; Police Lieutenant James McGee; Police Lieutenant William Anastasio; Police Detective Ken Kraus; Police Detective Joel Montezinos; Master Police Officer Lisa Holland; Police Officer Robert Curry; Transportation Land Development Manager Clyde Stricklin; Senior Transportation Engineer Robert Dell-Ross; Administrator of Park Services Jeff Pruitt; Recreation Superintendent/East Katie Trolene; Building Operations Technician Andrew Hale; Digital Media Designer Joel Vazquez; City Clerk Marlee Press.

CONSENT AGENDA

- Approval of November 14, 2012 Mayor and Council Meeting minutes (detailed minutes to replace Council Brief adopted on November 26, 2012); Approval of November 26, 2012 Mayor and Council Brief.**
Administration
Approved

2. **Approval for the Mayor and/or City Administrator to sign a contract amendment with I/O Solutions, Inc. for the provision of an assessment for the Police Chief selection process in an amount not to exceed \$18,816.**

Administration

Approved

3. **Approval of an amendment to the Resolution Establishing Fees for Zoning, Building, and Other Permit Fees to correct the Donation Bin Fee.**

Community Development

Approved

Enactment No: R2012-12-60

4. **Approval to purchase right of way, a permanent easement and a temporary easement for the Midtown Gap/Streetscape project in the amount of \$67,000.**

Transportation

Approved

Approval of the Consent Agenda

Council Comment:

Councilmember Price commented on consent item #4. She said this was to complete the mid-town sidewalk project just south of Holcomb Bridge Road and Highway 9. She said this has been a long time coming, spanning three Councilmember liaisons to the department to finally get it accomplished and they are excited to be closing in on it.

Mayor Wood thanked the Transportation Department for their patience in dealing with the private property owners and not having to go through condemnation to get to this. He said he knows it was a long process with a lot of negotiation. In the beginning they had estimated it would cost a lot more and not only had they kept the constituents happy but also saved the City money.

Councilmember Price expressed special appreciation to Clyde Stricklin for his patience in getting this accomplished as well.

There was no further Council comment. Public comment was invited. There was none.

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

In Favor: 5

REGULAR AGENDA

Mayor's Report

1. **Reading of a Proclamation for Roswell Reads Months in Roswell and announcement of the 2013 Roswell Reads book selection.**

*Mayor Wood read the Proclamation stating that reading is an activity of great value to all citizens of all ages and backgrounds; and many communities across the nation have initiated city-wide reading programs which have helped in building a greater sense of community; have promoted reading throughout the community; and have helped students understand that reading is important both in and out of school. The Historic and Cultural Affairs Division of the City of Roswell in partnership with the Roswell Library (a part of the Atlanta-Fulton Public Library System), Friends of the Roswell Library, and many community volunteers has established "Roswell Reads: A City-Wide Reading Program". Additional support for the program has been provided by the Roswell Jr. Woman's Club, Roswell High School, Centennial High School, and Roswell Rotary Club. The committee has selected *Sweeping Up Glass* by Carolyn Wall to be read during the months of January through March 2013. There will be an array of book discussions, programs and events centered around the selected book to enhance everyone's understanding and enjoyment of it during the months of February and March. There will be a "Literary Luncheon" featuring the author Carolyn Wall on Saturday, March 16, 2013 as the concluding event to celebrate the author and her literary talents.*

On behalf of the City of Roswell, Mayor Wood proclaimed January, February and March 2013 as Roswell Reads months and called upon all the citizens to recognize this special observance by participating in the Roswell Reads city-wide reading program.

Recreation and Parks Assistant Director Morgan Rodgers said Will Rodgers once said that a man only learns in two ways, one is by reading and the other is association with smarter people. He said in today's world of mogul media, some people believe reading is old school, but it is not. 167 million adults which is 73% of all adults read at least one book in 2011 and the average reader read four books in that year. He then recognized the "Roswell Reads" Committee, Louise Conti, Lisa Pizzuto, Janice Tedford, Judy Stanton, and Linda Smither.

