



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Summary CITY COUNCIL

R. Steve Tumlin, Mayor
Cheryl Richardson, Ward 1
Grif Chalfant, Ward 2
Johnny Walker, Ward 3
G. A. (Andy) Morris, Ward 4
Reggie Copeland, Ward 5
Michelle Cooper Kelly, Ward 6
Joseph R. Goldstein, Ward 7

Wednesday, June 13, 2018

7:00 PM

Council Chamber

20180708 Recognition of Officer Nick St. Onge

Recognition of Officer Nick St. Onge for his actions which resulted in saving of a child.

Presented

20180674 Outstanding Community Service

Presentation of a Proclamation by Mayor Tumlin and Council Woman Michelle Cooper Kelly to Michelle Gambon for her Outstanding Community Service.

Presented

20180643 Scheduled Appearance

Scheduled Appearance - Dorris Matthews.

Present

20180644 Scheduled Appearance

Scheduled Appearance - Ryan D. Warner.

Not Present

20180682 Scheduled Appearance

Scheduled Appearance - Donald Barth

Present

20180693 Motion to Reconsider-583 Chicasaw Drive

Motion to reconsider agenda item 20180361 SLUP for a Home Occupation Type B and variances for property located at 583 Chicasaw Drive.

Denied

20180606 Regular Meeting - May 9, 2018

Review and approval of the May 9, 2018 regular meeting minutes.

Approved and Finalized

*** 20180654 Special Meeting - May 30, 2018**

Review and approval of the May 30, 2018 special meeting minutes.

Approved and Finalized

20180680 Marietta Housing Authority Appointment

Reappointment of Chervonta "Taye" Pugh to the Marietta Housing Authority Board for a one-year term expiring June 14, 2019.

Made

20180681 Marietta Housing Authority Appointment

Appointment of Diana M. Simmons to the Marietta Housing Authority Board for a five year term, beginning May 29, 2018 and expiring May 29, 2023.

Made

20180518 Z2018-18 [REZONING] JAIRO A. MURILLO

Z2018-18 [REZONING] JAIRO A. MURILLO is requesting the rezoning of 0.17 acres located in Land Lot 1224, District 16, Parcel 0440, 2nd Section, Marietta, Cobb County, Georgia, and being known as 803 Polk Street from R-1 (Single Family Residential/Agriculture) to R-4 (Single Family Residential - 4 units/acre). Ward 3A.

The following variances are incorporated as conditions of zoning:

1. *Variance to allow up to 45% of the front yard be paved. [§716.08 C.8]*
2. *Variance to reduce the minimum lot size from 7,500 sf. to 7,349 sf. [§708.04 H]*
3. *Variance to reduce the minimum lot width from 75 ft. to 60 ft. [§708.04 H]*
4. *Variance to increase the density to allow one unit on 0.192 acres. [§708.04 H]*

Approved and Finalized

20180359 Z2018-16 [REZONING] GLOBAL US PROPERTIES INC

Z2018-16 [REZONING] GLOBAL US PROPERTIES INC is requesting the rezoning of 1.3 acres located in Land Lot 1170, District 16, Parcel 1130, 2nd Section, Marietta, Cobb County, Georgia, and being known as 1686 Roswell Road from CRC (Community Retail Commercial) to OI (Office Institutional). Ward 7A.

If Council approves the rezoning, the following variances and stipulation would be incorporated as conditions of zoning:

- *Variance to reduce the side and rear yard setback along the northeastern side of the existing building only. [§708.23 H.]*
- *Variance to reduce the thirty (30) foot buffer on the northeastern side to twenty-five (25) feet for the existing curb line. [§708.23 I.]*

Approved and Finalized

20180611 Adoption of Recommended Budget for FY2019

Motion to approve an Ordinance adopting an Annual Budget for the fiscal year beginning July 1, 2018 and ending June 30, 2019, for the various funds of the City of Marietta and enacting the tentative Ad Valorem tax levies for said fiscal year for support of the City of Marietta governmental operations and other public purposes, and debt service obligations.

Per the disclosure letter dated January 2, 2018, Council member Goldstein will not be participating in any discussion or vote of the use of the City Center South Renaissance Tax Allocation District funds in the budget in his official capacity as a City Council Member.

