



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 Orleans
Council Member Betty Price
Council Member Becky Wynn

Monday, June 24, 2013

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 Orleans, Council Member Betty Price, and Council Member Becky Wynn

Pledge of Allegiance - Boy Scouts from troops 356, 226, and 87.

Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Police Chief Rusty Grant; Fire Chief Ricky Spencer; Environmental/Public Works Director Stu Moring; Finance Director Keith Lee; Human Resources Director Dan Roach; Recreation and Parks Director Joe Glover; Transportation Director Steve Acenbrak; Community Relations Manager Julie Brechbill; Police Major John Watson; Police Officer Zachary Frommer; Police Sergeant Bernie Holland; Police Detention Officer Matthew Bertsch; Police Communications Officer Colin Renaldo; Police Records ID Specialist Mary Ann Kavouras; Police Community Relations Master Police Officer Lisa Holland; Police Community Relations Officer Erin Johnson; Police Reserve Officer Jeff Lanier; Police Support Services Manager Arlene Shemaka; Building Operations Technician Timothy Thompson; Digital Media Designer Joel Vazquez; City Clerk Marlee Press.

CONSENT AGENDA

- 1. Approval of May 29, 2013 Mayor and Council Meeting minutes (detailed minutes to replace Council Brief adopted on June 10, 2013); Approval of June 10, 2013 Mayor and Council Meeting Brief.**

Administration

Approved

- 2. Approval of a Resolution to accept the 2013 HOME Investment Partnership Act grant in the amount of \$74,658 and approval of Budget Amendment 22115000-06-24-13 in the amount of \$74,658.**
Administration
Approved
Enactment No: R2013-06-39
- 3. Approval for the Mayor and/or City Administrator to sign a renewal contract for excess Workers' Compensation coverage with Midwest Employers Casualty Company in the amount of \$93,822.**
Administration
Approved
- 4. Approval for the Historic Roswell Convention and Visitor's Bureau (CVB) to utilize contingency funds in the amount of \$9,000.**
Finance
Approved
- 5. Approval of a Resolution to apply for a U.S Department of Justice FY 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$10,604.**
Public Safety
Approved
Enactment No: R2013-06-40

Approval of the Consent Agenda

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

In Favor: 7

REGULAR AGENDA

Mayor's Report

1. **Recognition of the 2012 Roswell Police Department citizen and employee outstanding service awards.**

Councilmember Wynn said they are very excited to honor some of the City's police officers and civilian of the year and invited Police Chief Rusty Grant to come forward for presentation of the awards.

Chief Grant said each year the Police Department selects officers and civilians of the year. For exemplary service rendered during the 2012 calendar year, four officers were chosen from the different sections and one civilian.

Chief Grant first recognized Officer Zachary Frommer and said he was chosen as Officer of the Year for his outstanding contributions to the Roswell Police Department. In 2012, Officer Frommer wore many hats within the department in addition to his responsibilities and patrol. He served on the SWAT team specializing in explosive breaching which is a highly technical assignment and assisted in many other ways including coordinating bicycle patrols for the City's successful Alive After Five festivities. He transferred to the Community Relations unit in 2012 and assisted CID, crime suppression and worked on the corridor project as well as numerous other special events. He has also spoken at several community meetings and created an informative video report detailing crime issues within the corridor and has worked very hard on the Police Department's newsletter, Hill Street News. He continually engages other department members to contribute ideas, training stories and accomplishments to the product and assists the training unit, recruit academy, Explorer program and a crisis intervention team initiative. Chief Grant said Officer Frommer is a true asset to the Roswell Police Department.

Sergeant Bernie Holland was then recognized as Supervisor of the Year. Chief Grant said Sergeant Holland has been with the Roswell Police Department for 18 years and leads the Police Department's training unit; not only supervising his work group but also the training of the entire Department. He vigorously searches for and develops courses specifically designed to ensure that Roswell Police Department officers develop into the best in their class. He supervises the Department's recruit academy as well as the departmental block training program. He has coordinated numerous forensic science classes allowing patrol officers to learn advanced photography and fingerprinting skills. He coordinated and supervised Open Range Day's annual firearms training and the patrol rifle class and was instrumental in the development and implementation of the department's Taser program. He is an active member of the North Fulton SWAT Team and in addition researches new legislation, case law, and general law enforcement topics providing clear definitions and guidance for the entire agency. He assisted in the recruitment and development of Roswell's new Police Department instructors and enthusiastically serves as a mentor to these officers. During training courses, he also supervises civilians, officers, peers and ranked officers and has garnered the respect of the entire Roswell Police Department.

Chief Grant recognized Detention Officer Matthew Bertsch as Detention Officer of the

Year and said he has been with the Roswell Police Department for 9 years. He is a hard worker dedicated to the department and has a wonderful attitude towards his career. He assists with working on other shifts when short staffing is an issue and is very reliable in following instructions when asked to complete various tasks in a timely manner. When he sees other officers not properly completing a task, he will correct and assist them in performing the task correctly. He is trustworthy with critical information and honest in his work ethic and works with a consistent work style which allows his supervisors to back him in his decision making. This is the second time that Officer Bertsch has earned Officer of the Year.

Communications Officer Colin Renaldo was recognized as Communications Officer of the Year. Chief Grant said even though Officer Renaldo has been with the department for less than a year, he is eager to learn more and more every day. He works extensive overtime without complaint and has offered to come in numerous times on his days off and continues to perform exceptionally well with a positive attitude. He has adapted very well to training and technology as one would expect from someone of Officer Renaldo's abilities.