*On behalf of the Committee, Louise Conti thanked the Mayor and Council for their support of this city wide reading program over the last eight years. She said when the Committee begins considering books for the program, they look for authors who are not necessarily the most well-known but whose works have received excellent reviews. They want to introduce readers to a book or an author they might not have otherwise selected. She said Carolyn Wall, the author of *Sweeping Up Glass* is not only a good writer but she also teaches writing and she will be conducting a class on writing techniques at the Roswell Library on March 15th. She said they encourage all book clubs to read and discuss this book and they also sponsor book discussions at the library. She said they use the theme of the chosen book to develop programs that will help enhance the understanding of the book. This year's programs include a history of quilts and quilting, recognizing the signs of mental illness and how to deal with it in a family, and an overview of the great depression of the 1930's and this last program will be done by the Roswell High School History Department. She*

*encouraged everyone to read *Sweeping Up Glass* and to attend a book discussion or program and to attend the literary luncheon with Carolyn Wall at the Adult Recreation Center on Saturday, March 16 at 11:30am.*

*Mayor Wood asked Ms. Conti to provide an introduction to *Sweeping Up Glass*.*

Ms. Conti said the story takes place in the 1930's, at a time when everyone was struggling and it is the story of a grandmother in the Appalachian Mountains of Kentucky who is caring for her grandson as well as her mother who has mental illness issues while struggling to survive and also dealing with racial tension in the small town where they live.

*Mayor Wood encouraged everyone to read *Sweeping Up Glass* and thanked the members of the Committee.*

2.

Recognition of the Roswell Police Department being awarded Re-Accreditation by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA)

Interim Police Chief Rusty Grant said the Roswell Police Department had gotten this Law Enforcement Accreditation first in 1995 and has obtained it now for the sixth time. He said less than 5% of all law enforcement agencies across the country earn this accreditation which is an outstanding achievement for the department and all of its members should be recognized for this. He recognized Detective Joel Montezinos, the City of Roswell's Accreditation Manager and read the following describing his career. "Detective Montezinos joined the police department in 1989, worked as a patrol officer from 1989 to 1993 and then as a criminal investigator from 1993 to 1998. He was assigned administrative duties in 1998 where he was given responsibility for the development of directives, policies, procedures, general orders, strategic planning, support, research and format development and accreditation. He has been the driving force behind keeping the accreditation status of the police department since that time. In addition to overseeing the accreditation process through the Commission of Accreditation for Law Enforcement Agencies, Inc. (CALEA), he oversees the state certification program developed by the Georgia Association of Chiefs of Police. He has ensured that the department keeps this distinguishment of having both a CALEA advanced accreditation and the State of Georgia certification. Detective Montezinos is currently assigned to the office of professional standards where in addition to his accreditation responsibilities, he conducts internal affairs investigations and oversees the department's polygraph program. He is nationally recognized as an expert in the field of polygraphy and is a published author in the field. He has instructed polygraph science at the local campus of Troy University and as a guest instructor at Regional and National conferences. He is also currently the President of the Georgia Polygraph Association. Detective Montezinos also works professionally with both CALEA and the Georgia Association of Chiefs of Police. Since 2000, he has been assessor for the State Certification Program and since 2002 a team leader in that program. In 2009, he became an assessor for CALEA and travels to law enforcement agencies locally and nationally conducting assessments to confirm their adherence to the standards established by these organizations. Our department has benefitted from the many new ideas and programs he has brought from other accredited and certified leaders in the law enforcement profession. Due to his language skills, Detective Montezinos conducts many assessments in Mexico where there is a small but healthy movement to professionalize Mexican law enforcement. Detective Montezinos says he is very proud of being part of ensuring the Roswell Police Department remains a leader and an example for other law enforcement agencies in Georgia and across the country in an effort to improve the management of law

enforcement services around the world."

Mayor Wood invited Detective Montezinos and his family to come forward and asked for a round of applause for the Roswell Police Department accreditation and Detective Montezinos.

Detective Montezinos said he is grateful for the support from his family through his fourteen years working in Accreditation. He said it is an honor working in this City and thanked everyone for their support of this great department and as he moves closer to retirement, he is thankful there are people willing to step up and take over this role.

Councilmember Wynn said she first met Detective Montezinos two years ago when he was doing the polygraph at the Police Citizens Academy and he had asked for volunteers. She thanked him for his service that is very much appreciated.

3.

Recognition of Police Detective Ken Kraus for his successful completion and graduation from the University of Tennessee National Forensic Academy.