Council Member Goldstein discloses that The Earl Smith Strand Theatre rents space owned by the Herbert S. Goldstein Family Limited Partnership which in turn is owned and managed by members of his family. Council Member Goldstein will not participate in any discussion or vote on this item in his official capacity as city council member.

Council Member Goldstein discloses that GA Metro Dance Theatre rents space owned by the PMG Whitlock Ave, LLC which in turn is owned and managed by his father, Philip M. Goldstein. Council Member Goldstein will not participate in any discussion or vote on this item in his official capacity as city council member.

Council Member Goldstein discloses that he is a member of the Cobb NAACP. Council Member Goldstein discloses that he is on the board of the Marietta Welcome Center representing the City of Marietta.

Approved and Finalized*** 20180614 Second Amendment to Lease**

Motion to approve a second amendment to the lease with DMDA & Verizon for the Cell tower located on Allgood Road. This extends the lease for 20 years (4 five-year terms). The first year set a \$1,000 with an increase of 3% each year.

Approved and Finalized

* **20180601** **Z2018-20 [REZONING] CITY OF MARIETTA**

Z2018-20 [REZONING] CITY OF MARIETTA is requesting the rezoning of 6.72 acres located in Land Lot 578, District 17, Parcel 0010, 2nd Section, Marietta, Cobb County, Georgia, and being known as 550 Franklin Gateway from CRC (Community Retail Commercial) to PCD (Planned Commercial Development). Ward 1A.

Approved and Finalized

* **20180608** **Final Plat - The Registry Townhomes**

Motion to approve the final plat for the development of twelve (12) townhomes at 249 Cherokee Street, zoned PRD-SF (Z2017-12).

Approved and Finalized

* **20180615** **FY2019 Tourism Grants**

Motion to approve the grant amounts presented for each tourism organization as included in the Welcome Center Contract.

The Earl Smith Strand Theatre - \$54,500
Friends of Brown Park - \$4,000
Cobb NAACP Juneteenth - \$10,000
GA Metro Dance Theatre - \$18,000
Georgia Symphony Orchestra - \$15,000
Marietta/Cobb Museum of Art - \$85,000
Marietta Museum of History - \$157,000
Marietta Square Branding Project - \$24,000
Old Zion Heritage Museum - \$10,000
The Georgia Ballet - \$3,000
Marietta Gone with the Wind Museum - \$57,000
City Staff Request-City Services-Vapor Wake Dog Included - \$96,337
Marietta Business Association (Art in the Park) - \$16,666
Marietta Welcome Center - \$270,000
City Marketing Budget for Museums, etc. - \$24,500

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Council Member Goldstein discloses that GA Metro Dance Theatre rents space owned by the PMG Whitlock Ave, LLC which in turn is owned and managed by his father, Philip M. Goldstein. Council Member Goldstein will not participate in any discussion or vote on this item in his official capacity as city council member.

Council Member Goldstein discloses that he is a member of the Cobb NAACP. Council Member Goldstein discloses that he is on the board of the Marietta Welcome Center representing the City of Marietta.

Council Member Goldstein abstaining.

Approved and Finalized

* **20180477** **FY 2019 Revisions to City/BLW Pay and Classification System documents**

Approval of ordinance adopting the City of Marietta and Board of Lights and Water Position Allocation Charts, and the Compensation, Position Classification, and Career Development Plans for FY 2019, with changes to take effect on the pay period beginning July 1, 2018.

Approved and Finalized

* **20180603** **Revisions/Additions to MPD Policies**

Motion to approve the revisions/additions to the listed policies A041(Organizational Structure), A082 (Performance Evaluations), A087 (Police Funeral Protocol), C050 (Crime Prevention), S040 (Organized Crime and Vice Control), S065 (Unmanned Aerial Vehicle - NEW POLICY).

Approved and Finalized

* **20180664** **Safety of City Buildings**

Motion to direct staff to perform a study related to the installation and/or implementation of safety elements for all City buildings.

Approved and Finalized

* **20180349** **Freys Gin Court Right of Way**

Motion approving transfer of a portion of Freys Gin Court right of way to GDOT for the purposes of the I-75 Managed Lanes project.

