



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, April 8, 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 Orlans, Council Member Betty Price, and Council Member Becky Wynn

Pledge of Allegiance - Webelos - Cub Scouts - Den 8\Pack 135

Presentation of the Flags: Sons of the American Revolution

CONSENT AGENDA

1. **Approval of March 11, 2013 Mayor and Council Meeting minutes (detailed minutes to replace Council Brief adopted on March 25, 2013); Approval of March 25, 2013 Mayor and Council Brief.**
Administration
Approved
2. **Approval for City Sponsorship of the Drake Walk on Saturday, May 4, 2013 from 9:30 a.m. to 11:00 a.m.**
Community Development
Approved

3. **Approval for the Mayor and/or City Administrator to sign a contract with Pond & Company for the HBR/SR400 Aesthetic “Pattern Book” Task in the amount of \$29,865.40.**
Transportation
Approved
4. **Approval for the Mayor and/or City Administrator to sign a change order to the Clark Patterson design contract for the Oxbo Realignment Project in the amount of \$28,300 and approval of budget amendment BA35042200-04-08-13.**
Transportation
Approved
5. **Approval for the Mayor and/or City Administrator to sign a change order to Mulkey Engineer’s Design Contract for the Holcomb Bridge Multi-Use Trail in the amount of \$26,620.**
Transportation
Approved
6. **Approval for the Mayor and/or City Administrator to sign agreements with the Fulton County School Board to accept Right of Way and an Easement for the Holcomb Bridge Road Multi-Use Path.**
Transportation
Approved

Approval of the Consent Agenda

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

In Favor: 6

REGULAR AGENDA

Mayor's Report

1. **Reading of a Proclamation for Patriots Day.**

Mayor conducted the reading of the Proclamation to honor Patriots Day which is on April 19th, and to remind our citizens of the courage and sacrifice of our founders who pledged their lives and to remember the role the Revolution played in the history of our great nation.

2. **Recognition of the City of Roswell achieving the status of Certified Wildlife Habitat Community from the National Wildlife Federation.**

The Community Wildlife Habitat Certification program recognizes communities that have successful environmental preservation programs and provide key habitat criteria for attracting and sustaining wildlife. Roswell is the third city in Georgia to receive this certification.

Administration and Finance Department - Councilmember Rich Dippolito

3. **Approval for the Mayor and/or City Administrator to amend the Master Lease Agreement and sign a contract with Dell for the Mobile Data Terminals/Ruggedized Laptop Computers in the amount of \$265,875.92.**

Presented by Michael Fischer, Deputy City Administrator

A motion was made by Council Member Dippolito, seconded by Council Member Orlans, that this Item be Approved. The motion carried by the following vote:

In Favor: 6

Community Development - Councilmember Nancy Diamond

4. **CU12-04, CV12-05, 275 Hardscrabble Rd., Land Lots 359, 360. (This item was deferred from the March 11, 2013 Mayor and City Council meeting)**

Presented by Jackie Deibel, Planner III

A motion was made by Council Member Diamond, seconded by Council Member Orlans, that this Item be Deferred and placed on the Mayor and City Council agenda for 5/13/2013. Council members Orlans, Igleheart, Wynn, Dippolito, and Diamond voted in favor. Council member Price was opposed. The motion carried by the following vote:

In Favor: 5

Opposed: 1

5. RZ12-11, CV12-06 & CU12-05, 2715 & 2725 Holcomb Bridge Rd., Tapestry House Expansion, The Jennings Group, Land Lot: 824.

Presented by Jackie Deibel, Planner III

A motion was made by Council Member Diamond, seconded by Council Member Orlans, that this Item be Approved with the following Conditions:

1. The owner/developer shall develop the property in accordance with the site plan stamped "Received March 7, 2013 City of Roswell Community Development Department."
2. A combination plat for the two parcels shall be completed and recorded prior to the issuance of the Land Development Permit.
3. The owner/developer will add the striping for the sidewalk.
4. The owner/developer will review saving some of the specimen trees and reducing parking on the site as approved by the Community Development Department.

