



# City of Roswell

38 Hill Street  
Roswell, Georgia 30075

## Meeting Minutes Community Development and Transportation Committee

*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*  
*City Administrator Kay Love*

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Wednesday, May 19, 2010

8:00 AM

Room 220

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*Meeting was called to order at 8:02 a.m.*

### CALL TO ORDER/ROLL CALL

**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

*Staff Present: Kay Love – City Administrator; Alice Wakefield – Community Development Director; Steve Acenbrak – Director of Transportation; Brad Townsend – Planning and Zoning Director; Clyde Stricklin – Deputy Director of Community Development; Bob Hulse – Assistant City Attorney; Julie Brechbill - Community Relations Manager; Stefanie Dye - Community Development Program Coordinator; Bill Keir – Economic Development Director; David Low – Deputy Director of Transportation; Mike Elliott – Traffic Operations Supervisor; Chris Chovan – Transportation Planning Manager; Franco DeMarco – Engineering Design Manager; Police Sergeant Ken McRae; Muhammad Rauf – Senior Transportation Engineer; Robert Del Ross - Senior Transportation Engineer ; Andrew Antweiler - Transportation Planner; Jennifer Erdmann - Grants Specialist; Angel Stark – Community Development Administrative Assistant; Kim Weber - Transportation Administrative Assistant; and Marlee Press – Executive Assistant to Council.*

**Minutes of the April 21, 2010 committee meeting were approved.**

### Community Development

1. Consideration of a Rolling Road Closure for the Miles & Music for Kids Motorcycle Ride on Sunday, May 23, 2010

- *The sponsor, Killer Creek Harley Davidson requests a rolling road closure on Sunday, May 23, 2010 from 11:00 a.m. to 4:00 p.m. for the motorcycle ride. The ride will begin at Killer Creek Harley Davidson on Alpharetta Highway proceeding down Hembree Road into Alpharetta and going north to Hall County. There is no request for City sponsorship so there is no funding on behalf of the city involved.*

**A motion was made by Council Member Jerry Orlans, seconded by Council Member Rich Dippolito, that this Rolling Road Closure for Miles & Music for Kids Motorcycle Ride be approved. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Igleheart; Council Member Orlans; Council Member Price and Council Member Wynn

2. Consideration of a Rolling Road Closure for the BV Classic Bicycle Ride on Saturday, June 19, 2010

- *The sponsor, Broken Voices requests having a rolling road closure through the City of Roswell on Saturday, June 19, 2010 from 7:00 a.m. to 1:00 p.m. The ride will begin and end at Roswell Bicycles on Houze Way. This is a benefit ride supporting the work of Broken Voices. There is no request for City sponsorship.*

**A motion was made by Council Member Kent Igleheart, seconded by Council Member Becky Wynn, that this Rolling Road closure for the BV Classic Bicycle Ride be approved. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Igleheart; Council Member Orlans; Council Member Price and Council Member Wynn

3. Consideration of a Road Closure for the Doug MacGinnitie for Secretary of State campaign stop on Saturday, June 12, 2010

- *The sponsor, Doug MacGinnitie, running for Secretary of State requests to close Park Square and/or the parking spaces on Mimosa Blvd. on Saturday, June 12, 2010 from 2:00 p.m. to 3:00 p.m. This is for the campaign party to park their vehicles. They will be renting the Town Square. There is no request for City sponsorship.*

**A motion was made by Council Member Jerry Orlans, seconded by Council Member Kent Igleheart, that the Road Closure for the Doug MacGinnittie for Secretary of State campaign stop be approved. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Igleheart; Council Member Orlans; Council Member Price and Council Member Wynn

4. Consideration of a Road Closure for a Community Block Party on Saturday, May 22, 2010

- *The organizer requests closing Oakstone Way from Oakstone Trail to Wordsworth Drive for a community block party on Saturday, May 22, 2010 from 4:00 p.m. to 10:00 p.m. There is no request for City sponsorship.*

