



City of Marietta
Meeting Minutes
COMMITTEE OF THE WHOLE

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

William B. Dunaway, Mayor
Annette Paige Lewis, Ward 1
Grif Chalfant, Ward 2
Holly Marie Walquist, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Monday, August 6, 2007

5:15 PM

4th Floor Conference Room

Presiding: William B. Dunaway

Present: Philip M. Goldstein, Jim King, Holly Walquist, Grif Chalfant, Annette Lewis and Van Pearlberg

Absent: Rev. Anthony Coleman

Also Present:

William F. Bruton, City Manager

Douglas R. Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor William B. Dunaway called the meeting to order at 5:15 p.m.

MINUTES:

20070779 Regular Meeting - July 9, 2007

Review and approval of the July 9, 2007 regular meeting minutes.

A motion was made by Council member Walquist, seconded by Council member Chalfant, that this matter be Approved. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

BUSINESS:

20070798 AT&T U-verse Video Service

Review and discussion on the proposed agreement between AT&T and the City of Marietta to offer U-verse Video Service.

Council member Goldstein disclosed that he, as well as various members of his family own stock in AT&T.

A motion was made by Council member Chalfant, seconded by Council member Pearlberg, that this matter be Recommended for Council Agenda Non Consent. The motion carried by the following vote:

Vote: 4 - 1 - 0

Vote Against: 1 - Jim King
Absent: Philip M. Goldstein

**Recommended for Council Agenda Non
Consent**

20070786 ARC Presentation

ARC presentation regarding Community Choice Projects for the City's Development Process.

Discussion was held. There was agreement that a Resolution and Motion be added to the Council agenda to address Recommendation No. 1 of the ARC Report regarding the title for the Director Development Services. (See agenda items 20070897 and 20070898)

This matter was Presented.

20070886 BLW Report

Report by Councilman Jim King on the actions of the BLW at their meeting held Monday, August 6, 2007.

Council member King reported on the actions of the Board of Lights and Water at their August 6, 2007 regular meeting. Finance Director Monte Vavra reported on the BLW finance statements. (See the August 6, 2007 regular Board of Lights and Water meeting minutes for details.)

This matter was Reported.

20070455 Dumpsters

Update on dumpster pickup and maintenance around dumpsters.

Discussion was held. Staff was directed to begin Sunday pick up; however, the fee schedule for the merchants on the Square would be discussed at the next Public Works Committee meeting.

This matter was Referred to the PUBLIC WORKS COMMITTEE.

20070704 Stop Sign Study/Carriage Oaks Drive at Old Canter Court.

Request by Councilman Van Pearlberg for a stop sign study at the intersection of Carriage Oaks Drive at Old Canter Court.

Discussion was held regarding a stop sign study at Carriage Oaks Drive at Canter Court. A motion was made by Council member Pearlberg and seconded by Council member Walquist to approve the study; however, this motion was later withdrawn. After further discussion, there was no action taken regarding this matter.

No Action Taken.

20070705 Stop Sign Study/Old Mountain Road and Gilbert Road

Request by Councilman Van Pearlberg for 3-way stop study at the intersection of Old Mountain Road and Gilbert Road.

A motion was made by Council member Walquist, seconded by Council member Pearlberg, that this matter be Approved. The motion failed by the following vote:

Vote: 3 - 4 - 0 Failed

Vote Against: 3 - Philip M. Goldstein, Jim King and Annette Lewis

Due to the tie vote, the Mayor voted regarding this matter.

20070883 Leo Frank Proclamation

Consideration of a Proclamation commemorating the anniversary and condemning the lynching of Leo Frank.

A motion was made by Council member Pearlberg, seconded by Council member King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0 Recommended for Approval - Consent Agenda

20070820 3-way Stop Sign Request

Request by Councilman Van Pearlberg for 3-way stop signs on North St. Mary's Lane at both intersections with Heyward Circle.

A motion was made by Council member Walquist, seconded by Council member Pearlberg, that this matter be Approved. The motion failed by the following vote:

Vote: 2 - 4 - 0 Failed

Vote Against: 4 - Philip M. Goldstein, Grif Chalfant, Jim King and Annette Lewis

20070750 No Parking Signs

Request by Councilman Van Pearlberg for "No Parking" signs on Sugar Hill Drive.

This matter was referred to the Public Works Committee for further discussion.

This matter was Referred to the PUBLIC WORKS COMMITTEE.

20070789 Proposed amendment to the Comprehensive Development Code

CA2007-19 Motion to approve Section 726 Title, Purpose and Jurisdiction of the Comprehensive Development Code regarding public hearing requirements for Gated Communities

A motion was made by Council member Chalfant, seconded by Council member Pearlberg, to disclose land purchases prior to the contract being closed. The motion failed by the following vote:

Vote: 3 - 3 - 0

Failed

Voting Against: Annette Lewis, Jim King and Philip M. Goldstein

This matter was Referred to the JUDICIAL/LEGISLATIVE COMMITTEE.

20070704 Stop Sign Study/Carriage Oaks Drive at Old Canter Court

Request by Councilman Van Pearlberg for a stop sign study at the intersection of Carriage Oaks Drive at Old Canter Court.

No Action Taken

20070887 Draft Agenda

Review of the August 8, 2007 Draft City Council Agenda.

The following amendments were made to the draft agenda:

-under Minutes: Agenda items 20070867 and 20070868 were added to the consent agenda.

-under Ordinances: Agenda item 20070856 was removed from the agenda.

-under Resolutions: Agenda item 20070898 was added to the agenda.

-under Other Business: Agenda item 20070840 was removed from the agenda. (This item appears on the agenda twice; one should be removed)

-under Other Business: Agenda item 20070871 was added to the consent agenda.

-under Other Business: Agenda item 20070897 was added to the agenda.

This matter was Discussed.

20070873 Executive Session

Executive Session to discuss Legal, Personnel and/or Real Estate matters.

The motion was made in open session by Council member Goldstein, seconded by Council member King, to enter an Executive Session to discuss real estate and/or legal matters. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, James W. King, and Philip M. Goldstein

The Executive Session was held.

A motion was made by Council member Goldstein, seconded by Council member King, to close the Executive Session. The motion carried by the following vote:

Vote: 6 - 0 - 0 **Held**

For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, James W. King, and Philip M. Goldstein

20070896 Appeal to the Supreme Court of Georgia

Motion to authorize an appeal by the City Attorney to the Supreme Court of Georgia.

A motion was made by Council member Lewis, seconded by Council member Pearlberg, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 5 - 1 - 0 **Recommended for Approval - Consent Agenda**

Vote Against: 1 - Holly Walquist

A motion was made by Council member Chalfant, seconded by Council member Pearlberg, to place an item on the Council agenda to rescind agenda item 20070688. The motion failed by the following vote:

Vote: 3 - 3 - 0 **Failed**

Voting Against: Annette Lewis, Jim King and Philip M. Goldstein

ADJOURNMENT:

The meeting was adjourned at 8:34 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____