Chief Grant recognized Mary Ann Kavouras as Civilian of the Year and said she has been with the Roswell Police Department for three years. Ms. Kavouras displays a can do attitude every day and consistently goes out of her way to assist others. She is assigned to CID primarily but regularly helps with the uniform patrol division, crime suppression unit, traffic enforcement unit, as well as the Office of Professional Standards. When she has extra tasks assigned to her in addition to her normal work assignments, she handles them with an excellent attitude and a smile on her face. One example of her positive attitude is when she sets aside her work to fill in at the front desk knowing that the task has changed. She has taken on the task of the Police Department's liaison for the Relay for Life event and works nonstop throughout the year for the fight against cancer and in doing so has shed a positive light on the Roswell Police Department. Ms. Kavouras administratively assisted with the inaugural hostage negotiators summit held at Roswell High School in July 2012, which was attended by police officers from a dozen local agencies. She also assisted in the administration of the Roswell Police Department's Amber Alert training class which is an intensive three day class involving over 70 students from the North Fulton area and not only helped administrate some of the functions to facilitate this class but also baked cookies and muffins for the students in the evening. The Roswell Police Department and citizens of this City are fortunate to have her as an employee.

Chief Grant recognized Sergeant William S. Hood, Jr. for receiving a Life Saving Medal. Mr. Grant said on December 25, 2012, the Roswell 911 Dispatch Center was notified that an elderly male had collapsed in his home. The caller reported that her husband was unconscious and not breathing. Officer Hood was dispatched and arrived on scene within two minutes and began performing lifesaving CPR to the victim who was not breathing and had no heartbeat. He continued single rescuer CPR until Roswell firefighters and paramedics arrived to continue Sergeant Hood's outstanding medical care. The North Fulton Hospital medical staff was able to restart the victim's breathing and heartbeat. Had Sergeant Hood not come to his aide by providing medical care until paramedics arrived, this man would have surely died in his bedroom in front of his wife. Sergeant Hood's allegiance to public safety reflects well upon himself, the Roswell Police Department and the City of Roswell. Sergeant Hood also received a medal which will be worn on his uniform to represent his lifesaving efforts.

Mayor Wood congratulated the recipients of the awards and thanked them for their service on behalf of the City of Roswell. He said they are an exceptional group and

an example of the professionalism and dedication and service that all the officers of the Roswell Police Department give to the City of Roswell and the City is very proud of all of them.

2. Reading of a Proclamation for the Judson Collegiate & Legends Pro-Am Challenge.

Mayor Wood read the Proclamation for the JUDSON COLLEGIATE & LEGENDS PRO-AM CHALLENGE, stating WHEREAS as longtime supporters of their community, Jim and Beth Judson and their children, Lauren and Dean, were well known and loved by many for their involvement and generosity in philanthropic endeavors across Georgia. Tragically, Jim and Beth perished during an airplane accident while returning from their daughter's golf tournament in 2010. In July 2013, Lauren Judson will host the 2nd Annual Judson Collegiate & Legends Pro-Am Challenge in the City of Roswell. This tournament will build upon her parents' passion for golf and their desire to enhance the game for all women. The event will feature legend LPGA tournament players, community stakeholders, inspirational speakers, and top collegiate women golfers in the country, who are coming together to honor Jim and Beth Hudson's memory by raising funds on behalf of Children's Healthcare of Atlanta and provide a platform for young women to elevate their confidence and desire to succeed. The tournament brings the best women to have played golf in the history of the Ladies Professional Golf Association alongside the future players of women's golf. The Judson Collegiate & Legends Pro-Am Challenge will be held at the Country Club of Roswell beginning on Friday, July 12th through Monday, July 15th. Joining this event and playing to support Children's Healthcare will be Nancy Lopez, Rosie Jones, Betsy King, Kathy Whitworth, and Judson's Tournament Honorary Chairperson, Kathy Betty.

On behalf of the City of Roswell, Mayor Jere Wood proclaimed July 12th – July 15th, 2013 as Judson Collegiate and Legends Pro-Am Challenge - The Legends Tour - weekend in the City of Roswell to honor the memory of Jim and Beth Judson and recognize their dedication to women's golf and charitable goodwill across the State of Georgia. Mayor Wood invited Lauren Judson to come forward to receive the proclamation.

Lauren Judson thanked the City of Roswell for all of their support and expressed appreciation for this proclamation on behalf of her and her family.

Kirk Knous, President of the foundation and the charity organization introduced Rosie Jones, a legendary Hall of Fame golfer, the coordinator of the Legends Tour and also Jackie Cannizzo, Director of the Judson Golf Tournament. He thanked the City of Roswell for the help of the staff guiding them through all the permits that were needed and assisting them with the business leaders in town. He said without their help, they would not be able to generate and turn over as many funds to the local charities as they are hoping for.

Mayor Wood expressed appreciation on behalf of the City of Roswell for having them here and said he is looking forward to the tournament.

Presentation by the Fulton County Tax Assessor's Office

Mayor Wood welcomed the representatives from the Fulton County Tax Assessor's office and invited them to come forward to the microphone.