Approved and Finalized

* **20180583** **Laurel Springs Lane Driver Speed Feedback Speed Sign**

Motion authorizing one driver speed feedback sign to be installed on Laurel Springs Lane using Ward 2 Sidewalk and Safety funds.

Approved and Finalized

* **20180585** **Tower Road at Roselane Street Signal**

Motion authorizing the installation of an all-way traffic signal at the Tower Road and Roselane Street intersection.

Approved and Finalized

* **20180587** **249 Cherokee Street Underground Utilities Variance**

Motion approving a variance from the Underground Utilities ordinance to allow the relocation of two utility poles at 249 Cherokee St. No new overhead utilities are authorized as part of this variance.

Approved and Finalized

* **20180588** **South Park Sidewalks**

Motion authorizing the South Park concept to be constructed between January 01, 2019 and The Taste of Marietta.

Council Member Goldstein discloses that his family members and/or entities owned by his family members own property on South Park Square in downtown Marietta.

Council Member Goldstein abstaining.

Approved and Finalized

* **20180589** **Roswell Street Sidewalks**

Motion authorizing Roswell Street Sidewalks improvements from Atlanta Street to Waddell Street to be constructed without delaying the South Park construction project.

Approved and Finalized

* **20180593** **Lemon Street at Waddell Street**

Motion authorizing the installation of a crosswalk across the western side of the Lemon Street at Waddell Street intersection.

Approved and Finalized

* **20180595 Haley Street**

Motion authorizing Public Works to move forward with next steps of the speed table policy for consideration of speed tables on Haley Street.

Approved and Finalized

* **20180597 Amy Drive and Skyview Drive Speed Study**

Motion authorizing a speed table study to be performed on Amy Drive.

Approved and Finalized

* **20180642 Brookwood Drive Speed Signs**

Motion authorizing two driver speed feedback signs to be installed on Brookwood Drive to be paid for using Ward 3 sidewalk and safety funds.

Approved and Finalized

20180586 Vann Street at Church Street Access

Motion authorizing Public Works to implement a right-in and right-out island at the Vann Street approach to Church Street and to install a short-raised median along Church Street using SPLOST funds.

Approved and Finalized

20180522 V2018-19 [VARIANCE] MCDONALD'S CORP

Motion to approve variances for property located in Land Lot 7, District 17, Parcel 0400, 2nd Section of Cobb County, Marietta, Georgia and being known as 1195 Powder Springs Street.

· Variance to allow a pylon sign remain after the site is redeveloped at approximately 35' in height and 122 square feet sign copy area.

Denied

20180686 Chicasaw Drive Stream Buffer

Request by Debra Whitworth for a variance from the City Stream Buffer Protection Ordinance at 583 Chicasaw Drive.

Public Hearing Required

Approved and Finalized

*** 20180663 HB 489 Intergovernmental Agreement - Mutually Acceptable Land Uses**

Motion to approve the attached amendments to the land use compatibility tables as required by HB 489.

Approved and Finalized

20180687 Cobb County Tax Commissioner's Certification of Agreement

Motion to approve the Cobb County Tax Commissioner's Certification of Agreement for the Allocation and Distribution of Proceeds from the Title Ad Valorem Tax (TAVT).

Approved and Finalized

*** 20180666 "Memorandum of Understanding" Peak Time Overflow Square Parking"**

Motion to approve an agreement with Marietta Housing Authority on parking at peak times for public parking.

Approved and Finalized

20180694 Appointment of a New Fire Chief

Motion to approve the City Manager's nomination of Tim Milligan for the position of Marietta Fire Chief.

Acknowledgement of a recommendation by the City Manager's to appoint Tim Milligan as the new Fire Chief for the City of Marietta, based upon the recommendation of the City Manager on June 11, 2018.

Approved as Amended

* **20180695** **136 S. Fairground Street**

Motion authorizing acquisition of a driveway easement at 136 S. Fairground Street from Wilson Lafon, LLC for the purpose of constructing the Fairground St - South Marietta Parkway to Roswell Street (Fairground B) Project in exchange for the stipulations as listed.