Interim Police Chief Rusty Grant said you can't mention Detective Kraus' name without remembering that he is an American hero. He said that in 1979, when he was a Marine Embassy guard, the embassy was overrun and he was taken hostage and put on trial and then later released. In 1995, Detective Kraus became a Roswell police officer and quickly worked his way up to working forensic investigations. Approximately three months ago, he attended the University of Tennessee National Forensic Academy in Knoxville, a premier forensic institute where both national and international agencies send their officers to learn forensic investigation. He lived there for the duration of a ten-week class with over 400 hours of training and had brought back a tremendous amount of information.

Interim Police Chief Grant described some of the things that were covered in the training class which included bloodstain pattern analysis, bombs, booby-traps, threats at the scene, computer sketching and mapping, criminal investigative analysis, DNA, firearms and tool mark identification, footwear and tire impressions, forensic fire investigations, photography, post blast investigations, postmortem fingerprinting, serial number restoration, shooting incident reconstruction, trace evidence, death investigations, and forensic anthropology.

Mayor Wood recognized Detective Kraus and asked him to come forward and talk about his training.

Detective Kraus expressed his appreciation to Mayor and Council and said this wouldn't have been possible without their support. He said when he first learned about the academy in 2004, he knew it would be special because there is no other training like this which is hands-on real forensics at a college level and although Roswell has a small department they still have a lot of service to provide for the citizens. He said he was only able to do this with the support of Council, the Police Department, his fellow workers and family. He expressed a personal pledge to use all of his experience, training and resources for as long as he continues to work in the City of Roswell to make it one of the safest and nicest places to live and to provide the best services possible. He said through the support, leadership and management that Roswell has, there is no reason why it can't be the number one forensic police department in the entire State of Georgia.

Mayor Wood thanked Detective Kraus and said they are proud to have him serving

the City of Roswell. He said Roswell is the safest City in the State, due in large part to the excellent police service and the dedication of the police officers and that Council wants to do anything they can to improve those services to the City. He expressed appreciation to the entire Roswell Police Department.

4. **Presentation of the 2012 Georgia Partnership for Transportation Quality (GPTQ) Preconstruction Design Award to the City of Roswell and Parsons Brinckerhoff.**

Transportation Director Steve Acenbrak said at the recent Georgia Transportation Summit, Roswell's Transportation Department had won another award. He said the department had been fortunate to win awards for some of their creative designs including roundabouts, intersection improvements and bridges, but this one is special because it involves process. He said they were presented with a difficult engineering challenge to add a fourth lane that would eliminate the reversible lanes in the historic and downtown areas through a sensitive environmental area while working with the National Parks Service. He said it was not only an engineering challenge, but also involved design elements and engaging the stakeholders through the public participation process in a way that everyone would embrace. He said this was a team effort between the Transportation Department staff and the City's partnership with the very capable firm of Parsons Brinckerhoff. He recognized representatives from the firm that were attending the meeting, Project Manager Jonathan Reid, Alice Wiggins and Valerie Birch. He added that the Transportation Department is very proud to have won this award on the City's behalf.

Mayor Wood asked for a round of applause for the Transportation Department and said they are the best in the state and are bringing in a lot of awards and getting recognition that is greatly deserved. He said the passage of the bond issue with 65%, shows that the Transportation Department has the confidence not only of the Council but of the citizens of Roswell as well and for it to pass with that margin in this environment, knowing what happened in the rest of the state, shows there is confidence in the department. He expressed appreciation to the department for their extraordinary innovative creativity in solving the transportation issues and for the leadership that moves Roswell ahead.

Administration and Finance Department - Councilmember Rich Dippolito

5. **Approval of Budget Amendment #10015850-12-10-12 to increase the FY 2013 Approved budget by \$14,586,503. Presented by Keith Lee, Finance Director**

Finance Director Keith Lee said this is a presentation of the mid-year budget adjustment. The amendment has five components as follows:

1. Re-appropriation of existing funds in FY 2013
2. Re-appropriation of FY 2012 available General Fund Operating funds - \$138,000
3. Appropriation of General Fund fund balance for Capital Projects - \$5,555,000
4. Appropriation of fund balance and other funds - \$438,000
5. Authorization to use General fund, fund balance to fund approved Bond projects in advance of receiving Bond proceeds - \$1,450,00

He said the first component is a request to move the Strategic Planning and Budget cost center from the Administration Department to the Finance Department and the re-appropriation of the merit increases to the various departments out of the Citywide cost center.