City Administrator Kay Love said the representatives from the Fulton County Tax Assessor's office and the Board are here to provide information about an error that

citizens received on their tax assessment notices. The error was not in the assessment value but in the millage rate which caused the assessment bills to be approximately ten times higher than the actual bill should be. The City has been in contact with Fulton County on a remedy for this and at this point the City has put out a press release and there is also information on the assessor's website as well as the City of Roswell's website. There have also been numerous articles in the paper for which the media provided citizens with information about this.

Mayor Wood asked Ms. Love if the City is receiving phone calls because of this error. Ms. Love replied that approximately a hundred phone calls have been received per day. The notices went out in waves; everyone did not receive their bill at one time so each day as people received their bills then the following day they would call the City questioning the assessment notice.

Mayor Wood asked if phone calls are still being received. Ms. Love replied, "Yes, sir." Mayor Wood said, "So, as of today we received about a hundred phone calls." Ms. Love replied, "I don't know the count today," and she asked Keith Lee if that is a correct amount. Mr. Lee replied, "Yes." Mayor Wood asked what the callers are saying. Ms. Love replied, "They basically want to know what happened to their taxes and why it is about ten times more than it was last year." Mayor Wood asked if she would describe them as unhappy. Ms. Love replied, "Yes, sir; that would be an accurate description." Mayor Wood asked if they believe it is Roswell's fault. Ms. Love replied that most of them do and some are not sure what the issue is. Mayor Wood said, "They see it as a Roswell tax bill and they are asking, 'Why have you raised my taxes?'" Ms. Love replied, "Yes, that is several of the questions asked." Mayor Wood said, "Then we are spending a good bit of time responding to that." Ms. Love replied, "Yes we are."

David Fitzgibbon, Chief Appraiser for the Fulton County Board of Assessors came forward and also introduced two Board members Bill Huff and Dillon Fries who were in attendance with him. Mr. Fitzgibbon said he would explain briefly what happened and stated as follows. This year they tried to have what they would call a championship year with the issues regarding everything from wrong codes, bad values and different things. It is a simple business to find out what property is worth but it is very complicated and very involved to try to do that. What they tried to do this year, was to try to correct a lot of the things that have caused them issues in the past with evaluations, which included bad codes, bad land values, bad adjustments. So they ran hundreds, literally hundreds of reports to check thousands and thousands of computations and codes. The last thing they do after doing all of our quality control, looking at the values and correcting everything they can; was that they ran the assessment notices and checked the math. They checked the multiplication which was correct and the addition which was correct. They did not check the millage rate for the City of Roswell close enough obviously and they misplaced a decimal point. They entered it as 0.0 something instead of 0.00 and this caused the estimated tax amount shown on that assessment notice to be ten times higher than the estimate would have been. They sincerely apologize for this and they think that the steps taken to try to correct this are appropriate. They immediately tried to notify the City and the media about what was going on. They placed an additional tab on their website with an explanation of what was happening. They almost immediately corrected that error and started recalculating the notices with the intention of posting those notices on their website which should happen either tonight or no later than Wednesday with the correct assessment notice shown on their website. They did look at the ramifications and understand that it was very alarming; but in the end not one taxpayer will be pay one penny additional in taxes due to this miscalculation of tax estimate. The Senate Bill 246 which changed everything a couple of years ago; required that they make the estimate. The legislators and the

law recognize that this is an estimate. There are no penalties and no ramifications for it in the law because they understand that things like this do happen. It is an estimate and they realize it has caused a lot of trouble and a lot of embarrassment for them and trouble and extra phone calls for the City. They do think that being in the 21st Century in the electronic age to mail something to each individual taxpayer would not only be extremely expensive but the time delay; and as Ms. Love mentioned although some taxpayers were receiving their assessment notices in a spread out period, all of those notices were sent out the same time. And the delay would be through the postal service and getting them actually delivered. They think that the steps that they are taking which includes press releases, statements on our website, correction and hopefully working with the City and the City's website that they have gotten the word out to say that this is an alarming error. It is something that they highly regret. It causes them a great deal of embarrassment and feel had not this happened that the focus should have been and would have been where it possibly should be and that is on the evaluations themselves. They corrected a lot of code errors which caused issues. They collected a lot of neighborhood codes. They made sure that everything was in the proper classification and feel the evaluations themselves are good. They think that the steps that they are taking will get this word out to the public. They do know that the phone calls particularly regarding this matter in their office have decreased. They hope they have decreased in the City's office as well. It is a County assessment notice. It does give the county number on the notice. They said they will work with the City in any way to try to correct this. They hope that the City would agree that using an electronic means and the media is the best and most efficient and effective way to correct this issue. Again, he asked that the City forgive them let's figure out a way to make sure that the public knows that this is not the City's error and that it won't cost them a penny. And, in the end; they cannot appeal that. If there is an issue with the value, that is what they should appeal and they would be happy to deal with that and certainly are happy to answer any questions from the public and of course at this point any questions that the Council might have.

Mayor Wood asked how much it cost to send out this notice to the City of Roswell that was in error. Mr. Fitzgibbon replied, "The whole bill for the whole set of notices was around; I'm going to have to guess. I think it was around \$140,000 for printing, stuffing, mailing and postage." Mayor Wood said that was just to the City of Roswell. Mr. Fitzgibbon replied, "No, sir; that was for all the notices. We didn't look at the separating. To resend notices to the City of Roswell; postage, printing, labor would cost us around \$9,000. If we do that it would delay submission of the tax digest to the State. We would have to give an additional appeal period. The Tax Commissioner would not be able to balance out the tax digest; would not be able to balance the reports that they have to send. And, therefore would delay the acceptance and approval for mailing tax bills and would push everybody back possibly as much as a month." Mayor Wood asked Mr. Fitzgibbon if he has received an attorney's opinion on that. Mr. Fitzgibbon replied, "Yes, sir; we did." Mayor Wood asked him to share that. Mr. Fitzgibbon replied, "The attorney said that we have substantially required with the law. That there is nothing that tells us..." Mayor Wood said, "No, the opinion that if you sent out a notice; not a new tax assessment but simply a postcard that says we apologize for the error." Mr. Fitzgibbon replied, "We don't have an opinion on that; we do have on the mailing of assessment notices."