1. Ingress and egress will not be impeded during construction; the timing of the pouring of the apron will be coordinated with the owner (Greg Townsend 404-414-3411)
2. Owner's sign will not be disturbed

Approved and Finalized

* **20180696** **140 S. Fairground Street**

Motion authorizing acquisition of a portion of property and easements at 140 S. Fairground Street from Wilson Lafon, LLC for the purpose of constructing the Fairground St - South Marietta Parkway to Roswell Street (Fairground B) Project in exchange for \$300.00 and stipulations as listed.

1. Ingress and egress will not be impeded during construction; the timing of the pouring of the apron will be coordinated with the owner (Greg Townsend 404-414-3411)
2. City will revise driveway width and apron width to 24' at throat and 40' at mouth. Centerline of driveway will be shifted 3' to 5' north.
3. Owner's sign will not be disturbed.

Approved and Finalized

* **20180697** **157 S. Marietta Fairground Street**

Motion authorizing acquisition of a portion of property and easements at 157 S. Fairground Street from Wilson Lafon, LLC for the purpose of constructing the Fairground St - South Marietta Parkway to Roswell Street (Fairground B) Project in exchange for \$3,500.00 and stipulations as listed.

1. Ingress and egress will not be impeded during construction; the timing of the pouring of the apron will be coordinated with the owner (Greg Townsend 404-414-3411)
2. City will revise driveway width and apron width to 24' at throat and 40' at mouth. Centerline of driveway will be shifted 3' to 5' north.

Approved and Finalized

* **20180698** **244 S. Fairground Street**

Motion authorizing acquisition of a portion of property and easements at 244 S. Fairground Street from Coakey Pacheco and Victor Pacheco for the purpose of constructing the Fairground St - South Marietta Parkway to Roswell Street (Fairground B) Project in exchange for \$17,700.00 and stipulations as listed.

1. City will install a temporary mailbox during construction and restore permanent mailbox after construction.
2. City will coordinate the pouring of the new driveway with Owners.

Approved and Finalized

* **20180699** **262 S. Fairground Street**

Motion authorizing acquisition of a portion of property and easements at 262 S. Fairground Street from Ann B. Meyers for the purpose of constructing the Fairground St - South Marietta Parkway to Roswell Street (Fairground B) Project in exchange for \$11,900.00 and stipulations as listed.

1. City will match width of existing curbcut.
2. Owner just replaced driveway with 4000psi concrete and picture frame finish. City will replace in like kind.
3. City to coordinate the pouring of the driveway with the owner (404-395-7555).

Approved and Finalized

* **20180700** **252 S. Fairground Street**

Motion authorizing acquisition of a portion of property and easements at 252 S. Fairground Street from Victor E. Ekworomadu for the purpose of constructing the Fairground St - South Marietta Parkway to Roswell Street (Fairground B) Project in exchange for \$12,700.00 and stipulations as listed.

1. New driveway will extend to the seam approximately 45 feet from the back edge of existing sidewalk.
2. City will match the width of the mouth of the existing curbcut.
3. City will replace disturbed lawn with Bermuda sod.
4. City to coordinate the pouring of the driveway with the owner (404-667-5778).

Approved and Finalized

* **20180701** **270 S. Fairground Street**

Motion authorizing acquisition of a portion of property and easements at 270 S. Fairground Street from Joseph D. Vogel for the purpose of constructing the Fairground St - South Marietta Parkway to Roswell Street (Fairground B) Project in exchange for \$11,970.00 and stipulations as listed.

1. City will remove large oak tree on north side of driveway, to include removal or grinding of stump.

Approved and Finalized

* **20180702** **34 Gramling Street**

Motion authorizing acquisition of the entire property at 34 Gramling Street from Don E. Wix for the purpose of constructing the Powder Springs Streetscape - Sandtown Rd to S Marietta Parkway Project in exchange for \$22,500.00.

Approved and Finalized

* **20180703** **Church Street and Cherokee Street**

Motion accepting the donation of right of way along Cherokee Street and Church Street from Cobb County Kennestone Hospital Authority.

Approved and Finalized

* **20180607** **BLW Actions of June 11, 2018**

Review and approval of the June 11, 2018 actions and minutes of Marietta Board of Lights and Water.

Approved and Finalized