The second component is a request to re-appropriate FY 2012 available General Fund operating funds in the amount of \$138,503. Mayor Wood asked Mr. Lee to explain re-appropriation. Mr. Lee replied they are funds that were already allocated at a previous approval by the Mayor and Council and are being moved from one... Mayor Wood said, "They weren't spent in the last budget year, but they are expected to be spent in this year so something that was previously approved and rolling it over to this year from money that wasn't spent." Mr. Lee replied that is correct. Mr. Lee continued with explanation of the second component, stating for those funds, it is Hospitality/Events in Administration, abatement of property code violations, demolition of a house on Oxbo Road, replacement of a water meter vault on Maxwell Road for the Fire Department, funding for an assessment for the Police Chief selection process, and \$70,000 for Retirement contributions.

Mayor Wood asked for Council or Public comment regarding this category. There were no comments.

Mr. Lee said the third component deals with funding of capital projects from the General Fund, fund balance for \$525,000 for property acquisition, \$70,000 for Grant Match for the Big Creek project Phases 3 and 4 project from the Atlanta Regional Commission, \$150,000 for the Midtown Gap project, \$3,800,000 for the North Fulton Radio System project, \$10,000 for bicycle racks, and \$1,000,000 for Citywide resurfacing and reconstruction.

Mayor Wood asked for Council or public comment regarding any of these items.

Public Comment:

Janet Russell commented on the \$10,000 for bike racks and asked where they will go, who will approve the locations and what design will be used. She said money is being spent on bike racks but there is no money for benches for people who are waiting for buses. She said although she is a bike enthusiast, she is offended that the City doesn't care enough about people who take transit but are willing to spend \$10,000 on bike racks.

Mayor Wood asked Mr. Acenbrak to address Ms. Russell's questions.

Transportation Director Steve Acenbrak said he could answer some of the questions and stated that this is a work in progress and the intent is to use the standard bike rack that is used by the City and they will explore fielding them all over Roswell. He said citizens have commented that they would use bicycle transportation more if they had "end of trip facilities" which is a place to secure a bike which is another type of parking. He said they are actively working on this, but there are issues associated with right-of-way and easements so the plan is not finalized.

Council Comment:

Councilmember Price asked if seating at a MARTA station is the City's responsibility.

They like to facilitate the experience and in the past they have looked at things such as shelters, semi-seats and other things to help encourage ridership on MARTA. It is not the City's responsibility to provide the facilities but they work with MARTA in a partnership to do that.

Councilmember Price asked about the current seats. Mr. Acenbrak replied that the City paid for them. MARTA typically only provides a sign at a location. The City identifies where the bus is going to stop and they have expanded that by providing the bus shelters and semi-seats in order to make the money go farther.

Councilmember Price asked if some were provided by MARTA. Mr. Acenbrak replied

they were not. They used the MARTA funds that they received from the offset program but they are the City's brainchild. They did the "finish the connection", the bus shelters and the semi-seats and then sidewalks. That was the MARTA offset program. Ms. Price thanked Mr. Acenbrak.

Mayor Wood asked for further public comment. There was none. Mayor Wood stated he would make an exception to allow Ms. Russell to ask a follow-up question.

Ms. Russell stated that she wanted to clarify that. She said the City of Roswell received \$1,645,000 in MARTA offset money and Council voted to use \$500,000 to make the Roswell connection across Holcomb Bridge Road and only allocated \$250,000 for bus shelters and semi-seats. She said MARTA will provide free bus shelters if the City will permit advertising on them, but it's more important not to have advertising than to have women and children standing in the rain waiting for buses on Highway 9 six feet away from the cars. She said Council voted to only allow \$250,000 of \$1,645,000 of MARTA money for MARTA passengers; the remainder was used on projects made to look like MARTA projects but were not connected. She said a semi-seat is no larger than a camping stool and they are not located at every pole and there are only ten shelters. She said in the summer, the temperature gets to about 125 degrees on a metal chair and also the seats are wet in the rain because there is no protection. She said she has implored Council for years to have respect for people who have chosen to use alternate forms of transportation but Council has refused to use MARTA money for MARTA projects. She said she heard that Council voted to use the last \$457,000 of MARTA offset money to build a sidewalk from City Hall for people to have a nice sidewalk when going to eat on Canton Street and the rest will be used on City Hall grounds. She said they will spend twice as much money building a sidewalk with MARTA money for City Hall than was used on all of the bus shelters and semi-seat. She said she doesn't fault the Transportation Department because they asked Council for more and it was denied.

There were no further public comments on this component.