Mayor Wood said, "I understand if you sent out the notice a second time that you would start the clock ticking again. But I talked to Salma Ahmed (Board of Assessors member) and I have talked to my City attorney and I am also an attorney...but the idea of a postcard that you would not have to go through the whole process of and postcards don't cost as much to mail. You might simply get a postcard to all of the residents of Roswell to simply say we apologize for making it ten times as much on your error. You can just simply move the decimal point and it will be correct. You can

explain to them that your time has been running from the first assessment. You might cut the cost substantially down. And, in Roswell when we make a mistake; we try to correct it. If you make a mistake in the paper; you don't send out a digital announcement because a lot of folks don't receive digital. A lot of folks don't check it. The people who are most disturbed by this are not the lawyers and the high tech people; but the old people that are on fixed income without much income who don't understand the system. And, we are going to continue to get their calls; we are afraid. And they are going to continue to be disturbed. So, given the overall budget; we would hope you all would have a second thought about sending out a postcard; not a new notice or something that takes a lot of processing. Something that says here is the address list. You run a list of phone numbers. A postcard costs about half as much as a regular. If you send it out mass mailing; I know from experience; you don't have to stuff them. I would hope that you would consider that. I'm open to other thoughts. But, to me when you make a mistake; you try to correct it and not just send out a digital announcement that some folks will get but the folks that are really scared about this are not going to get."

Councilmember Orlans said he would go along with the Mayor's thought on that because the people that asked him about it are the people that are not necessarily going to be looking electronically and may or may not see it in the paper. He said without going through as the Mayor said with the assessment notice; just an apology notice indicating that it was a decimal point error without starting over the 45 day appeal process. He said we would really appreciate them taking that step to try to correct this whole issue. It would be beneficial for all of us.

Councilmember Price said, "I would like to echo that sentiment. I think the cost of notifying Roswell residents is minimum compared to the stress and strife that has occurred because of this. I know in the newspaper it was incorrectly reported that a corrected notice would go out. So, that is some additional misinformation that is in the public. So, that needs to be correct because people are waiting for something new and don't get it then it just adds to it. I'm also concerned that people may appeal and I would think that the Tax Assessor's office would be concerned about additional appeals. I know that the issue is not the assessment of the house; it is a millage rate issue. But, just the same if people get into that process; then you are going to have to deal with that. So, that is going to be an expense to the County dealing with additional appeals which we certainly don't want to see because it just ties everybody up. I would implore you to send out a notification in the form of a postcard that would be perfectly sufficient. But, I think it just needs to be done."

Mayor Wood asked if people are actually coming to City Hall. Kay Love responded, "Yes, sir; in addition to the phone calls, a number of our elderly citizens have come to the office for assistance in understanding it. Some of them are frightened or very concerned about their property values going up and their ability to stay in their home and pay the taxes; the typical things persons who are older and on fixed income. So, we have had a number of them come into the office."

Councilmember Wynn said, "I concur with you on this. I think something needs to be sent out. I agree with you and don't think that everyone is going to see it electronically. I have been getting phone calls about this and they are very concerned. I tell them to go to the website and they said, 'no they should be telling me it is okay'; they are not taking my word for it. I hate to say it but sometimes they don't. Some people do but some don't. But, again it is something that they have gotten in the mail; very official looking and we are telling them that they can ignore it because that is not your true tax bill. So, something needs to come from the Tax Assessor's office; if it is a postcard or something to say, 'this was an error.' I know this happened to you about two or three years ago and it cost you \$143,000 to send

out new bills." Mr. Fitzgibbon replied, "It was a different problem with the Roswell estimate but it was a totally different problem from what we have here." Councilmember Wynn said, "But, you had to do some revisions and everything. Am I correct?" Mr. Fitzgibbon replied, "We did some revisions, yes." Councilmember Wynn said, "I think what the Mayor is asking for is not way above and beyond. That is something you can do. It's not going to cost you...that is going to be a fraction of the \$9,000 that it would cost. So, I concur with the Mayor. I think something has got to be sent out officially; not just politicians telling our citizens don't worry about it. I think it has to have some type of official notification that there was a mistake."

Mr. Fitzgibbon responded, "With all due respect to all of you; I understand your issues. It would cost and we did look at a postcard. The assessment notice program is a program that is preprogrammed to print the information from our computer file. A postcard or letter requires a totally different query; a totally different list. We have to produce that list. We have to put it into a mail merge. We have to send that to a vendor who can either put labels on it or address those and address that postcard. The cost that we got on that was a little bit more than it would be to mail the notices because of the time and materials, etc. that we have. If we had the envelopes and they were already paid for and they were already budgeted; if we had the paper. We have to purchase the postcard or purchase the paper. Plus, the additional appeals we will deal with. The public we understand is a problem and we understand that is causing some issues for you. But, it has already started to die down. We are very sympathetic to the elderly and the people who are not electronic."