**A motion was made by Council Member Becky Wynn, seconded by Council Member Kent Igleheart, that the Road Closure for a Community Block Party be approved. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Igleheart; Council Member Orleans; Council Member Price and Council Member Wynn

5. Consideration of a Resolution to accept the 2010 Historic Preservation Fund Grant

- *On February 1, 2010, M&CC passed a resolution seeking approval to submit an application for the 2010 Historic Preservation Fund for Certified Local Governments predevelopment grant application for the Roswell Historic Cemeteries - Educational Activities and Publications Project.*
- *The City received notice of the grant award for the amount requested in March 2010 and a copy of the contract on May 4, 2010. The grant fund is 60% state/40% local match and was awarded on a competitive basis. Staff requested a grant award of \$3,600 which requires a \$2,400 match from the City's grant matching fund contingency. The grant money will fund three interpretative signs and a brochure. Brochures will be placed in locations around town such as City Hall, the Cultural Arts Center and Convention and Visitors Bureau. Information from the brochures will also be adapted for the City's website.*

**A motion was made by Council Member Kent Igleheart, seconded by Council Member Rich Dippolito, that the Resolution to accept the 2010 Historic Preservation Fund Grant be placed on the Mayor and City Council agenda for 6/14/2010. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Igleheart; Council Member Orleans; Council Member Price and Council Member Wynn

6. Consideration of the 2010 Comprehensive Plan Update to the Short Term Work Program & the Capital Improvement Element

- *The update to Comprehensive Plan for the Short Term Work Program & the Capital Improvement Element was discussed. This update procedure is required to maintain Roswell's Qualified Local Government Status.*
- *Kay Love said the importance of updating the Capital Improvement Element and including it this year is so staff can place potential projects on the list so these projects will be eligible for Impact Fees.*
- *Councilmember Dippolito said that if the city is looking for sources of funding for projects and there is impact fee money sitting out there, staff needs to make sure that all that money is allocated. He requested an update on the amount of impact fees and the projects it can be used for.*

**A motion was made by Council Member Kent Igleheart, seconded by Council Member Becky Wynn, that the update to the Comprehensive Plan for the Short Term Work Program and the Capital Improvement Element be placed on the Mayor and City Council agenda for 6/21/2010 so it can be transmitted to ARC by deadline. This will go the Planning Commission on June 15th. Staff will also supply Council with an update on the impact fees and how much is allocated to specific projects. Councilmember Price abstained from voting because she felt she was not given enough time to review this information. Kay Love suggested that they have a briefing on this before it goes to Council for the final vote. The motion carried by the following vote:**

**In Favor:** 6 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Igleheart; Council Member Orleans and Council Member Wynn

**Abstain:** 1 - Council Member Price

7. Consideration of a Resolution to accept a FY 2010 Community Development Block Grant (CDBG) for the Sway Branch Drive Infrastructure project and approval of a Budget Amendment in the amount of \$117,627.69

- *Alice Wakefield said this is to accept the grant agreement for the funding related to the Sway Branch Drive extension.*
- *Fulton County advertised and held a public comment period to amend Fulton County's Consolidated Plan for CDBG, and the Fulton County Board of Commissioners held the item at their April 7, 2010 meeting. This grant agreement is before the Fulton County Board of Commissioners for their approval today. Alice Wakefield does not see any reason they would not accept this. This is just the formal process. In anticipation of their approval, staff is asking that this item be moved forward to M&CC.*

**A motion was made by Council Member Becky Wynn, seconded by Council Member Rich Dippolito, that this Resolution to accept the CDBG for the Sway Branch project and the budget amendment be placed on the Mayor and City Council agenda for 6/14/2010. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Igleheart; Council Member Orleans; Council Member Price and Council Member Wynn

8. Consideration of the acceptance of the easements for the acquisition of Right of Way for the Extension of Sway Branch Drive