Mr. Lee continued with presenting the fourth component of the amendment stating it deals with allocating fund balance from two enterprise funds and special revenue fund of \$420,000 in the Stormwater fund for the Terramont Drive Culvert Rehabilitation project, Big Creek Wetlands Watershed Improvement project, and a Tandem Axle Dump Truck for Crew II; and, \$18,000 in Confiscated Assets for a K-9 unit.

Mayor Wood asked for Council or public comment on this component. There was no Council or public comment.

Mr. Lee said the fifth component is funding for the bond projects.

Mayor Wood said if he understands correctly, the bond projects will be funding these projects but the City is in essence loaning the bond projects the money to jump start them and then when the bond money comes in, the money will be restored to the General Fund. Mr. Lee replied that is a great way to put it. He said the City will be advance funding the projects and when the bond funds are received by the City, the General Fund will be reimbursed. He said the projects include \$1,000,000 for Synthetic Turf Fields, \$300,000 for the Holcomb Bridge Road at SR-400 Interchange Improvements, and \$150,000 for the Adult Recreation Center Improvements.

Mayor Wood asked for Council or public comment on the fifth component. There were no comments.

Mr. Lee said in summary, FY 2013 started with \$24 million in fund balance and the fund balance reserve policy is \$13.5 million. He said \$2.8 million was allocated in capital projects in FY 2013 and \$138,000 of FY 2012 funds has been re-appropriated. There is an un-audited available fund balance in the General Fund of \$7.574 million and if approved, \$5.555 million will be for capital projects and \$1,450,000 for bond projects for which the City will be reimbursed. He said this leaves \$569,000 above fund balance reserve by policy and once the City is reimbursed, there will be \$2,019,000 above fund balance policy.

Council Comment:

Councilmember Price referenced the \$1,000,000 that was allocated for road resurfacing, etc. which she said is certainly needed and asked if any resurfacing will be done between now and the end of the year.

Mr. Lee replied no, that the contract had been approved but the paving takes place in the spring and summer months.

Councilmember Price said then some of it will be done in the spring. Mr. Lee said he may be stating that incorrectly; it might be in the summer.

Mr. Acenbrak said a contract is approved for this year's paving. He said this is like an advance or down payment on the coming paving cycle which will happen in calendar year 2013 which is coming up soon so that a \$1 million chunk doesn't have to be taken all at one time. He said Councilmember Orlans has started this process where an advance is taken on next year's and that has always helped in future budgeting.

There was no further Council comments.

Motion: Councilmember Dippolito made a motion for Approval of Budget Amendment #10015850-12-10-12 to increase the FY 2013 Approved budget by \$14,586,503. Councilmember Wynn seconded.

Further Council Comment:

Councilmember Igleheart said the motion is for \$14.5 million but that is actually not the amount that is being spent and he asked Mr. Lee to verify this.

Mr. Lee responded when the capital projects are approved, they are double counted in the budget and the funds are moved from the General Fund to the capital projects funds so they are double counted which is just an accounting process.

Mayor Wood stated for clarification that about \$7 million is being appropriated of which about \$1.4 million will be paid back, so the actual expenditure from the General Fund is about \$5.5 million. Mr. Lee replied that is correct.

Mayor Wood asked for further Council or public comment. There was none.

A motion was made by Council Member Dippolito, seconded by Council Member Wynn, that this Budget Amendment which includes five components of appropriations be approved. The motion carried by the following vote:

In Favor: 5

Recreation and Parks Department - Councilmember Jerry Orlans**6. Presentation of the Recreation, Parks, Historic and Cultural Affairs Department Annual Report.**

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

Mayor Wood introduced this item on behalf of Councilmember Orlans. He asked Recreation and Parks Director Joe Glover to present the report and said the Roswell Recreation Department is another award winning department and asked him how many times Roswell has won the state award. Mr. Glover replied nine times which is unprecedented.

Mr. Glover introduced Debra Ewing, the Chairperson of the Recreation Commission and said she would give the report and then there would be a couple of presentations following.

Ms. Ewing said it was an honor to be here presenting the Annual Report for 2011-2012 on behalf of the Recreation Commission and staff. She recognized Tom Pratt and Angela Parham, the newest member of the Commission, who were also in attendance.

Mayor Wood expressed his appreciation to Tom Pratt who had led the citizens committee along with everyone else who volunteered to make the bond issue a success. He said the City could not take an official position, but Mr. Pratt as an individual along with his friends were the driving force behind the 65% approval rating.