Mayor Wood said, "Whose phone number should I give them?" Mr. Fitzgibbon said, "I'm sorry." Mayor Wood said, "When they call me; which one of you folks is going to take the phone call. I'd like to have your cellphone number so I can refer them to you. If you will give me your cellphone number; I'll be fine. So you'll get those calls and I won't get those calls."

Mr. Fitzgibbon said, "I'll do that. We think that is what we should have been doing in the first place, Mr. Mayor. We think that when those calls started coming in; you should have referred them to our number and to our office where we could handle them. It is the County Assessor's office notice and it has our contact information on it. We made a mistake on your millage rate but it was our assessment notice that represented the values. We have had reports in the media; every one of which I have seen was incorrect. It creates this hysteria that feeds into the sky is falling and what happens is that these people that you are talking about being so alarmed do become alarmed. I haven't seen a totally correct news article or newspaper report yet. Even though I did interviews with several people; nothing has been reported correctly. That is why we had asked for your help in correcting this; so that the correct information could get out. We are certainly not averse to doing it. But, I will say this; that our budget was reduced by twelve percent when they asked us to reduce it by five more. Our personnel are down 24 positions than they were two years ago and we are doing more and more work every day. To do this type of thing and to handle these more appeals that may be generated; there are additional problems; takes our staff away from the important work of reviewing the values which really do make a difference in the bottom line taxes that these people pay. If it generates a lot of reports, which one of the self-appointed tax advocates suggested that everybody in Roswell appeal. If we created 29,000 more appeals; that creates more work on our staff which is more expense on the public and more delay. Any appeal that is filed on these; if it is not settled by the time the bills go out; you can only send bills out for 85% of that value. Right now, due to the appeals that were filed about 80% of them, frivolous appeals in the past; we still have over 12,000 appeals pending at the Board of Equalization in court. Fifteen percent of that total value under appeal is still out there. That is over \$12 million in County revenue alone

plus whatever City revenue is accounted for. This affects you financially; it affects the citizens financially. As much as we would love to be able to go door to door and apologize and explain this; we do think that the expense involved is not going to get the return that you would hope. It's almost like you have been offended and you want us to pay for it and we certainly would do anything we can to do that. If the Board decides that's what we need to do; we will have to find the money to do it. I would urge you to please reconsider that simply sending out a letter explaining and apologizing is only going to get to a few of those people that who have not already heard it from us and you. And, those relatively few that are alarmed, we certainly would be glad to take those on my cellphone at home at night which I do every night anyway. And I would also point out that our staff works sometimes 20 hours a day to get these things done and I still get reports and calls late at night which I always try to answer. And I can certainly forward you a lot of those that we have answered at 11:00 or 12:00 at night. Please consider the ramifications of what we are doing. Please accept that we are doing everything that we can to help your constituents. It was our mistake and we accept responsibility for it. But, to do what you are asking us to do; we think really will not accomplish more than what we are offering to do for you and that is do everything in our power at the least expense to reach the most people."

Councilmember Orlans said, "I think I heard you say earlier that we are going to count on electronically and the media or the newspapers to get the message out. Yet, you just said you also realize that all the articles that have been in the press so far have been inaccurate. So, they just don't balance. It just brings us back to the same point that they got it in the mail and they are looking at something in writing that in order to really understand and feel comfortable that it is not accurate; would be to get something in the mail in writing to see again. That's just my logical conclusion to it. Thank you."

Councilmember Price asked, "Did I hear you say that the estimate of resending something would be approximately \$9,000?" Mr. Fitzgibbon replied, "\$8,000 to \$9,000. It would be as much as to send the assessment notices because we have to run different queries and have to get it to a vendor. We do have to buy the postcard or the paper and the envelope because that was not something that was included in our original budget in our original supplies." Councilmember Price said, "That sounds to me like a very small amount of money in the grand scheme of things. And, all of us up here have done mail merges and this that and the other in our political mail outs; that is not very difficult either. Money is not the issue; the confusion is and I think it absolutely needs to happen. Do you represent the citizens or the staff?" Mr. Fitzgibbon replied, "I represent the Board of Assessors. I work for the citizens."

Mayor Wood said, "Let me make this suggestion. I don't think we are going to resolve this tonight. I'd like the Board of Assessors to go back and consider this Council's request. I understand your position. I think you understand our position and I hope the Board of Assessors does the right thing. But, for us to continue this discussion beyond this point; I think all the facts are on the table. I think our suggestion is there on the table. I'd like you to go back and look at what the true costs are and the true legal impact of a postcard and apology."

Councilmember Price said, "May I make a suggestion? I know that there was a luxury car that was owned by someone down at the County..." Mr. Fitzgibbon said, "Before you go on; please let me say that we are the Tax Assessor's office by law, the Board of Assessors, and that is totally in another department." Councilmember Price said, "Anytime we talk about taxes; people get excited. So, if someone in the tax arena would sell that car; we would have more than quadrupled the amount needed for this mail out."

Mayor Wood said, "I am not going to saddle these gentlemen with the Tax Commissioner's issues. I recognize you are a different entity. I don't want to create more confusion out there. I certainly don't want to throw you under that bus."