- *The Mayor and City Council approved an application for those funds to be used to extend Sway Branch Drive to connect with Market Place in a CDBG target neighborhood. This will help to fulfill the City's goal to improve connectivity and public safety in the area. Three grants have been identified to accomplish this task: the Water Line Loop which was funded by CDBG working with Public Works/ Environmental. The Sway Branch Ponds funded by the Corps of Engineers working with PW/Environment and the Sway Branch Infrastructure Grant which is funded by CDBG working with Transportation. The Right of Way required includes three parcels. The largest portion is the Hodges parcel which was donated including the storm water ponds and provided \$200,100 in match for the Corps of Engineer's funding. The other two properties are the Branan and Macke Parcels. The Hodges, Branan and Macke parcels enable the extension of the road net work in both its current configuration as well as a more direct network if needed for the future and also enables the continuation of the sidewalk.*
- *The easements provide for temporary construction, permanent and driveway easements. Fulton County requires a Phase One Environmental assessment when property is acquired estimated at \$3,000. The Hodges Easement was a condition of the donation. The cost for the other two easements is \$11,000 for the Branans and \$2,000 for Mr. Mackie for a total of \$16,000. After further discussions, staff said they will not need to purchase the right-of-way on Mr. Mackie's property so the total amount now is \$14,000. Staff added that the reason they will not need to purchase Mr. Mackie's property is when staff did the title search on his property, they found that the original plat from 1963 showed an easement already on the property.*

**A motion was made by Council Member Rich Dippolito, seconded by Mayor Jere Wood, that the acceptance of the easements for the Right of Way for the Sway Branch Drive extension be placed on the Mayor and City Council agenda for 6/14/2010. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Igleheart; Council Member Orleans; Council Member Price and Council Member Wynn

9.

### Consideration of an Amendment to the Erosion and Sedimentation Control Ordinance

- *The adoption of the new ordinance is mandated by the State of Georgia and must be adopted by July 1, 2010 to maintain the City's Local Issuing Authority. Staff recommends that Article 7.3 Erosion and Sedimentation Control, of the Roswell City Code, be amended by deleting Article 7.3 Erosion and Sedimentation in its entirety and substituting a new Article 7.3 Soil Erosion, Sedimentation and Pollution Control Ordinance based upon the Final Model Ordinance dated July 1, 2009 provided by the Georgia Soil and Water Conservation Commission (GSWCC).*

- *Jean Rearick said she took the Model Ordinance from GSWCC and made some changes to it because she thought for the future going forward it is much easier being in compliance. It is much less confusing to consultants, engineers and developers to stay with the Model Ordinance because it more reflects what is exactly in the state ordinance.*

- *Following are some of the more significant topics not included in the GSWCC Model Ordinance but which are proposed to be retained from the current Article 7.3:*

- 1) *Language in three (3) locations in the ordinance dealing with citations. No language regarding citations or citing was in the GSWCC Model Ordinance.*

- 2) *Section 7.3.5(b)(4) which addresses Steep Slopes has been retained as 7.3.4(C) (17). It was not included in the GSWCC Model Ordinance. Jean Rearick is investigating whether we have to have this in our ordinance, because she doesn't know if the city has any slopes of 25% or more and a length of over 300 feet.*

*Councilmember Igleheart said the Steep Slopes Ordinance was created specifically for the city. He did not think that the city ordinance was the same as the state's ordinance and that this ordinance has actually applied several times.*

- 3) *Section 7.3.10 Establishment of the Soil Erosion Fund and Committee has been retained with same section and title. She retained that whole section in its entirety and didn't change it at all.*

- 4) *The requirement for the ordinance to apply to land disturbance of 1/10 acre or more. Staff said it may be better to revise this to 5000sf to mirror some requirement in the section 7.2 Post-Development Stormwater Management. Jean Rearick recommended that it was clearer and simpler to do 5000sf rather than 1/10 of an acre. It also reflects more what other communities around Roswell use.*