Ms. Ewing said it was another exciting year for the department having been recognized as the Agency of the Year for the State of Georgia nine times. She said the department had also gone through an exhausting national accreditation process in the summer and the committee said they had never seen a Council or a Commission so supportive of a recreation and parks department. It was an exhausting process but the department and the commission believes it is a very important process to go through and she said of course they were approved. This is the second year the department was recognized as a gold medal finalist by the National Recreation and Parks Association that proves the nation knows this department and what it does for the citizens of Roswell.

Ms. Ewing said there were a number of additions to the park system this year including restrooms at Don White Park, a new bandstand with an incredible roof, and extensive sidewalks at the three historic homes. She said the volleyball court has been hugely successful and a second court is being put in because they are so busy that they must be scheduled and they are going to begin renting them. She said the Commission had focused this year on updating all the policies which is half complete and should be finished in the first quarter of this year. The five-year strategic master plan has been approved that gives direction to the department. The fee policy has been amended so revenues collected from program fees pay all direct program costs and a portion of the full-time staff who are extremely important professionals that ensure the programs are consistent and run professionally. She said they also focused on increasing revenues this year and they are very excited about the turf fields that will be extremely valuable for increasing revenues from the soccer and lacrosse tournaments that bring hundreds of people to Roswell who spend money in the City's hotels and restaurants.

Ms. Ewing said in this year's budget they are asking for additional money for maintenance, perhaps for parks beautification. She said thousands of people use the parks, not only Roswell residents but residents from Cobb County and other cities and the department thinks it is important to beautify them. She expressed appreciation to the Council for their continuing support and said they could not be the department they are without it. She then presented the gold medal and accreditation award to Mayor and Council and said the gold medal proves this is a top nationally recognized program and the accreditation award validates that it operates within national standards and only about 110 agencies are accredited.

Mayor Wood expressed his appreciation for the Recreation Commission.

Community Development - Councilmember Nancy Diamond

**7. RC12-01R, 690 Riverside Rd., Taimen on the River Phase II, Ellen M. Spruill/Archway Custom Homes, Land Lot 494.
Presented by Bradford D. Townsend, Planning & Zoning Director**

Planning & Zoning Director Brad Townsend presented this item stating this is an application for a river corridor for three single family homes that are part of Taimen on the River Phase II. The applicant is requesting a variance to allow for the three homes to have access road frontage from the private street and intends for them to use the existing road from the current Taimen on the River subdivision. He said the subdivision was approved by Council for ten single family homes in Phase I and there are six homes under construction at this time and two of those homes have been CO'd for families living there. This has been reviewed by the Atlanta Regional Commission and found consistent with the Chattahoochee Corridor Plan and the Community Development staff recommends approval of this proposed application.

Mayor Wood asked if this project will include a trail connection to the neighborhood above it. Mr. Townsend replied there is already a trail from Phase I. Mayor Wood asked for an update.

Mr. Townsend displayed a slide on the overhead and indicated the area of the three homes and the existing home and said they will connect to the new road, Taimen, which has a trail connection to the north all the way through the subdivision and then it will then be able to connect down to Riverside Drive.

Mayor Wood said the people from both neighborhoods will have a trail that leads directly to the river walk. Mr. Townsend said there is an easement to traverse that location.

Mayor Wood asked for Council comment. There were none.

Motion: Councilmember Diamond made a motion for approval of RC12-01R, 690 Riverside Rd., Taimen on the River Phase II, Ellen M. Spruill/Archway Custom Homes, Land Lot 494. Councilmember Dippolito seconded.

Public Comment:

An Unidentified Speaker stated his home address as 9445 River Lake Drive, Roswell, Georgia and said his house backs onto the development and expressed concern about it being clear cut.

Mr. Townsend replied that the lot would not be clear cut. He said the ARC approval

only approves so much impervious and clearing area, enough for the homes, driveways and for proper slopes away from the actual structures.

The speaker stated that the Taimen development was clear cut. Mr. Townsend replied that the first phase was clear cut but this one will not be.

There were no further public comments. The public hearing was closed. There was no Council comment.

