



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, January 23, 2012

7:00 PM

City Hall

WELCOME

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

Absent: 1 - Council Member Kent Igleheart

Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Director of Environmental/Public Works Stu Moring; Transportation Director Steve Acenbrak; Transportation Deputy Director David Low; Director of Community Development Alice Wakefield; Community Development Planning and Zoning Director Brad Townsend; Interim Finance Director David Delac; Historic and Cultural Affairs Manager Morgan Timmis; Economic Development Manager Bill Keir; Deputy Director of Environmental/Public Works Mark Wolff; Community Development Program Coordinator Stephanie Dye; Traffic Operations Supervisor Mike Elliott; Historic Site Coordinator Chuck Douglas; Cultural Arts Center Coordinator Jesse Wells; Environmental Programs Manager Janet Liberman; Director of Strategic Planning and Budgeting Keith Lee; Budget Coordinator Denise Brown; Financial Analyst Lynn Williams; Community Relations Director Julie Brechbill; Fire Chief Ricky Spencer; Police Chief Dwayne Orrick; Transportation Administration Assistant Kim Weber; City Clerk Marlee Press.

Pledge of Allegiance - Gail Bohannan

CONSENT AGENDA

- 1. **Approval of January 9, 2012 Mayor and Council Meeting Brief.**
Administration
Approved

- 2. **Approval of Budget Amendment #4320G1-01-23-12 for matching funds for the construction portion of the Swaybranch Stormwater Detention Pond Rehabilitation Project in the amount of \$40,000.**
Public Works/Environmental
Approved

Approval of the Consent Agenda

A motion was made by Councilmember Diamond, seconded by Councilmember Dippolito for Approval of the Consent Agenda. The motion carried by the following vote:

In Favor: 5

REGULAR AGENDA

Mayor's Report

- 1. **Remarks celebrating the life of Former Fire Chief Aubrey Reeves.**
Mayor Wood said he wished to honor Former Fire Chief Aubrey Reeves who served on the City's Fire Department for 38 years. He began his career in public service as a volunteer firefighter in 1945 and became Fire Chief in 1958 where he served for another 25 years. Mayor Wood recognized his contribution to the City of Roswell and thanked the City of Roswell Fire Department for the nice ceremony they had to honor him.

Chief Spencer said it was a nice ceremony and Chief Reeves would have been proud. He said Chief Reeves was always looking to make the Roswell Fire Department better through training, apparatus, tools and equipment. Even in the early days, the Mayor and Council were always supportive of the Fire Department just as they are today. In 1950, Chief Reeves was the main man when it came to buying a new fire truck for the City of Roswell and in 1950, the Businessmen's Association of Roswell gathered up funds to purchase a brand new fire truck and that same fire truck carried Chief Aubrey Reeves to his final resting place today. Chief Spencer said Chief Reeves had constructed several fire stations while he was Chief of the Department and today there are seven fire stations in Roswell. He said Chief Reeves established the Fire Marshall's office in 1980 and there is a premier Fire Marshall's office today that inspects all the businesses in Roswell and makes sure

the City is fire safe. Chief Reeves was honored in 2008 by having Fire Station No. 1 dedicated to him. He said Chief Reeves had left a very positive mark on the Fire Department and they will carry that tradition on from this day forward.

Mayor Wood said Chief Reeves had built the foundation for the great Fire Department they have today and it is humbling to be working for a City that he helped build and they all owe him and his contemporaries a large debt.

Councilmember Price said it was truly a remarkable ceremony celebrating the life of Chief Reeves but the thing that really struck her was the esprit de corps of the Fire Department and their execution of a flawless and intricate ceremony that made her very proud of the department and confident in anything they undertake with such precision and dedication. She thanked the City of Roswell Fire Department for a job well done.

2.

Reading of a Proclamation for Black History Month.

Cultural Affairs Director Morgan Timmis said February is Black History Month and to celebrate, Roswell will host the 11th Annual Roswell Roots Festival throughout the month with the largest Black History Month celebration in the State of Georgia. The festival includes fifteen events and five-month long exhibits. She introduced the Roswell Roots Steering Committee volunteers: Roswell Library Branch Manager Louise Conti, Cultural Arts Center Coordinator Jesse Wells, Smith Plantation Historic Site Director Chuck Douglas, Cultural Affairs Department Assistant Brandee Bryant, Vice President of Groveway Community Group Marie Epps, Terry Shields from Pleasant Hills Church and Gail Bohannon from the Groveway Group. Ms. Bohannon has been doing a Black History program for many years, which is the foundation for this entire festival. Other members of the committee are Bulloch Hall Historic Site Director Pam Billingsley, Barrington Hall Historic Site Director Robert Winebarger, Pastor Frank Louis, and Phillip Carroll with the Atlanta Jazz Preservation Society.