The motion carried by the following vote:

In Favor: 6

Enactment No: R2013-04-18

6. Rezoning for RZ12-05, CV12-02, 12160 Etris Road, EAH Investments, Land Lot 1236.

Presented by Alice Wakefield, Community Development Director

A motion was made by Council Member Diamond, seconded by Council Member Dippolito, that this Item be Approved with the following conditions:

1. The owner/developer shall develop the property in substantial accordance with and in accordance with the revised site plan dated 11-26-2012 revision and attached hereto. (Stamped Received March 4, 2013 Community Development Department).
2. The project will include a maximum of 27 homes/lots.
3. The minimum allowable square footage of homes will be 2,600 square feet in lieu of the zoning requirement of 1,500 square feet. The maximum lot coverage in the section zoned R-2 will be 35% and the maximum lot coverage in the section zoned R-1 will be 30%.
4. Prior to commencement of land disturbance, the owner/developer will provide proof that sewer taps have been obtained.
5. The owner/developer will provide screening around all detention ponds as required by the City of Roswell and determined by the City Landscape Architect.
6. The entrance and frontage landscaping to be consistent with plan designed by B+C Studio dated 10-3-2012 and attached hereto.
7. The owner/developer shall remove the cul-de-sac at the end of Public Street A in order to have access from Kent Road. The developer must install a break away gate.
8. The owner/developer will install a break away gate on Kent Road for emergency purposes only.

9. The owner/developer shall install a five (5) foot sidewalk along the entrance as required by the City of Roswell Transportation Department. The owner/developer shall dedicate right-of-way to the City of Roswell to encompass said sidewalk.
10. The owner/developer shall dedicate sufficient right-of-way at the time of the final plat at the corner of Kent Road and Etris Road as required by the Roswell Transportation Department.
11. The shared drive for the three lots shall be a one-way drive and connect to Etris Road as required by the Roswell Transportation Department.
12. The owner/developer shall have connectivity to the parcel located to the north on the tract one side of the property for future development. The developer shall completely build the stub-out street to the 30' buffer line to be finished prior to the final plat. The stub-out street shall be shown on the preliminary and final plans. The owner/developer shall place a 4' x 4' sign identifying the end of the street as future connectivity.
13. A preliminary plat shall be completed and approved before submittal for the Land Development Permit.
14. The preliminary and final plat shall indicate a no access easement for all lots along both sides of Etris Road and for the lots along Kent Road.
15. The open space within the subdivision shall be listed in the Homeowner's Association covenants related to the maintenance of the area.
16. The Homeowner's Association documents, including items 1-13 in the settlement documents, must be recorded in conjunction with the final plat and prior to the issuance of the first single family home building permit.
17. A steep slope analysis shall be submitted and approved by the City of Roswell prior to the submittal for the preliminary plat.
18. The owner/developer shall make appropriate lot adjustments to sufficiently comply stormwater management requirements best management practices in a manner approved by the City of Roswell prior to the submittal of the preliminary plat.
19. The owner/developer shall provide a landscaping and fencing plan along the western side of Etris Road behind lots 1-7, 22-24 and pond #2. The landscaping and fencing plan shall be approved by the City of Roswell Design Review Board.
20. There shall be a 20-foot landscaped easement along the western side of Etris Road to be controlled and maintained by the Homeowner's Association. The easement must be shown on the final approved site plan, recorded plat, and recorded as an easement for enforcement.
21. There shall be a 30-foot side buffer along the western property line of the western parcel on lots 11,12,16,17,19, 20 and 21.
22. There shall be a 35 foot buffer between the subject property and Edenwilde Subdivision.
23. The owner/developer will provide a living fence similar to photos attached of plantings at Crabapple Manor. This fence or planting option will apply to areas along property lines in Hamilton Commons and Edenwilde where homes in new development abut existing homes. Trees planted within the 30 foot buffer must start at 6-7' tall, planted in groups of 5, 2 deep and staggered 12' centered (as per the photos provided, which is consistent with the "living fence" in Crabapple Manor.) The specific trees chosen will be a combination of the following, due to their potential height: Green Giant Arborvitae, Bracken Brown Magnolia, or Nellie R Stevens Holly.
24. The landscaping plan, per B+C Studio, will also pertain to Kent Road as required by the Land Development Plan and as approved by the City's Landscape Architect.