A motion was made by Council Member Diamond, seconded by Council Member Dippolito, that this river corridor application and variance request to the road frontage for property at 690 Riverside Road to allow for three single family homes be approved. The motion carried by the following vote:

In Favor: 5

Enactment No: R2012-12-61

8. Approval of an Amendment to Article 22, Section 22.12 of the Sign Ordinance, Temporary Signs, regarding the "Find it all Roswell" campaign and the use of temporary signs. (Second Reading)

Presented by Bradford D. Townsend, Planning and Zoning Director

Planning and Zoning Director Brad Townsend presented this item stating this is to change the dates for the "Find it all Roswell" banner program from 2012 to 2014. He said this could completely change with the Unified Development Code and it will not be seen again; otherwise it will come back in two years for that campaign.

Mayor Wood said for clarification that the banner program is being continued for two more years. Mr. Townsend replied, "Two more years for an additional forty days for businesses".

City Attorney David Davidson conducted the second reading of AN ORDINANCE TO AMEND THE CITY OF ROSWELL SIGN ORDINANCE REGARDING "FIND IT ALL IN ROSWELL" CAMPAIGN AND THE USE OF TEMPORARY SIGNS WITHIN THE CITY OF ROSWELL stating: pursuant to their authority, the Mayor and City Council adopt the following ordinance:

1.

Article 22, of the City of Roswell Zoning Ordinance, Signs, Section 22.12 Temporary Signs, is amended by changing the year from 2012 to 2014 in the following subsection 22.12 (a) (3):

Section 22.12 Temporary Signs

(3) For the period from September 15, 2009 through December 31, 2014, a business may receive an economic development permit for use of a temporary sign for an additional forty (40) days of advertising per year, cumulative to the 40 days granted in subsection (a) above and subject to the same requirements and limitations set out in (a) above. This subsection (3) shall be automatically repealed on December 31, 2014.

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

There were no questions from Council. Public comments were invited. No public comments were made.

A motion was made by Council Member Diamond, seconded by Council Member Price, that this Text Amendment to Article 22 of the sign ordinance be approved on Second Reading. It is amended by changing the year from 2012 to 2014 to allow for a two year time frame for the "Find it all Roswell" campaign and the use of temporary signs. The motion carried by the following vote:

In Favor: 5

Enactment No: ORD 2012-12-17

9.

RZ12-07, Text Amendment to the Section of the Roswell Zoning Ordinance regarding the Adaptive Reuse Administrative Approval of the Parkway Village Overlay District. (Second Reading)

Presented by Bradford D. Townsend, Planning and Zoning Director

Planning and Zoning Director Brad Townsend presented this item stating this is a text amendment to the Parkway Village section of the City code which will allow for an adaptive reuse if they do not increase the volume of the structure, this would allow for the enclosure of the carport for the salon that was initiating this type of amendment. He said staff recommends approval on second reading of the proposed ordinance.

City Attorney David Davidson conducted the second reading of AN ORDINANCE TO AMEND SECTION OF THE CITY OF ROSWELL ZONING ORDINANCE REGARDING THE ADAPTIVE REUSE ADMINISTRATIVE APPROVAL SECTION OF THE PARKWAY VILLAGE OVERLAY DISTRICT OF THE CITY OF ROSWELL ZONING ORDINANCE stating: pursuant to their authority, the Mayor and City Council adopt the following ordinance:

1.

The City of Roswell is hereby amending Article 12 of the City of Roswell Zoning Ordinance, Chapter 12.2.12 Adaptive Reuse Administrative Approvals, by amending the following Section:

Section 12.2.12 - Adaptive Reuse Administrative Approval

An adaptive reuse of existing structures may be administratively approved by the zoning director, provided changes are allowed to occur to the front exterior building elevation which does not increase the volume of the existing structure, the structure is not expanded to the rear beyond an additional fifty (50) percent of floor area, all vehicle parking is confined to the rear yard and one (1) side yard, the project is developed in accord with the streetscape requirements (berms shall be given reasonable consideration but shall not be required), with a rear buffer of no less than forty (40) feet.

Adaptive reuse administrative approval shall not be permitted for service stations, retail establishments, restaurants, grills, and similar eating and/or drinking establishments, including drive-ins, and nursery schools, kindergartens, and day care centers.

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

Motion: Councilmember Diamond made a motion for approval of RZ12-07, Text Amendment to the Section of the Roswell Zoning Ordinance regarding the Adaptive Reuse Administrative Approval of the Parkway Village Overlay District on Second Reading. Councilmember Wynn seconded.

