



City of Roswell

38 Hill Street
Roswell, Georgia 30075

Meeting Minutes - Final 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, March 1, 2010

7:30 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

Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Police Chief Ed Williams; Fire Chief Ricky Spencer; Environmental/Public Works Director Stuart Moring; Transportation Director Steve Acenbrak; Community Development Director Alice Wakefield; Community Development Deputy Director Clyde Stricklin; Transportation Deputy Director David Low; Deputy Fire Chief Ricky Burnette; Fire Marshall Paul Piccirilli; Environmental Programs Manager/Executive Director of Keep Roswell Beautiful Janet Liberman; Traffic Management Supervisor Mike Elliott; Community Relations Manager Julie Brechbill; Environmental Education Specialist Laura Aikens; Building Operations Technician Doug Heieren; and City Clerk Sue Creel

Mayor Jere Wood called the meeting to order and welcomed everyone present.

Pledge of Allegiance - Isabella Sci

CONSENT AGENDA

1. **Approval of February 17, 2010 Regular Meeting Minutes.**
Administration and Finance
Approved
2. **Approval of a Resolution to submit FY2011 Federal Appropriation Requests.**
Administration and Finance

Approved

Enactment No: RES 2010-03-12

3. **Approval of a Resolution in Opposition to HB 842 and in Support of Municipal Home Rule.**
Administration and Finance

Approved

Enactment No: RES 2010-03-13

4. **Approval to apply for the ARC Community Choices Program.**
Community Development

Approved

5. **Approval for the Mayor and/or City Administrator to sign a contract for the SR140 and SR92 Advanced Transportation Management Systems (ATMS) for Concept and Design with URS in an amount of \$174,113.**

Transportation

Approved

Approval of the Consent Agenda

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

In Favor: 6

REGULAR AGENDA

Mayor Wood recognized Katha Stuart. Ms. Stuart, co-chair of Roswell Relay for Life, spoke on the fight against cancer. She asked everyone to participate in Relay for Life on May 14-15, 2010 at Centennial High School beginning at 6:00 p.m. She noted this is the 8th year Roswell has participated in the event. In 2009, the community raised over \$125,000, and over the past eight years, the community has raised over \$625,000. Mayor Wood thanked Ms. Stuart and encouraged everyone to participate in the cause.

Mayor's Report

1. **Recognition of Crabapple Middle School and Mountain Park Elementary School's Haiti Relief Fund Raising Efforts.**
Representatives from Crabapple Middle School and Mountain Park Elementary School were recognized for their fund raising efforts for Haiti. Crabapple Middle

School raised over \$3,000 and Mountain Park Elementary raised over \$4,000 to purchase shelter boxes.

2. **Reading of a Proclamation for the United States Census.**

Mayor Wood stated the census is coming up this year and wants everyone to be counted. He commented that it is not just a matter of pride, but also a matter of money and politics as the Federal Government distributes over \$400 billion a year based upon the census count. He noted that it costs Roswell over \$13,000 for every person not counted. He urged everyone to complete the census form and return it.

Environmental / Public Works Department - Councilmember Becky Wynn

3. **Recognition of the winners of the 2010 Drippy Dropperson Coloring Book Contest.**

Presented by Stuart Moring, Director

Councilmember Becky Wynn stated this is the third year of the contest.

Environmental/Public Works Director Stuart Moring explained that Drippy Dropperson is the special mascot for the water program accenting the need for water conservation. The thirteen winners were chosen from over 300 entries received from eleven schools in Roswell. He noted the program is sponsored by Community Waste Services, who was represented by Charlie Slade; Smurfit-Stone; and Advanced Disposal. Environmental Education Coordinator Laura Aikens and Environmental Programs Manager Janet Liberman introduced the winners of the contest: Olivia Baker, Steffania Barreneche, Addison Bethany, Megan Campbell, Kyle Cazzone, Skylar Hamilton, Grace McCarthy, Kate McFarland, Katrina Muccio, Fiona Neidorf, Maya Schechter, Isabella Sci, and Joshua Vinson.

Public Safety - Councilmember Nancy Diamond

4. **Award of Life Saving Medal to Police Officers.**

Presented by Ed Williams, Police Chief

Police Chief Ed Williams described the circumstances of a call received by the 911 Center on June 13, 2009 of a man that had fallen into Big Creek and was in danger of drowning. He presented the Life Saving Award to Officer John Lathem and Officer David Farabaugh, and presented a Departmental Accommodation Award to Fire/Rescue Captain Chris Mathis. Members of the Police Department in attendance saluted the officers.