Mr. Douglas announced their 10th Annual Tea and Hat Show and said this is one of the best events they host each year. Because of its success, it has moved to the Adult Recreation Center to accommodate a larger crowd. This event includes a traditional Tea and Hat fashion show and included with the ticket is admission to the Smith Plantation.

There will be the Unity Concert that entertains and inspires old and young alike. The choirs included this year are from Zion Missionary Baptist Church, Pleasant Hill Baptist Church, Roswell Presbyterian Church and Unitarian Universalist Church of Roswell performing their favorite selections. As always, the Greater Atlanta Adventist Academy Choir consisting of over eighty 9th through 12th graders with outstanding musical ability will be performing. There is also a free inaugural event this year which is the Cornbread Cook-Off at Pleasant Hill Baptist Church Community Center on Saturday February 25, 2012 that includes both professional and amateur categories and samples are provided for guests who will vote for their favorites.

Marie Epps spoke about their presentation "Keep on Pushin" that will be held on Sunday February 5, 2012 at the Roswell Cultural Arts Center as well as a special event "Meet And Greet Mr. Milton Hines", the painter whose work appears on the cover of the Roswell Roots program.

Louise Conti spoke about all the library programs and that have which are all book oriented, multi-generational and everyone is welcome.

Jesse Wells announced they will be presenting, "Painting My Way Out of Hell," an

exhibit of paintings by Milton Vines in the lobby of the Roswell Cultural Arts Center throughout the month of February. Bright Star Touring Theatre will perform "Heroes of the Underground Railroad" at several Roswell area schools as well as a public performance at The Teaching Museum. The flagship program is the McIntosh County Shouters in Concert with a special introduction by musician, artist and author, Arthur Rosenbaum and will be on February 9, 2012.

Morgan Timmis announced "Slammin' in the Suburbs," Roswell's poetry event and said the Georgia Poetry Society has contributed the funds for the prizes over the past years and this year they increased their contribution to \$1,500 for prizes. The First place prize will be \$500. Several nationally recognized poets were invited to the event. Ms. Timmis introduced Ayodele Heath, host of the Poetry Slam, who performed one of his pieces of work.

Mayor Wood said this is a sample of what will be presented during the month of February to bring culture and light to Roswell. He thanked everyone who makes these events possible and said they are all great and asked that everyone try to attend as many of the events as possible.

3. **Approval of the reappointment to the Planning Commission - Cheryl Greenway.**

A motion was made by Councilmember Wynn, seconded by Councilmember Price for Approval of the reappointment to the Planning Commission - Cheryl Greenway. The motion carried by the following vote:

In Favor: 5

Administration and Finance Department - Councilmember Rich Dippolito

4. **Recognition of the City of Roswell receiving the Distinguished Budget Presentation Award for the FY12 budget from the Government Finance Officers Association (GFOA).**

Presented by Michael Fischer, Deputy City Administrator

Deputy City Administrator Michael Fischer said this is a nationally recognized award presented to the City of Roswell by the Government Finance Officers Association (GFOA). This is the eighth consecutive year the city has received this award that reflects the highest standards of budgeting practices. Our budget document is submitted to the program and reviewed by the GFOA staff and outside reviewers who are experienced in public sector budgeting. There are about 87,000 qualified governmental units within the United States and this award is presented to approximately 1,250 of those, which is about 1.5% of any government that qualifies to receive this award. Other governments within Fulton County that have received this award in the past include MARTA, Atlanta Public Schools, College Park, and Alpharetta as well as Fulton County itself, but Roswell has received it eight years in a row.

Director of Strategic Planning and Budgeting Keith Lee stated that their budget is evaluated by a professional staff of GFOA and professionals across the nation that develop budgets and manage financial resources for governments. The GFOA review governments as a communication tool and within the budget that would be

how the city communicates the strategic goals or certain long-term impacts on the operating budget. They also evaluate it as a policy document, which is where we detail our policies on our use of fund balance or how we intend to develop our budget for the upcoming year or our financial procedures in dealing with encumbrances or accrual processes. The budget is also an operational guide where we explain our capital plans as those impacts of capital expenditures on our operating budget. It is also a financial plan where we outline financial trends and organize our fund level detail. The budget reviewers indicated our financial policies are well presented with good detail and are easy to understand. The detail and explanation of uses and fund balances are appropriate and easy to understand in the fund sections and the estimated impact of capital purchases on the operating budget is easy to understand and detailed in a nice format. Staff members Denise Brown and Lynn Williams, as well as the liaisons and department heads across the city who have produced a good budget document should be congratulated for their fine accomplishments. Mr. Lee then presented the Distinguished Budget Presentation Award to the City of Roswell for FY12.

Michael Fischer congratulated Denise Brown and Lynn Williams as part of the budget office staff.