Council Comment:

Councilmember Price asked if the Design Review Board has any input on this. Mr. Townsend replied yes, they will review the application.

There was no further Council comment. Public comments were invited. No public comments were made.

A motion was made by Council Member Diamond, seconded by Council Member Wynn, that this Text Amendment regarding Adaptive Reuse be approved on Second Reading. This will allow for a change to the front exterior building elevation that would not increase the volume of the existing structure. The motion carried by the following vote:

In Favor: 5

Enactment No: ORD 2012-12-18

10.

Initiation of a Text Amendment to Section 15.4.1 of the City or Roswell Zoning Ordinance regarding the exclusion of single family and duplex residential lots from minimum tree density requirements contained in Article 15 Tree Protection. Presented by Bradford D. Townsend, Planning and Zoning Director

Planning and Zoning Director Brad Townsend presented this item stating this is a proposed initiation of a text amendment related to single family homes and the minimum tree density requirement. He said they are trying to close a loophole in a situation where a vacant lot does not have existing trees and the cost would be prohibitive for them to meet the tree density required for acre lots. Staff is requesting to initiate this and they will be in discussions with the legal department to make sure it is handled legally and processed as a regular text amendment to the Planning Commission and come back to Council for two readings.

Mayor Wood said then this is just to initiate a discussion. Mr. Townsend replied that is correct.

Motion: Councilmember Diamond made a motion for approval of Initiation of a Text Amendment to Section 15.4.1 of the City of Roswell Zoning Ordinance regarding the exclusion of single family and duplex residential lots from minimum tree density requirements contained in Article 15 Tree Protection. Councilmember Dippolito seconded.

Council Comment:

Councilmember Igleheart expressed concern about how this could be interpreted at some point. He said the intent is fine but was concerned about the end result.

Mr. Townsend said they will be discussing this with the legal department to make sure the words are there that state the intent.

Councilmember Igleheart said he is okay with that but is very concerned about the ultimate implementation.

Councilmember Dippolito said he was in agreement and would want to make sure they don't create a loophole for people to eliminate trees and asked that they be cognizant of that.

Councilmember Price asked what generated this to be brought forward.

Mr. Townsend said he believed it was because of a subdivision north of Cox Road that had taken over a farm and were dividing property of over an acre in size that was farmland and putting in single family homes. He said the property was open fields with no existing trees and it would have cost \$15,000-\$20,000 to put in the number of trees needed to meet the tree density on that size of property. Councilmember Price thanked Mr. Townsend for his explanation.

There was no further Council comment.

A motion was made by Council Member Diamond, seconded by Council Member Dippolito, that the initiation of this Text Amendment to Article 15, Tree Protection of the Zoning Ordinance be approved. The motion carried by the following vote:

In Favor: 5

11. Approval of an Intergovernmental Agreement (IGA) between the cities of Alpharetta, Dunwoody, Roswell, and Sandy Springs for the acquisition of Aerial Photography and Light Detection and Ranging Data (LiDAR).

Alice Wakefield, Director of Community Development

Director of Community Development Alice Wakefield presented this item stating this is a request for approval of an Intergovernmental Agreement between the cities of Alpharetta, Dunwoody, Roswell and Sandy Springs for Aerial Photography and LiDAR data. She said the total cost of the project is estimated between \$90,000 and \$105,000 and the cost for the City of Roswell will be approximately \$30,000. She said it is basically the same project that took place in 2010 with these cities, but with a lot of enhancements. She said Roswell has taken the lead with handling the procurement and so forth and staff recommends approval of this agreement.

Mayor Wood asked how often this will be done going forward.

Ms. Wakefield replied that standard practice is every three to four years based on discussions with the GIS manager and looking at the record. She said this is helpful in identifying clear cut and is used by the Transportation, Public Works, and Public Safety departments who have found this information valuable.

There were no questions from Council. Public comments were invited. No public comments were made.

A motion was made by Council Member Diamond, seconded by Council Member Igleheart, that this IGA for updating aerial photography and LiDAR encompassing the geographical boundaries of Alpharetta, Dunwoody, Roswell and Sandy Springs be approved. The motion carried by the following vote:

In Favor: 5

City Attorney's Report

12. Recommendation for closure to discuss personnel and acquisition of real estate.

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

In Favor: 5

Adjournment - With no further business, the Mayor and Council meeting adjourned at 8:06 p.m. Mayor and Council reconvened for a work session regarding the North Fulton Unified Radio System.