



City of Marietta

Meeting Summary

CITY COUNCIL AGENDA WORK SESSION

R. Steve Tumlin, Mayor
Annette Paige Lewis, Ward 1
Griffin "Grif" L. Chalfant, Jr., Ward 2
Johnny Sinclair, Ward 3
G. A. (Andy) Morris, Ward 4
Rev. Anthony C. Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Monday, October 8, 2012

5:15 PM

Council Chamber

20120944

Regular Meeting - September 10, 2012

Review and approval of the September 10, 2012 regular meeting minutes.

Approved as Amended

20120951

Executive Session Minutes

Review and approval of the following executive session minutes:

- July 25, 2012 Special Called Agenda Work Session
- August 29, 2012 Special Called Agenda Work Session
- September 10, 2012 Agenda Work Session

Approved and Finalized

20120986

BLW Report

Council Member Jim King gives the Board of Lights and Water (BLW) report for the meeting held on Monday, October 8, 2012.

Reported

20120532

Amendment to Code Section 6-4-010 Board of Lights and Water (BLW)

Consideration of the following amendment to Code Section 6-4-010 Board of Lights and Water (BLW):

The Board of Lights and Water ("BLW" and hereafter referred to as same) is authorized to build, maintain and operate a water system, sewer system, electrical system, cable television system, telecommunications system and any other utility system. For this purpose, the BLW shall have all powers now provided the BLW by general state law or the Marietta City Charter and all powers formerly vested in the city council for these purposes; provided, all official actions of the BLW shall become effective only upon minutes of the BLW "being received and

filed” at the said following meeting of by the city council. Notwithstanding any other provision of the City Code, except for certain actions in the BLW minutes that the Council may deny by a affirmative vote consisting of five(5) positive votes to deny such action(s) with the denied actions being referred back to the BLW Board and the remaining items “received and filed”.

No Action Taken

20120820 Board of Lights and Water Appointment

Review of applications submitted to fill the vacancy on the Board of Lights and Water.

Appointment of Michael G. Wilson to the Board of Lights and Water (Resident Post) for a term of four (4) years, beginning October 11, 2012 and expiring October 10, 2016.

Recommended for Approval - Consent Agenda

20120943 Indoor Facility Survey Update

Presented

20120936 Civil Service Board Election - Post 2

Request for approval of the certified Uncontested Election results for the Marietta Civil Service Board Post 2 vacancy, electing Edgar Darden Borders, II for a term of three years, effective January 1, 2013 and expiring on December 31, 2016.

Recommended for Approval - Consent Agenda

20120942 NLC Annual Congress of Cities Business Meeting

Appointment of a voting delegate and alternate voting delegate for the National League of Cities (NLC) Congress of Cities' Annual Business Meeting, which will be held Saturday, December 1, 2012 in Boston, MA.

Appointment of Philip M. Goldstein as voting delegate and Johnny Sinclair as alternate voting delegate.

Recommended for Approval - Consent Agenda

20120987 Redistricting Map

Motion authorizing the commencement of the legal process to amend the Ordinances and Charter of the City of Marietta related to the ward map of the City of Marietta in accordance with O.C.G.A. § 36-35-3 and other applicable laws with Public Hearings to be held on such matter at the regular City Council agenda on Wednesday, November 14, 2012 and the regular City Council agenda on Wednesday, December 12, 2012. The City Attorney and staff are directed to carry out all legal requirements related thereto.

Recommended for Council Agenda Non Consent

20121003 Excise Tax Election

Excise tax election pursuant to HB 386 in regards to GMA being used as a resource and viewing it as a safety net, not a revenue source.

In an effort to stimulate economic growth, the City of Marietta will not option for the 2% excise tax. (Clerk's Note: This language should be changed accordingly.)

Recommended for Approval - Consent Agenda

20120988 Draft City Council Agenda

Review and approval of the October 10, 2012, City Council Agenda.

- under Presentations: Agenda item 20120972 was removed from the agenda. -*
- under Minutes: Agenda items 20120945 and 20120946 were added to the consent agenda.*
- under City Council Appointments: Agenda item 20120759 was removed from the agenda.*
- under Ordinances: Agenda item 20120859 was added to the consent agenda, as amended. Council members Goldstein and Sinclair abstaining.*
- under Ordinances: Agenda items 20120814 and 20120854 were added to the consent agenda.*
- under City Attorney's Report: Agenda item 20121005 was added to the consent agenda regarding a denial of claim. Council member Sinclair abstaining.*
- under Judicial/Legislative: Agenda item 20120915 was added to the agenda. -*
- under Parks and Rec.: Agenda item 20120984 was amended to add the purchase price of \$25,000 each.*
- under Public Works: Agenda item 20120913 was amended to read, "Motion authorizing advertisement for a public hearing to be held on regularly scheduled November City Council Meeting regarding the zoning, closure, abandonment, and sale of unimproved right of way between 320 and 340 Lockheed Avenue.*
- under Other Business: Agenda item 20120947 was added to the consent agenda.*

Discussed

20120989 Executive Session

Executive Session to discuss legal, personnel and/or real estate matters.

Held

20121005 Denial of Claim

Denial of the claim of Mike Nelson.

Recommended for Approval - Consent Agenda

The following items were added to the Council consent agenda for approval:

- Motion accepting donation of right of way and temporary easements at 187 Wright Street from Faye McBee, subject to final approval of documents by the City Attorney, Public Works Director and City Manager.

-Motion accepting donation of right of way and temporary easements at 195 Wright Street from Wells Fargo Home Mortgage, subject to final approval of documents by the City Attorney, Public Works Director and City Manager.

-Motion authorizing settlement in the case of Faye S. McBee v. City of Marietta, final terms and conditions subject to the City Attorney, City Manager and Trident Insurance.

The following property acquisitions were added to the consent agenda for approval.

- 931 Powder Springs Street*
- 26 Powder Springs Street (Council member Goldstein abstaining)*
- 56 Powder Springs Street (Council member Goldstein abstaining)*
- 193/195 South Marietta Parkway (Council member Goldstein abstaining)*
- 379 Campbell Hill Street (Council member Goldstein abstaining)*
- 72 Atlanta Street (Council member Goldstein abstaining)*
- 1990 Delk Industrial Blvd, with amended stipulations*