Mayor Wood thanked the department for bringing the award to Roswell for eight years in a row and complimented the department and the City Council for the award and more importantly the AAA bond rating the city holds.

Environmental / Public Works Department - Councilmember Kent Igleheart

5. **Presentation of the Keep America Beautiful (KAB) 2011 President's Circle Award to Keep Roswell Beautiful (KRB). Presented by Stuart Moring, Director of Public Works/Environmental**

Mayor Wood asked City Administrator Kay Love to introduce Environmental/Public Works Department items in Councilmember Igleheart's absence.

Director of Environmental/Public Works Stu Moring presented the item stating as Director, he takes a great deal of pride in having the department serve as liaison to KRB. He said KRB accomplishes many great things on the city's behalf and they have once again won the President's Circle Award. He introduced KRB Chairman Kim Weber and board members Richie Dency, Craig Voth, and Janet Lieberman who are here to speak on behalf of the KRB and presentation of the award.

Richie Dency said this is the ninth consecutive year that KRB has received the President's Circle Award from KAB, which is presented to KAB affiliate clubs that maintain an exemplary relationship with the national club. It is awarded based on the submittal of reports such as the Litter Index, the Annual Report, Semi-Annual Report and for participation in activities such as the Great American Cleanup events in association with Big Creek Work Day, Bulky Trash Collection and Adopt A Road cleanups. The award was also received for the training provided for their board members and Executive Director and for participation in national and state conferences. He said this would not have been possible without the support of the Mayor and Council and the Environmental/Public Works Department. Mr. Dency then presented the award to KRB Chairman Kim Weber.

Mayor Wood thanked all the volunteers of KRB on behalf of the Council and citizens

for keeping Roswell beautiful and said they do a great job every year and it shows.

Community Development - Councilmember Nancy Diamond

6. **Approval to award a contract for the Historic Gateway Master Plan project in the amount of \$110,000.**
Presented by Alice Wakefield, Community Development Director

Director of Community Development Alice Wakefield said they are requesting approval to award a contract for the Historic Gateway Master Plan in the amount of \$110,000 that will come immediately after the Gateway Transportation Plan that is currently underway. Three firms are being considered using their responses to the RFP, a copy of their presentation with handouts from their oral presentation, plus information regarding built projects that came out of their planning efforts and all three firms are represented here tonight.

Council Comment:

Councilmember Price asked staff if each of these firms is qualified and capable of performing the project. Ms. Wakefield replied all three are qualified to complete the project.

Councilmember Wynn asked staff to provide the priority of the three firms being considered. Ms. Wakefield replied the Evaluation Committee made their recommendation in the following order: 1. jB+A, Inc., 2. Tunnell-Spangler Walsh & Associates (TSW), 3. Duany Plater – Zyberk & Co. (DPZ).

Councilmember Diamond thanked all the applicants and staff for their due diligence on this project. She said these are three excellent choices and it has been difficult going through all of the exceptional projects to make one final determination. She said they have an opportunity to create a bold vision of what we could do for this important area of the City and in looking at the different groups, one of the things that continually came up is how we can make sure that whatever we design gets done and give it the best chance of happening. Councilmember Diamond said she has heard from a number of people that some of the firms are known more on a national or international scale than others. She said she called friends around the country and talked with their planning and zoning people in different cities and found there is one in fact that stands out. She said we are the envy of a lot of places because we are in a position to have an opportunity to work with this group who in a lot of ways wrote the book on what we're talking about doing here.

Motion: Councilmember Diamond moved for Approval to award a contract for the Historic Gateway Master Plan project in the amount of \$110,000 to Duany Plater-Zyberk & Company (DPZ). Councilmember Price seconded.

Mayor Wood asked for public comment. There was none.

Further Council Comment:

Councilmember Wynn said she agreed with Councilmember Diamond that all three firms are well represented and capable of doing a very good job but she has reservations about Councilmember Diamond's choice on two points. She said she asked all three firms about their experience with LCI's and it seems DPZ doesn't have the experience necessary because \$30,000 of this project is being paid by the LCI and we have a very short window to do this. She said her other concern is that DPZ only has two team members who live in Georgia, but the majority of the team for the other two firms live in Georgia, more or less in the metro Atlanta area and they

would be more hands on. She said all three would do a great job but she does have concerns about the LCI experience and the capability of being hands on by those people who do not live in our state.

Councilmember Orlans agreed all three firms would be excellent choices and we are fortunate to have all of them interested in working with the City of Roswell. In addition to some of the points Councilmember Wynn made, they are all qualified, could do a great job, and have done good jobs around the country. He said staff has done a lot of interviewing and they have recommended jB+A, Inc. Three of their companies and several individuals are located in Roswell and they have dealt with LCI before and made some good plans. Councilmember Orlans stated he would like to amend the motion to staff's recommendation of jB+A.