Mr. Fitzgibbon said, "We certainly can see your point. I would respectfully disagree that another letter in the mail is still going to be confusing to a number of people. Certainly we will discuss this with the Board. The Board is who I work for and their decision will be what I abide by. I will say that I do think that I am the one that looks at the budget and the one that looks at our staff and does what we have to do every day. We have been spread extremely thin like a lot of staffs have. I have an outstanding staff and all of the advances and all of the good things that we have done this year that are now being overshadowed by a single decimal point mistake have really set us back two years. We think that in this particular case; the media coverage and reaction has been unfair because it has directed the focus to the wrong thing. And, whatever the values are now; we'll get appeals that say they appeal their tax rate or their tax bill. That's not a legal appeal; that's the part that we think the media is missing and misdirecting that will cause more problems. Someone filing an appeal that is not a legal appeal that can't be accepted and nothing gets changed and thinks that because the media said it was okay or because we mailed the letter of apology or explanation; that now they can file that appeal and something will change and they will get a reduced valuation or a reduced tax bill next year is just to me more harmful than just trying to correct it as we go. I do respect your opinion. I do respect your position. I do just ask you to please understand that I have to look at it from the management of my office, 345,000 taxable parcels and a digest of \$42 billion that provides a ton of revenue to run the government both local and county."

Mayor Wood said, "My Council is appealing to the Board who is responsible ultimately to the citizens and I would ask that the Board reconsider this. My closing comment is that it is one decimal point but it is the difference between \$1,000 and \$10,000 on many bills and that's the difference between something that you can afford and something that is going to take you out. Gentlemen, thank you for coming. And, get back to work."

Administration and Finance Department - Councilmember Rich Dippolito

3. **Approval to allocate an additional \$34,481 awarded for the FY 2013 Community Development Block Grant (CDBG) and approval of a Resolution to accept the FY 2013 CDBG award in the amount of \$452,094 to include Budget Amendment 22115000-06-24-13B in the amount of \$34,481.**

Presented by Michael Fischer, Deputy City Administrator

Deputy City Administrator Michael Fischer presented this item stating there is a CDBG estimate that is used every year to estimate the allocations particularly for the non-profits within the City. This year's estimate came in above by \$34,000 which is wonderful for the City. However, that now needs to be allocated to projects which is the first step and the next step would be to accept the award of the \$452,094 which would include the Budget Amendment to increase the revenue for the extra \$34,000. There have been some discussions at the public administration committee meeting about allocating those funds and they talked about taking a few of the non-profits that are very important to the City and reallocating some of these funds. They looked at fully allocating the Child Development Association which is an additional \$4,086 and divide the remaining funds amongst other non-profits that would include Drake

House, Home Stretch, North Fulton Community Charities, North Georgia Community Housing Development Corporation and Senior Services North Fulton at \$6,079 each. Those reallocations would equal the \$34,000 and it would be staff's recommendation for the allocation and acceptance of the CDBG award.

Mayor Wood asked Councilmember Dippolito if he has a recommendation for how to allocate the funds.

Councilmember Dippolito said there is a recommendation in the report and he would make a motion to approve that recommendation.

Motion: Councilmember Dippolito made a motion for Approval to allocate an additional \$34,481 awarded for the FY 2013 Community Development Block Grant (CDBG) and approval of a Resolution to accept the FY 2013 CDBG award in the amount of \$452,094 to include Budget Amendment 22115000-06-24-13B in the amount of \$34,481. The allocation of additional funds will go to the Child Development Association, Drake House, Home Stretch, North Fulton Community Charities, North Georgia Community Housing Development Corporation, and Senior Services North Fulton. Councilmember Diamond seconded.

Mayor Wood requested a spreadsheet of the new allocation be displayed on the overhead.

Mr. Fischer displayed the spreadsheet and stated the new allocations to be as follows:

- Child Development Association: \$27,900*
- Drake House: \$36,751*
- Home Stretch: \$46,791*
- North Fulton Community Charities: \$37,908*
- North Georgia Community Housing Development Corporation: \$27,052*
- Senior Services North Fulton: \$10,079*

Mayor Wood asked for public comment. No public comments were made.

A motion was made by Council Member Dippolito, seconded by Council Member Diamond, that the allocation of the \$34,481 be approved and the Resolution to accept the grant be approved. The allocation of the additional funds will go to the Child Development Association, Drake House, Home Stretch, N. Fulton Community Charities, N. Georgia Community Housing Development Corp. and Senior Services North Fulton. The motion carried by the following vote:

In Favor: 6

Enactment No: R2013-06-41

4. Approval to renew an Intergovernmental Agreement (IGA) with Fulton County, Georgia for Animal Control Services in the amount of \$101,035.75 and approval of Budget Amendment 10015850-07-01-13 allocating \$30,535.75 in FY 2014 Approved Operating Contingency.

Presented by Michael Fischer, Deputy City Administrator

Deputy City Administrator Michael Fischer presented this item stating this is for the animal control services in Roswell that is contracted each year with Fulton County. Fulton County has numerous capital improvements they will do over the next five years. Part of this base fee increase is for those capital services to be improved. The other portion that the City pays and each of the cities pays is based on the calls that are received for animal control services. So, the more you use; the more you pay and that is good for the citizens to understand that so if there is a need to please make that call. If it is not, please don't because the City is paying for the calls as they come in. The budget increase is because about \$70,500 was budgeted which is what was budgeted for the previous year but there was quite an increase due to a new service provider in Fulton County that is increasing their service to the animals in a humane way and part of that is for a capital increase. Staff's recommendation is to approve the amount of \$101,035.75 with the Budget Amendment included.