- 5) *Another was dealing with fees (section 7.3.5 (B)(3)) – Jean Rearick put in exactly what is in our current ordinance. She would like to take that out and just put language in saying where to find our fees and have it where the fees can be changed by a Resolution in the future rather than have it hard wired into the code. She will also bring forward a resolution to keep the \$250/acre and then just put a general statement in there as to where that fee would be published.*

- *Other changes of note include:*

- a) *Administrative remedy in the event that a bond is called in Section 7.3.9.A A person can go to City Council if the city calls one of their bonds and request some kind of remedy before their bond is pulled. They will have 30 days for the appeal process. They bumped it up from 15 because of the revised City Council schedule to make sure they have adequate time in there. Councilmember Orleans asked about the \$20.00 fee under Section 7.3.10 - Establishment of Soil Erosion Fund and if that was staying. Jean Rearick said those are erosion control funds and will stay in as written because that is a fund where that is collected as part of the building permit and that goes into a fund that is used to help with Lakes and Ponds projects and similar projects. Councilmember Orleans suggested that fee also be pulled out and put in a Resolution so it can be changed easier if needed.*

- b) *Municipal Court penalties were changed to \$2,000 maximum per violation per the Legal Department to match current limits. This was reduced from the Model Ordinance. In the Model Ordinance they are \$2500 but the Legal department*

*recommended it be changed to \$2000 because that is the current maximum in the City Charter.*

**A motion was made by Council Member Rich Dippolito, seconded by Council Member Becky Wynn, that the 1st Reading of the Amendment to the Erosion and Sedimentation Control Ordinance be approved for the Regular Agenda and placed on the Mayor and City Council agenda for 6/14/2010. The second reading will be on 6/21/10 in order to meet the deadline. A Resolution establishing fees will also be brought to M&CC. Council accepted the changes made by staff but also requested some additional changes that staff will make before bringing to M&CC on 6/14/10. Staff will take out the fee mentioned in Section 7.3.10 (Establishment of Soil Erosion Fund and Committee) and add that fee as part of the Resolution regarding fees. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Igleheart; Council Member Orleans; Council Member Price and Council Member Wynn

10.

#### Hatcher Hurd's April 29, 2010 Article - Lawn Patrol

- *Staff discussed the memorandum that is a response to the April 29, 2010 article titled 'Lawn patrol' cites octogenarian in the Review & News by Hatcher Hurd. Since Mr. Hurd did not talk to anyone in Code Enforcement or the Department, staff felt it necessary to present a chronology and explanation of the events from the code officer's perspective.*
- *Kay Love said that the article was about a warning that was issued regarding tall grass. In that article, quite a number of discrepancies or all the facts were not presented. It shed an unfavorable light on the city.*

### Transportation

11.

Consideration to award the construction contract to JJE Constructors for the Sway Branch Extension Project, in the amount of \$107,684.63, pending receipt and approval of the CDBG Grant Agreements from Fulton County

- *Bid # 10-119B was issued and ten (10) bids were received ranging from \$107,684.63 to \$167,241.18. JJE Constructors was the lowest responsive, responsible bidder in the amount of \$107,684.63. The city has done work with them in the past.*
- *This project creates a new road connection between Sway Branch Drive and Market Place, parallel to Holcomb Bridge Road. The project extends Sway Branch Drive from its existing termination point to the intersection of Market Place, along the alignment of the existing driveway into the Heritage Walk development. A new three-way, stop-controlled intersection linking Market Place, Sway Branch Drive, and Heritage Walk will be constructed. The project also provides for a sidewalk along the south side of the new road.*
- *Staff is finalizing the purchase of the right of way and easements for this project, as well as obtaining a Phase I Environmental Site Review to meet the criteria for CDBG funding. Funds in the amount of \$117,627.69 will be available in the project grant account pending receipt and approval of the grant documents.*

**A motion was made by Council Member Rich Dippolito, seconded by Mayor Jere Wood, that the contract to JJE Constructors for the Sway Branch Extension project be placed on the Mayor and City Council agenda for 6/14/2010. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Igleheart; Council Member Orleans; Council Member Price and Council Member Wynn

12.