Mayor Wood said that is not an amendment; it would be a new motion. Councilmember Orlans said that would be an amendment. Mayor Wood said he is ruling it as a new motion because it is totally changing the first motion.

Councilmember Dippolito said he agreed all three firms are excellent and this is a difficult choice when you look at the three and their accomplishments. He said he had spent time looking at each firm to get an understanding of what their expertise is and each has a certain level of expertise. He said jB+A has done outstanding landscape architecture projects, TSW are excellent with architectural projects and DPZ are known more for their planning. Councilmember Dippolito said he thinks this project is more of a town planning exercise and with that in mind, he would lean toward DPZ.

Councilmember Price asked staff's opinion of how significant the LCI experience is at this step in the process. Alice Wakefield said the LCI is significant in that it is part of a supplemental grant to the existing LCI and puts the city in a position to receive transportation implementation funds after this master plan is completed. Mayor Wood asked Ms. Wakefield if all three firms are qualified to satisfy the requirements of the LCI. Ms. Wakefield replied yes. Mayor Wood said it is up to the Council to decide who is best qualified.

Mayor Wood asked for further council discussion. There was none.

A motion was made by Councilmember Diamond, seconded by Councilmember Price for Approval to award a contract for the Historic Gateway Master Plan project in the amount of \$110,000 to Duany Plater-Zyberk & Company (DPZ). Councilmembers Diamond, Price and Dippolito voted in favor. Councilmembers Wynn and Orlans opposed. The motion carried by the following vote:

In Favor: 3

Opposed: 2

Transportation Department - Councilmember Betty Price

7. **Approval to remove the no parking signs and add eight (8) bulb-outs along Mimosa Boulevard at a cost not to exceed \$68,750 and approval of Budget Amendment 4210CP-01-23-12 in the amount of \$68,750.**

Presented by Steve Acenbrak, Director of Transportation

Mr. Acenbrak stated this had been a long-standing issue for many years concerning parking during daytime hours, sight distance for property owners of both residences and businesses who have had problems getting in and out of their driveways resulting in safety issues. There have been safety concerns about fire hydrants and concerns about people parking in front of mailboxes. The City installed no parking except on Sunday signs to allow parking for church services on Mimosa. Since that time Mimosa Boulevard has changed becoming less residential with some residences becoming commercial. Some of the locations that did not want parking in front of their property before would like to have parking now. Staff looked in detail at every parking space along the corridor analyzing sight distance, triangles and other things. Mr. Acenbrak displayed a graphic indicating 134 existing parking spaces and where three (3) spaces were removed for sight distance and two (2) were relocated because of driveways. He said three spaces are located near mailboxes and staff suggests installing parking signs restricting parking for mail delivery time, which according to the postal service is delivered in the afternoon hours. Staff believes this is a good compromise with a net gain resulting in a total of 141 parking spaces. There are speeding issues due to the wide straight nature of the road, with speed studies showing 85% of the speeds are 37 mph in one direction and 43 mph in the other direction inside a 30 mph speed zone. One solution to this problem could be the addition of eight (8) bulb-outs along Mimosa Boulevard. He displayed a diagram indicating how the road would continue along the curb line until it becomes a bulb-out which defines the traveled way versus the parking area and also reduces the travel distance that a pedestrian would cross over. These bulb-outs would better identify the parking areas, they become a traffic calming measure, they shorten the distance for pedestrian crossing, and they allow for some landscaping. Staff has also considered raised crosswalks like the existing one on the Mimosa extension. Staff estimates the construction to be \$60,000 for bulb-outs with raised pedestrian islands versus \$40,000 for bulb-outs without raised islands. The cost difference from \$20,000 to \$40,000 is because staff originally estimated construction to install the curb line and redo it within the roadway itself. Mimosa Boulevard is an older road with structural deficiencies where the curb line is depressed in certain areas and they must extend the amount of construction in order to bring everything to standard because they can't have differing heights in order to meet the standards for the Americans with Disabilities Act. Mr. Acenbrak said he hoped this information has been helpful for understanding staff's rationale to help preserve the safety of the corridor with traffic calming, improve pedestrian mobility for crossing plus being able to add some landscaping.

Mayor Wood said to Mr. Acenbrak that he had done magic not only by coming up with a great plan but this has changed his position on the project. Mayor Wood said, as Council knows to change his mind is magic and that very seldom happens but with overwhelming persuasiveness and a great project, he had been won over.

Council Comment:

Councilmember Orlans said he prefers this approach over the raised pavement because it looks better and defines the parking lanes. He asked staff how much

additional maintenance will be required with the eight (8) bulb-outs and if there are any issues. Mr. Acenbrak replied there are no issues. He referred to the medians on Crabapple Road where they had used stamped concrete that require virtually no maintenance. He added there is modest landscaping in the bulb-outs to make the corridor look nice and Councilmember Price suggested requesting the nearby churches to adopt those areas and include them in their landscaping which would be staff's preference resulting in no additional cost to the city.