Council Comment:

Councilmember Wynn said she was not at the committee meeting when this was discussed and asked Mr. Fischer what would happen if the responses either decline or increase. Mr. Fischer replied that the dollar amounts will change. The fee will not change for this year. It is on the actual calls that are made for the previous year so they take what responses were given and adjust our fees accordingly. If the calls go down then the fees will go down for the next budget year; they budget based on the previous year. Councilmember Wynn said FY 2015 will be based on our FY 2014 budget year. Mr. Fischer replied, correct for calls. Councilmember Wynn said it could either go up or go down. Mr. Fischer replied, yes. Councilmember Wynn asked for the cost per call. Mr. Fischer replied he does not know how much it is per call based on the formula which is a fairly long formula with a lot of variables. He said he could get that information. Councilmember Wynn said it isn't just per call; they have some type of formula. Mr. Fischer replied yes because it also covers the base fee and the maintenance that they have every year and now it is all covering some capital improvements; all that is figured in. Councilmember Wynn said and mileage and those types of things. Mr. Fischer replied yes.

Mayor Wood said to Mr. Fischer that one thing that was discussed at the North Fulton Municipal Association and they would like to do on behalf of North Fulton County who is paying for this is to look at their budget and see what they are spending. Mr. Fischer said he agrees with that and Ms. Love had already brought that to his attention that it was discussed in that meeting and he said they should be looking at that for next year.

Mayor Wood said another question that came up was about calls and the number of calls that are received. He said there was a debate among the Mayors as to whether every call they receive is considered a call or every time they send a truck is considered a call. He said they would like a clarification for that. He said for example in Mountain Park which is a very small City; sightings were scarce and they questioned the number of calls that they had. In Mountain Park; they know when someone rides around in that park. He asked that in addition to reviewing the costs that is being billed, that staff also clarify how they are billing the services; if they are

counting every time they receive a phone call or every time they send a truck out. He said he agrees with Mountain Park and said he has never seen an animal control truck in Roswell. Mr. Fischer said that is a very good point and they will look at those details. He said on the calculation sheet that the County provides; they actually reference those as responses so it is assumed that is what they respond to but they will be looking into that.

Councilmember Price asked if this is just for the mobile services or is it for the permanent operation like when they collect an animal and take it somewhere and if that is covering that entity as well. Mr. Fischer replied; no it is only covering Fulton County's facility that they are using and the services that they provide to us. He said it is not covering any rescues or anything else where the animals may go other than what Fulton County controls and what the responses are for in this City. Councilmember Price said she is still not sure and said there is a place that in other days would be called the pound and asked if this is the City's portion of the pound. Mr. Fischer replied, yes absolutely and that is what part of the capital improvement is for; there are some conditions there that certainly need improvement. Councilmember Price said she knows there has been discussion about North Fulton County having its own entity. She said she has had occasion to call them a few times in years past and they said they can get out there in 48 hours and 48 hours is a long time if there is a dog holding your child hostage in the garage or whatever. Coming in 48 hours is really not too helpful. Yet, when you call and they come out but they are ineffective, the City has ended up paying for it anyway. Mr. Fischer said and then it is a response. Councilmember Price said, right so I think we just need to explore if we are getting anything for this money or do we need to consider coming together with the other cities and having a central location up here that is more responsive and may or may not cost the same or less. Mr. Fischer responded that all of that probably needs to go into an overall review of our service and what this contract is getting for us.

Mayor Wood said in the past they have looked into farming it out to other entities but there has been no stomach among the Mayors to take on dog catching. He said he supports the North Fulton County cities taking it on separately from Fulton County. He said his philosophy is that anything Fulton County does, the City can probably do better and cheaper. This is something that the North Fulton Mayors have looked at in the past and they are interested in seeing what a review of the budget shows.

Councilmember Orlans said his experience is similar to Councilmember Price's in that when you do have to call them it may be a day or longer before they get there. Perhaps going forward, looking at this contract, is if they are responding within a certain timeframe of the phone call. Otherwise, it is almost useless if a truck comes into a neighborhood a day later and whatever dog that was causing the issue is long gone. He said perhaps they should look at it from that standpoint going forward. He asked if they have a unit in the North Fulton area on an ongoing basis. Mr. Fischer replied that he does not know the answer to that. Councilmember Orlans said that is probably the other part of the issue is if they have to respond from downtown. Mr. Fischer replied he wasn't sure if they have zones.

Mayor Wood said if it was an ambulance service then it would not be tolerated. If Roswell was furnishing the service directly; they would not tolerate that kind of response time. The City should not tolerate it and poor service is not acceptable; our citizens expect first rate service.

Councilmember Dippolito said he is disappointed that the cost of the service is going up by 30% for a service that is already probably over priced for what the City gets; unfortunately, we have no option. He encouraged the staff to continue to look for

other options. He said when this is put together with all the other North Fulton cities, there could be enough revenue for someone to be interested.

Motion: Councilmember Dippolito made a motion for Approval to renew an Intergovernmental Agreement (IGA) with Fulton County, Ga. for Animal Control Services in the amount of \$101,035.75 and approval of Budget Amendment 10015850-07-01-13 allocating \$30,535.75 in FY 2014 Approved Operating Contingency. Councilmember Wynn seconded.