5. **Recognition of Roswell Fire Department's Boot Drive.**

Presented by Ricky Spencer, Fire Chief

Fire Chief Ricky Spencer recognized Deputy Fire Chief Ricky Burnette, Fire Marshall Paul Piccirilli, and the Fire Department for its boot drive collection for the Georgia Firefighters Burn Foundation benefiting burn victims. Fire Marshall Piccirilli stated the money goes to help burned victims and towards a camp for burned children. He noted that Roswell placed #1 per capita and 3rd in overall money collected in Georgia with almost \$60,000. He noted that Roswell gets back 10% of the money collected which helps pay for fire prevention programs and materials.

Administration and Finance Department - Councilmember Jerry Orlans

6. Approval of an Ordinance to Amend Section 2.1.1 of the Code of Ordinances to change Council meeting dates and times.

(Second Reading)

City Attorney David Davidson conducted the second reading of Ordinance to Amend the Code of Ordinances of the City of Roswell, Section 2.1.1, Council Meeting Time, Dates and Quorum. The Ordinance amends the first paragraph of Section 2.1.1 by deleting the first paragraph in its entirety and replacing it with a new first paragraph of Section 2.1.1 to read as follows: Council meetings shall be held on the first and third Monday of each month at 7:00 p.m. Zoning and land use matters shall be scheduled for the third Monday meeting of each month, but such meeting shall not be limited to those items. Any fifth Monday in a month is designated an open forum at which citizens may be heard before Mayor & Council on matters of public concern. The remainder of Section 2.1.1 shall continue in force as before."

Public Comment:

Eileen Seidman stated she lives on the east side of Roswell, and that it is impossible to get to the meetings by 7:00 p.m. She urged Council to consider the people coming from the east side of town.

First Amendment: Councilmember Orlans moved for approval to amend the Ordinance as read to change the dates of the Council Meetings from the first and third Mondays to the second and fourth Mondays with the second Monday being the Zoning Meeting. Councilmember Wynn seconded the motion.

Mayor Wood stated he had received a request from a reporter who covers both Alpharetta and Roswell, requesting that the meetings be held on the second and fourth Monday because Alpharetta meets on the first and third Mondays.

Councilmember Igleheart stated there would be changes no matter which schedule is chosen, but felt it would be less disruptive for those who have made long term plans if the meetings were held on the first and third Mondays.

City Administrator Kay Love asked Mayor and Council to consider deciding an effective date of the Ordinance so that staff can make appropriate plans.

Councilmember Orlans noted that Council used to have meetings every Monday night. He said the one potential change regarding his amendment would be for the Christmas holiday. He stated that the first and third Mondays seem to have more changes throughout the year. Regarding an effective date, the start date could be June 1, 2010.

Mayor Wood stated Council meetings had gotten shorter due to the work done at committee. He supported and encouraged Council to move to two meetings a month beginning immediately or by April 1, 2010. He suggested changing the effective date to June for moving from the first and third Mondays to the second and fourth Mondays. The Mayor noted that the second Monday normally has advertising requirements for the zoning meetings.

Ms. Love asked that if Council decided to go to the second and fourth Monday meetings, to consider the current flow of items to committee meetings, which was the

reason for the June 1st start date so as to give proper public notification of when the meetings would occur, committee meetings that are in progress, and for zoning that has already been advertised.

Councilmember Orlans commented that currently committee meetings fall on an irregular schedule, such as the first Tuesday after the second Monday meeting. He suggested instead that they be on a defined date such as the second Tuesday of every month or the first Thursday of every month.

Mayor Wood asked when the zoning meetings would take place. Councilmember Orlans replied if going to the second and fourth Mondays, the zoning would be on the fourth Monday.

Councilmember Igleheart noted that zoning is already on the second Monday and recommended that it stay the second Monday instead of the fourth Monday. He asked if a change in the committee dates would be part of the motion. Mayor Wood replied no saying that would be a separate issue.

Restatement of First Amendment to Motion: Councilmember Orlans moved for approval to amend the Ordinance as read to change the dates of the Council Meetings from the first and third Mondays to the second and fourth Mondays with the second Monday being the Zoning Meeting effective June 1, 2010. Councilmember Wynn seconded the motion. The vote on the motion tied 3-3. Councilmember Orlans, Councilmember Wynn, and Councilmember Dippolito voted to approve the First Amendment. Councilmember Diamond, Councilmember Igleheart, and Councilmember Price voted against the First Amendment.

Councilmember Diamond said she did not have a preference but was concerned that a number of people, including staff, have scheduled their time with having the fourth Monday free.

Councilmember Price stated she did not feel the need to reduce the number of meetings and expressed concern about items that would need approval or moved along. Her choice would be to have the meetings on the first and third Mondays.