Councilmember Dippolito said there had been discussion at Committee about doing this project with striping and asked Mr. Acenbrak if he had a cost for that. Mr. Acenbrak replied it would be minimal, but striping does not achieve several key aspects. He referred to the overhead diagram and indicated an area where if it were not raised it would be two-dimensional as opposed to third dimensional and the sidewalk can only be shortened between structural members. If the sidewalks are only striped, they would probably need to go the full distance because a pedestrian would not feel safe standing in the middle of the road with just striping underneath their feet. When they are above the ground or in a protective area of the raised curb, a pedestrian feels safer. They could do some striping but it would not be as effective with traffic calming and not get the image they want for Mimosa. It would partition out some of the asphalt because one of the challenges is the large amount of asphalt on Mimosa Boulevard.

Councilmember Dippolito said he liked the bulb-outs at the square and the other end of the street because upon entering the corridor, it slows you down but he was unsure about the bulb-outs in the middle of the street where cars park. He said this solves the issue of needing to slow traffic but he was confused about how pedestrians would walk on bulb-outs that are landscaped and asked if they are landscaped or concrete. Mr. Acenbrak said the sidewalk goes through the landscaping so it would be a mix or they could be just concrete, brick or colored stamped brick, which require no maintenance. He said the landscaping has a small water quality benefit in that rainwater would filter through and purify through the ground water but that is minor because this is not a big land mass. Councilmember Dippolito asked Mr. Acenbrak if he had looked at this project as an overall landscape plan for the street. Mr. Acenbrak responded they should but currently they are focusing on the parking space issue and the timing for getting the signs down but agreed Mimosa needs a master plan because so much could be done but that might exceed their capabilities at some point. He said perhaps one of the three firms that were just talked about were in a better position to provide a visionary plan that would make Mimosa come alive but for now they are focused on transportation and safety aspects and staff feels this is a reasonable compromise to get the signs down as quickly as possible. Councilmember Dippolito said he liked the idea of getting the signs down and thought that could be solved by just striping but was hesitant about the bulb-outs that haven't been looked at from a true streetscape standpoint. He said there is an opportunity to do something very nice on Mimosa but perhaps they need to take a step back and just do striping for now and look at this from a streetscape standpoint and decide later where to put the bulb-outs.

Mr. Acenbrak said one of the heavy pedestrian crossing areas is by the Baptist Church where Oxbo intersects Mimosa and the Oxbo design plan is underway now. He said staff has looked hard to be sure what they do now accommodates future design because some drainage improvements are needed at that intersection that will be addressed by the Oxbo project. He said he understood Councilmember Dippolito's point and some of what is suggested now might not survive when the Oxbo project is complete and staff does not like to have to tear things out but the Oxbo project is several years down the road and short-term fixes are needed at this time.

Councilmember Wynn said she was the councilmember who had talked with Mr. Acenbrak about this and she understands what he is doing and this is a good project but expressed her concern about the money, which now is triple what was discussed in Committee. She asked Mr. Acenbrak if they looked at MARTA money. He replied yes and that this project qualifies under MARTA guidelines as was presented. Mr. Acenbrak said currently the fund balance is \$310-\$330,000 but some projects are still under construction and they have not received the final bills. Councilmember Wynn asked if this had been spent and if they are under or over budget. Mr. Acenbrak said there are more needs in that program than there are funds and there is a lot of competition for those dollars. Councilmember Wynn asked if this project qualifies for that. Mr. Acenbrak replied yes.

Mayor Wood said he loved the project and that Mimosa had been Roswell's main street before Canton Street and has been neglected for a long time and he liked what staff has come up with. He thought bulb-outs were needed somewhere in the middle because that is where cars hit 40 mph and traffic calming is needed more than at either end of the street where cars must stop. He suggested if there could only be one bulb-out it should be in the middle. When the crosswalk distance is shortened, the street becomes more pedestrian friendly. Mimosa needs to be made more of a pedestrian street to help those businesses. He said regarding a master landscaping plan, other than the street surface itself, there was no need for a lot more landscaping on the corridor because of all the trees and the great condition of Mimosa Boulevard itself. Mayor Wood said where landscaping would be needed is behind the curb because Mimosa is a big street and wider than it should be right now. He said he hopes the funding can be found for this project without making it a long extended study because he would not want to lose the momentum after just striping because what they would be getting changes the environment on the street and it could become a premier showcase street for the City of Roswell.

Councilmember Orlans said he agreed with Mayor Wood on all those points and would like to see us move forward with this project.