Public Comment:

Lynn McIntyre stated her address as 2210 Steeplechase Lane, Roswell. Ms. McIntyre was representing the Chattahoochee Nature Center and said she knows about this subject. She said she was at the commission meeting when they changed vendors and there was a great deal of controversy at that meeting this year. She said the new vendor is a no kill vendor and she was sure that has something to do with the increased cost. She said they bring injured raptors and reptiles to the Chattahoochee Nature Center and they take care of them for free; there is no fee. Their trucks pull in their parking load and unload the animals and if the Center cannot care for them, they outsource them to local veterinarians and pay for that out of their budget. She said the cost of taking care of these animals is very high.

No further public comments. The public hearing was closed.

A motion was made by Council Member Dippolito, seconded by Council Member Wynn, that this IGA with Fulton County be approved. This renewal will provide services for an additional one year term expiring on June 20, 2014. The motion carried by the following vote:

In Favor: 6

5. Approval of a Resolution regarding the naming of city properties and facilities.

Presented by Michael Fischer, Deputy City Administrator

Deputy City Administrator Michael Fischer presented this item stating it was brought to their attention to get a resolution for the naming of City facilities to have more structure and this resolution will give authority to the Mayor and City Council as the only entity that can name facilities, buildings, and properties within the City. For Mayor and Council to be able to name a property to get it onto an agenda; either committee or council meeting, it must have the sponsorship of both the Mayor and all Councilmembers before it can go onto an agenda.

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

A motion was made by Council Member Dippolito, seconded by Council Member Orlans, that this Resolution be approved. This sets the authority to name city properties and facilities with the Mayor and City Council and they shall be the only entity authorized to name properties and facilities. The motion carried by the following vote:

In Favor: 6

Enactment No: R2013-06-42

6. Approval of an amendment to Section 2.6.3 of the Roswell Code of Ordinances to provide for staggering of terms for Boards and Commissions under certain circumstances. (First Reading)

Presented by Michael Fischer, Deputy City Administrator

Deputy City Administrator Michael Fischer presented this item stating this is basically to clean up some of the terms in the times that people are rolling off of some of the City's boards and commissions. He asked City Attorney David Davidson to explain this further.

Mr. Davidson said when they went to term limits for the boards and commissions; they ran into an issue with a majority of some of the boards expiring at the same time. This amendment will allow Mayor and Council to extend the term to provide the staggering of the terms and will expire on the close of business on December 31, 2014 which should be ample time for everyone to be staggered in position.

City Attorney David Davidson conducted the first reading of an ORDINANCE TO AMEND ARTICLE 2.6, BOARDS AND COMMISSIONS, SECTION 2.6.3, TERMS OF OFFICE, OF THE CODE OF ORDINANCES OF THE CITY OF ROSWELL BY ADDING SECTION 2.6.3.1, STAGGERING TERMS, stating: pursuant to their authority, the Mayor and City Council adopt the following ordinance:

1.

The Code of Ordinances of the City of Roswell, Article 2.6, Boards and Commissions, Section 2.6.3 Terms of Office, shall be amended by adding a new Section 2.6.3.1, Staggering Terms to follow Section 2.6.3 to read as follows: Section 2.6.3.1 Staggering Terms. Notwithstanding anything contained in Section 2.6.3, if the terms of a majority of the members of any board or commission expire in the same month, then Mayor & Council may extend the term of any board member by one or two years to create staggered terms, thereby allowing for greater continuity of experience on the board or commission involved. This Section 2.6.3.1 shall automatically be repealed at close of business on December 31, 2014.

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

Motion: Councilmember Dippolito made a motion for Approval of an amendment to Section 2.6.3 of the Roswell Code of Ordinances to provide for staggering of terms for Boards and Commissions under certain circumstances on First Reading and be placed on the Mayor and City Council agenda for 7/8/2013. Councilmember Diamond seconded.

Public Comment:

Jay Small, stated his home address as 370 Barrington Drive East, Roswell and said he is also a member of the Recreation Commission. He said he thinks this is a good thing because obviously when they have people going off of a commission or a board at the same time; sometimes a lot of the knowledge that goes along with it is also lost. He said that the Recreation Commission has gotten a lot of new members recently and they are about to lose Margie Cooper one of their most longstanding members and one of their greatest knowledge sources. The Commission is fairly new but they are under the leadership of a great Chairperson, Debra Ewing and although she hasn't come up for reappointment yet, he hopes that the Mayor and Council would give strong advisement that she is going to be the longest serving person on the Commission now that Ms. Cooper is leaving. He said they could definitely use her continuing knowledge and that they have moved in a very positive direction lately and that will only help them.

No further public comments. The public hearing was closed.

Council Comment:

Councilmember Price asked if there are currently any vacancies on any of the Boards and Commissions. Mayor Wood said he believes there are. Mr. Fischer said he thinks there are some but he does not have the list with him tonight but he can get that for her. Councilmember Price said then there are opportunities for citizens to get involved should they wish to. Mr. Fischer replied yes.

A motion was made by Council Member Dippolito, seconded by Council Member Diamond, that this amendment be approved on First Reading and be placed on the Mayor and City Council agenda for 7/8/2013. This amendment will provide for creation of staggered terms when a majority of a board or commission members' terms expire in the same month. The motion carried by the following vote:

In Favor: 6

Enactment No: ORD 2013-07-07

City Attorney's Report

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

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

In Favor: 6

Adjournment - After no further business, the Mayor and Council meeting of Monday, June 24, 2013 adjourned at 8:05 p.m.