Mayor Wood asked Ms. Love if she had heard any concerns from staff about the first and third or second and fourth Mondays. Ms. Love replied yes, regarding the second and fourth Mondays, due to the amount of administrative change, but that staff would adjust their time. She noted that the Committee meeting schedule was another aspect.

Mayor Wood stated that those who might arrive at Council meetings a little late would not miss any business being conducted but might miss the fun part of the meetings. Regarding the dates and Councilmember Price's concerns about going from three to two meetings, he said that Council is actually having more meetings now than in the past due to committee meetings held twice a month. Regarding Zoning meetings, the biggest concern has been about the advertising, and leaving Zoning on the second Monday would not cause a big change with that.

Vote on First Amendment: Mayor Wood broke the tie by voting for the First Amendment to the motion. The motion passed 4-3.

Second Amendment: Councilmember Orlans moved for approval to amend the Ordinance to change the meeting time as read in the Ordinance from 7:00 p.m. back to 7:30 p.m. This motion died for lack of a second.

A motion was made by Council Member Jerry Orlans, seconded by Council

Member Rich Dippolito, that this Item be Approved on Second Reading as amended. The motion carried by the following vote: Council Members Orlans, Dippolito, Diamond and Wynn voted in favor of the motion as amended. Council Members Igleheart and Price voted against the motion.

In Favor: 4

Opposed: 2

Enactment No: ORD 2010-03-03

7. Approval of an Ordinance limiting the number of terms a person can serve on the Recreation Commission.

(Second Reading)

City Attorney David Davidson conducted the second reading of Ordinance to Amend Chapter 14.1.1 of the Code of Ordinances of the City of Roswell. The Ordinance amends Section 14.1.1 by striking in its entirety the current Subsection (a) and substituting a new Subsection (a). It also amends Section 14.1.1 by adding a new Subsection (c).

Councilmember Dippolito asked if there are any current commissioners serving a term that has already expired. Mayor Wood replied not on the Recreation Commission. Councilmember Dippolito asked if everyone was in a current term. Mayor Wood replied that no one's term had expired.

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

In Favor: 6

Enactment No: ORD 2010-03-04

8. Approval of an Amendment to Chapter 3, Alcoholic Beverages, of the City of Roswell Code of Ordinances.

(Second Reading)

City Attorney David Davidson conducted the second reading of Ordinance to Amend Chapter 3, Alcoholic Beverages, of the Code of Ordinances of the City of Roswell. The Ordinance amends Chapter 3, Alcoholic Beverages, by deleting Section 3.4.2, Distance from churches, schools, etc., in its entirety and substituting a new Section 3.4.2 to read as shown on Exhibit "A" attached to the Ordinance. It also amends Chapter 3 by deleting Section 3.6.1, Age Requirements, Subsection (c), in its entirety and substituting a new Subsection (c) to read as shown on Exhibit "B" attached to the Ordinance. It further amends Chapter 3 by deleting Section 3.2.1.4 Application, Investigation Consent, Subsection (b) in its entirety and substituting a new Subsection (b) to read as shown on Exhibit "C" attached to the Ordinance.

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

In Favor: 6

Enactment No: ORD 2010-03-05

Community Development - Councilmember Betty Price

9. **Approval for the Mayor and/or City Administrator to sign a contract with POND & Company for the Comprehensive Plan 2030 Update in the amount of \$148,725.**

Presented by Alice Wakefield, Director

Community Development Director Alice Wakefield asked Council to approve the contract for POND & Company to update the City's Comprehensive Plan for 2030. Ms. Wakefield introduced members of POND & Company.

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

In Favor: 6

Transportation Department - Councilmember Rich Dippolito

10. **Approval of an Ordinance to update Article 22.2.5 - Designated Truck Routes of the Roswell Code of Ordinances.**

(First Reading)

Presented by Steve Acenbrak, Director

Transportation Director Steve Acenbrak stated it was important to identify current truck routes based on changes in the City limits that had occurred during annexations and construction of new roads. This Ordinance reflects those changes.

City Attorney David Davidson conducted the first reading of An Ordinance of the Roswell City Council Setting Truck Routes on Certain Streets. The Ordinance amends Chapter 22, "Traffic and Motor Vehicles," by deleting Article 22.2.5, "Designated Truck Routes," and substituting a new Article 22.2.5 to read as set forth in the Appendix attached to the Ordinance.

A motion was made by Council Member Rich Dippolito, seconded by Council Member Betty Price, that this Item be Approved on First Reading and placed on the Mayor and City Council agenda for 3/15/2010. The motion carried by the following vote:

In Favor: 6

Adjournment:

After no further business, the Regular Meeting adjourned at 8:35 p.m. for a Work Session for a Transportation Update regarding "Discussion of the Revised Transportation Master Plan, MARTA Offset Program Projects, and the Atlanta Street Corridor Improvements."