Councilmember Price said an amount of \$20,000 was previously suggested or recommended. Mr. Acenbrak said that was a quick estimate from when staff first looked at this. Councilmember Price said at that time there were a great deal more of the bulb-outs. Mr. Acenbrak replied at one time, they had presented a plan that had approximately fifty (50) bulb-outs; however after listening to Council's concerns about the signs they began trying to figure out a first phase to get the signs down quickly while still creating the corridor they were looking for. He said they looked at bulb-outs on each end. They began with the right frame of reference and also concentrated them in the middle where the bulk of the problems are. He said high speeds don't occur on the end, but rather they occur in the middle and he thought they had a fairly good balance. He said they have narrowed the bulb-outs down from eight (8) to seven (7) removing one near Magnolia because of the queuing that occurs sometime in that area and the bulb-out might create some friction there. Councilmember Price asked if that would bring the cost down. Mr. Acenbrak replied it would. Mr. Acenbrak said these are estimates because they still need to send this out for bid. Councilmember Price asked him to clarify the pink asterisks that note spaces added of which she counts five and asked if one represents more than one space. Mr. Acenbrak referred to the diagram and pointed out an area adjacent to the square where three spaces could be added and some of these are associated with the MARTA project. He said for instance at the intersection of Mimosa and SR 120 near Barrington Hall, a project is about to be let to construction where a few spaces will be added and they have since found a few other spots where others could be added. Councilmember Price said she had talked with people with entities on Mimosa and

one in particular on the north end really wants street parking but it appears that is the area where most of the spaces are being taken away. Mr. Acenbrak responded there are a few spaces there that should have never been parking spaces.

Councilmember Price said she had another concern that she had discussed with Mr. Ray, a representative from the Baptist Church, where there is an issue at the corner where the bulb-outs are shown related to drainage that is often inadequate and asked if this would be coordinated with public works at this time. Mr. Acenbrak said a couple of years ago they made some improvements there and have done as much as they can until the Oxbo project is let to construction. He said the inlets are very old and that doesn't give them much to work with. Councilmember Price said Mr. Acenbrak had indicated if the crosswalks were flat and not raised, the price would be about \$40,000 but if they are raised, the cost would be in the \$60,000 range. Mr. Acenbrak responded, yes, the raised crosswalks are the difference between the \$40,000 and \$60,000 number. Councilmember Price said the request right now is \$68,000. Mr. Acenbrak said that is for everything including the bulb-outs and the raised crosswalks. Councilmember Price said then if not all of them are raised, for instance at the north end when they take out one of the bulb-outs there wouldn't be any need for a raise there and she didn't think there was much pedestrian traffic that would make a difference and Oxbo could probably benefit from a raised crosswalk. Mr. Acenbrak asked if she was referring to the one at the Baptist Church. Councilmember Price said yes that could bring us down two thirds to \$20,000.

Councilmember Price said she would like to make a motion. Mayor Wood asked if she would like to defer this or try to work these problems out tonight or make a motion on part and bring a motion on the other parts. Councilmember Price said she would like to make a motion.

First Motion: Councilmember Price moved for Approval of this item as follows: 1) Remove the no parking signs on Mimosa Boulevard from Magnolia to SR-120; 2) Remove three parking spaces as indicated on the proposed parking plan; 3) Add seven parking spaces as per the proposed plan; 4) Add five spaces in the MARTA project for a total of 141 spaces to include seven (7) bulb-outs one of which would have a raised crosswalk, not to exceed \$45,000.00. Councilmember Orlans seconded the motion.

Mayor Wood said there would be discussion and the possibility for an amendment to the motion.

Further Council Comment:

Councilmember Wynn said she thinks this is a great project as well but what she is hearing is they are adding, taking away, deleting and they should not be trying to vote on a revised plan that she can't see and she needs to know how much it will cost. She also expressed concern about the \$68,750 that will be coming out of contingency, which leaves less than \$20,000 in that fund. She asked if there are other monies; i.e., MARTA, Midtown or Oak Street that can be used for this. She said this is something nice for Mimosa but this is not a health and safety issue where they need to go right away on it.

Second Motion was made - Motion for Deferral: Councilmember Wynn asked for a deferral to the committee meeting on Wednesday morning, if that would give staff enough time to look at the revisions Councilmember Price had talked about and bring more options for funding the project.

Mayor Wood stated that there was a motion for deferral.

Councilmember Dippolito said he would like clarification of the motion for deferral.

He said he thinks there is agreement on the striping and there is a sense of urgency to try to get the striping and the signs down and he would not want to delay that and asked if this would be deferring the design of the bulb-outs and so forth.

Mayor Wood expressed his concern that he would support taking the signs down but when you do something as minimal as striping you are making a decision and he would rather not commit to that because if they stripe it then some people will ask why did you stripe it and not do something else. He said he was reluctant to make decisions even about striping until all the other issues were resolved and even though it is minor, it is still spending money and being indecisive. He said he would support a motion to defer everything other than taking the signs down.