25. There shall be a pocket park, in the specified location as indicated on the site plan, dated 11-26-2012 as attached hereto.
 26. Minimum street front setbacks: R-2 zoned properties shall be 25 feet and R-1 zoned properties shall be 25 feet.
 27. Three year Maintenance Bond held by the City of Roswell.
 28. All drainage design will comply with the City of Roswell regulations.
 29. All construction activities will adhere to the City of Roswell Code of Ordinances, Section 5.1.13, Construction Activities Restricted to Certain Hours.
- The motion carried by the following vote:

In Favor: 6

Enactment No: R2013-04-19

7. **SB-201300500, 900 Myrtle St., AEC/Steven Rowe.**
Presented by Jackie Deibel, Planner III

A motion was made by Council Member Diamond, seconded by Council Member Dippolito, that this Item be Approved with the following conditions:

1. The applicant/developer shall provide a stabilization plan for the stream conforming to Streambank and Shoreline Stabilization Guidance Level 1 techniques.
2. The applicant/developer shall provide analysis and streambank stabilization as needed to provide a non-erodible stream channel for the diversion of stormwater from the flowing stream to the stream channel along the southern property line.
3. The applicant/developer must receive approval for their variance request from the State.

The motion carried by the following vote:

In Favor: 6

Enactment No: R2013-04-20

8. **RZ12-10 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.**
(Second Reading)
Presented by Alice Wakefield, Community Development Director

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

In Favor: 6

Enactment No: ORD 2013-04-01

9. **Approval of an appeal to the Article 7.1, Standard Construction Specifications, Section 2.1.6A of the City of Roswell Code of Ordinances.**
Presented by Alice Wakefield, Director of Community Development
- A motion was made by Council Member Diamond, seconded by Council Member Orlans, that this Item be Deferred and be placed on the Mayor and City Council agenda for 4/22/2013. The motion carried by the following vote:
- In Favor: 6
10. **Approval of an amendment to the fee schedule to clarify the fees for Land Disturbance Permits (LDP) for single-family lots and other minor wording changes.**
Presented by Alice Wakefield, Community Development Director
- A motion was made by Council Member Diamond, seconded by Council Member Orlans, that this Item be Approved. The motion carried by the following vote:
- In Favor: 6
- Enactment No: R2013-04-21
11. **Approval of an Amendment to Chapter 5, Building and Construction, Section 5.3.1 (a) - Building and Technical Codes, of the City of Roswell Code of Ordinances (First Reading)**
Presented by Alice Wakefield, Community Development Director
- A motion was made by Council Member Diamond, seconded by Council Member Wynn, that this Item be Approved on First Reading and placed on the Mayor and City Council agenda for 4/22/2013. Council members Orlans, Igleheart, Wynn, Dippolito, and Diamond voted in favor. Council member Price was opposed. The motion carried by the following vote:
- In Favor: 5
- Opposed: 1
12. **Approval of the Tree Care Planting and Replacement Master Plan - 2004 to 2014.**
Presented by Alice Wakefield, Community Development Director
- A motion was made by Council Member Diamond, seconded by Council Member Price, that this Item be Approved. The motion carried by the following vote:
- In Favor: 6

Transportation Department - Councilmember Betty Price

13. **Approval for the Mayor and/or City Administrator to sign a construction contract with R.J. Haynie & Associates for the Holcomb Bridge Road/ SR92 Advance Traffic Management System (ATMS) Construction Project in the amount of \$1,714,222.55.**

Presented by Steve Acenbrak, Director of Transportation

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

In Favor: 6

14. **Approval for the Mayor and/or City Administrator to sign a construction contract with Northwest Georgia Paving, Inc. (NWGP) for the 2012 Local Maintenance and Improvement Grant (LMIG) Road Resurfacing Contract in the amount of \$559,170.41.**

Presented by Steve Acenbrak, Director of Transportation

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

In Favor: 6

City Attorney's Report

15. **Recommendation for closure to discuss litigation and real estate.**

A motion was made by Council Member Wynn, seconded by Council Member Orland, that this Item be cancelled. The motion to cancel closure carried by the following vote:

In Favor: 6

Adjournment - With no further business, the Mayor and Council meeting ended at 8:48 p.m.