Consideration to award the Resurfacing Contract to C.W. Matthews Contracting in the amount of \$1,786,160.88

- *Bid #10-105J was issued and six (6) bids were received ranging from \$2,079,743.38 to \$2,508,930.54. After reviewing the bids, C.W. Matthews Contracting is the most responsive, responsible bidder; however their bid was over the current year budgeted amount.*
- *After discussions with C.W. Matthews and the reduction of quantities in the scope of work, staff was able to stay within the current funding with the revised total contract price as \$1,786,160.88. Staff added that the total was now \$200,000 under budget.*
- *This is the city's annual resurfacing contract. Every year they evaluate all of the roads in Roswell and they rank them as to their structural integrity. This is done through a very uniform inspection process. They rank them from worst to best. They have the top 83 roads and staff added that the contractor will be able to get all 83 roads completed.*
- *The total quantities in the bid package will provide roughly 20 center line miles of resurfacing for two-lane roads. The ranking of the roads is done every year by an uniform inspection program.*
- *Per the request of Mayor Wood, staff said that the contractor will try to add shoulders wherever they can for bicycles.*

**A motion was made by Council Member Rich Dippolito, seconded by Mayor Jere Wood, that awarding the Resurfacing contract to C.W. Matthews Contracting be placed on the Mayor and City Council agenda for 6/14/2010. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Igleheart; Council Member Orleans; Council Member Price and Council Member Wynn

13.

### Discussion of seeking public input on the Proposed Preferred Alignment of the Big Creek Bridge Road - Guidance

- *In February 2010, staff reviewed the results of the identified alternative for the alignment of Big Creek Bridge Road from Old Alabama Road to Warsaw Road including a new bridge crossing SR 400. Staff went out to the public early this year with the options and received their feedback.*
- *After some minor revisions staff would like to hold a final public meeting to receive public comment before finalizing the study and bringing the results to Mayor and Council for action.*
- *Phase 1 would extend from Holcomb Woods Parkway along the general alignment across GA400 and connect generally with Old Holcomb Bridge Road.*
- *Councilmember Dippolito asked if there were going to be any improvements to Old Holcomb Bridge Road or Holcomb Woods Parkway in Phase 1. Steve Acenbrak said he is not sure they included any improvements to Holcomb Woods Parkway but there would absolutely be improvements to that intersection eventually. He did add that Old Holcomb Bridge Road will need some significant improvements but in may not be included in this Phase of the plan.*
- *Councilmember Orlans was concerned that the connection on Old Alabama Road is so close to Holcomb Bridge Road. He thought that the purpose is trying to pull traffic off of Old Alabama Road as far up as possible. Steve Acenbrak said he was very comfortable with this alignment because this is going to bring a lot more viability to that corridor from an economic standpoint and from a traffic standpoint, it is going to work out fine.*
- *Councilmember Dippolito added that once they get this out and to the public, he would like to take a step back and take a more macro look at the whole system out there. He would like to take the modeling that they have done for Big Creek Bridge and see what type of improvements they need to do overall.*

**A motion was made by Council Member Rich Dippolito, seconded by Mayor Jere Wood, that staff can hold a public meeting to receive public comment on the Big Creek Bridge Road project before finalizing the study and bringing the results to M&CC for action. The motion carried by the following vote:**

**In Favor:** 7 - Mayor Wood; Council Member Diamond; Council Member Dippolito; Council Member Igleheart; Council Member Orlans; Council Member Price and Council Member Wynn

*Meeting adjourned at 9:06 a.m.*