Councilmember Dippolito said he was in support of moving forward with getting the signs down and getting the striping done and doing the remainder of the design later.

Councilmember Wynn said she accepts Councilmember Dippolito's amendment to her motion. Mayor Wood asked what the amendment is.

Amendment to the Motion for Deferral: Councilmember Wynn made an amendment to remove the signs immediately and bring back to Committee on Wednesday a revised plan and other options for sources of funding on this project. Councilmember Diamond seconded the amendment.

Mayor Wood said he could support the motion to remove the signs and bring the rest of the project back for discussion.

Further Council Comment:

Councilmember Orlans said he was not sure what they are trying to do with a deferral. He said there is a plan and they have talked about it before and have outlined a number of spaces that will be affected and he thought until now there was good consensus for putting the bulb-outs with the landscaping. He suggested an amendment to remove the raised pavement to save money because the bulb-outs will accomplish what they need without the raised pavement and that would be approximately \$40,000. He said he didn't understand the need to defer because they are paid big bucks to make decisions up here and they have had enough information over the last two months to make a decision.

Mayor Wood said he is trying to move the decision along but there is a motion to defer which takes precedent over the main motion.

Councilmember Orlans said he is not in favor of deferring.

Councilmember Price said she is not in favor of deferring either because that is exactly the motion she made a month ago and it was knocked down because they wanted to have a specific plan and now they have a specific plan and they want to defer to do what? Mayor Wood said you are getting the signs down. Councilmember Price said she knew she wanted to get that done a month ago and they said no because they wanted to see a plan; now getting the signs down is ok but they don't have to have a plan, ok fine, let's defer.

Councilmember Wynn said her concern is they did want a plan but now they are revising the plan that was presented to them. She said staff can bring it back on Wednesday to the Committee which means they would be looking at perhaps February 14, 2012 to make the decision and it isn't like they are dragging their feet on this. She said she is mostly concerned with where the money is coming from because at Committee it was \$26,000 and now it is almost \$70,000 and that brings

the contingency fund down to less than \$20,000 and there are other ways to be able to fund this. She said she would have no problem if there was a way to move forward without the funding. Mayor Wood said they would move nothing forward without funding.

Councilmember Diamond said her concern is the actual cost and if they take off something here and there, she doesn't get the feeling that is an equitable amount of money they are cutting off the bottom line.

Mr. Acenbrak said until the bids come in with a contractor, this is just an estimate and although they know what the prevailing market is doing, there is always a risk until the bids actually come in.

City Administrator Kay Love said for clarification since this is a bid, typically they don't do the budget amendment before they know the final amount and they could hold off on the budget amendment because you have to award the item based upon the bid. Tonight it is not necessary to get a budget amendment approved if Council gives them permission to proceed with a bid and come back with that award and budget amendment at the same time, which is typical.

Councilmember Price said regarding her original motion, the objection she heard was to the money. Mayor Wood said it is partly an objection to where the money is coming from and partly, what exactly is the variation of the plan, if it is with or without crosswalks and how many bulb-outs there will be.

Councilmember Price added that through extensive work with the neighbors and the department it seems reasonable with seven (7) bulb-outs but not reasonable with the raised crosswalks with the exception of one location but everything else works very well. She said if there are objections to that plan... Mayor Wood said he didn't think there were objections to that plan as much as a wish to study it another couple of days. Councilmember Price said if people don't come to the meetings prepared then that is too bad.

Councilmember Orlans said he agreed with Councilmember Wynn's concern as to determining exactly where the money is coming from first and the City Administrator has outlined that they can approve the project to go forward but they can't get quotes until the project is approved and they can't get the cost until the quotes are in. If they can approve the project without the funding, and then get a definite cost, they can move forward on the cost of it. He said he was trying not to defer it and drag it on longer.

Councilmember Diamond said she was also concerned with the part of the motion for the cap on the money not to exceed \$45,000 and they have not established they can do that with what they have put out there.

Councilmember Wynn said she is prepared tonight because she has looked at everything, which is why she called Mr. Acenbrak this afternoon for clarification. She asked for clarification that if the plan that is in the Council packets is approved tonight and goes out to bid, and along with the Transportation Department and whoever they are working with, they look at what is feasible in this, does it still come back to Council to approve the plan and the monies.

Ms. Love replied yes, related to the money but to go out to bid they need to know what they are going out to bid for, so they need guidance on the plan. She said she was speaking mainly to the money portion of this which is no different than if they had appropriated money in the budget and went out to bid and the bids came out higher,

they would be coming to award a contract with the budget amendment. Ms. Love said as long as Council approves the project and that is going out, they are not going to approve the money on the back end anyway until they have an idea about cost but our bid documents always say we reserve the right to reject any and all bids for any reason; there is great latitude related to if they want to do the project then they need to know more about the plan before they go out to bid.

Councilmember Wynn said her concern is, what she is hearing from most of her colleagues, is that they like the plan in the packet and she understands that the Transportation Department went out to look at what would work in that area and asked if she was correct. Mr. Acenbrak replied that was correct. Councilmember Wynn said staff went from twelve (12) bulb-outs down to eight (8) bulb-outs and then they decided to raise crosswalks because that would be compatible to what is on the Mimosa extension. Mr. Acenbrak said they view that as an option so there could be just the bulb-outs or there could be bulb-outs and the raised crosswalks. Councilmember Wynn said her concern is that they are now looking at approving a plan to go out for bid that she has not seen. She said they should either send out the one that is in the packet or defer until they get a plan that Council can look at to make sure that is what is going out to bid.

Councilmember Price said for clarification there is nothing different in the packet than what they are talking about tonight with the exception of removal of one bulb-out and everything else is the same.

Councilmember Wynn added, "and raised crosswalks".

Councilmember Price said that is not even in the plan. She said Mr. Acenbrak is giving them the possibility that with raised crosswalks it will be \$60,000 and without raised it is flat and that is not even on the plan one way or the other.

Mayor Wood asked Mr. Acenbrak if when this is sent out to bid, is it possible to ask the bidders to give two pricing alternatives for with or without raised crosswalks. Mr. Acenbrak replied yes and that he and Deputy City Administrator Michael Fischer had discussed the city's on-call services contracts that they had never thought about before. He said there is some language on the on-call services about concrete and asphalt and those sorts of things and they might be able to if they got a scope for instance. He said Mayor Wood's position is a good one in that they could ask for a price for bulb-outs and an alternate for adding raised crosswalks given that they have that capability and they could probably get a cost estimate turned around quickly, perhaps not by Wednesday morning at 8:00am but he believes that is an option.

Mayor Wood said right now, there is a motion for deferral and said he gives motion for deferral precedent over the main motion so they will vote first on the motion for deferral. He said he likes the idea of going forward and approving this project and getting alternate bids.

Councilmember Wynn asked to withdraw her motion for deferral.

Mayor Wood stated the motion to defer has been withdrawn.

Councilmember Price said taking this discussion into consideration, she would restate the motion.

Final Motion: Councilmember Price moved for Approval of this item as follows: 1) Remove the no parking signs on Mimosa Boulevard; 2) Move forward with the design and parking plan as presented with one (1) less bulb-out for a total of seven (7); and

3) Request bids for this project including the variables of raised or not raised crosswalks. Councilmember Orlans seconded.

Further Council Comment:

Councilmember Dippolito said the plan in the Council packets is a concept sketch that is not to scale. Mr. Acenbrak said it is to scale. Councilmember Dippolito said it says N.T.S., which means not to scale. Mr. Acenbrak said fair enough. Mayor Wood said it is not engineered. Mr. Acenbrak said reasonably to scale but correct, it is not a survey. Councilmember Dippolito asked if they are going out to bid based on a concept sketch or will there be actual drawings. Mr. Acenbrak said in his opinion the sketch is close enough to go to a contractor and said these are called typical details which is the height of the curb, the radius and those sorts of things and they just tell them where they are going to go and they will give us a bid. Mr. Acenbrak said they have quantities now and basically compare our quantities with their quantities and they talk about prices and that's how they come up with their bid and he didn't think engineered drawings were necessary. Councilmember Dippolito asked where they are in the design process and asked if they have measured and determined how big the islands are. Mr. Acenbrak replied yes. Councilmember Dippolito asked if they knew how much sidewalk there is versus landscaping. Mr. Acenbrak said yes and that is how they did the estimate and they don't need a survey or anymore design than this. They have everything they need. Councilmember Dippolito said that information was not in their packets. Mr. Acenbrak apologized for that but said they are prepared to go to bid and once they have the scope they will send it to the construction world.

Councilmember Price said in looking over the previous Committee meetings from 2005, there was an issue of whether or not there would be a hearing for this and asked if that ever happened or is this considered a hearing or is one necessary. Mayor Wood replied this is considered a public hearing. Councilmember Price said thank you.

A motion was made by Councilmember Price, seconded by Councilmember Orlans for Approval of this item as follows: 1) Remove the no parking signs on Mimosa Boulevard; 2) Move forward with the design and parking plan as presented with one (1) less bulb-out for a total of seven (7); and 3) Request bids for this project including the variables of raised or not raised crosswalks. The motion carried by the following vote:

In Favor: 5

City Attorney's Report

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

A motion was made by Councilmember Wynn, seconded by Councilmember Dippolito for approval for closure to discuss personnel and acquisition of real estate. The motion carried by the following vote:

In Favor: 5

Adjournment

After no further business, the Mayor and Council meeting adjourned at 8:25 p.m. Mayor and Council reconvened for a Work Session to discuss FY2013 Budget Process and Economic Update.

