



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda

CITY COUNCIL

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

Wednesday, December 12, 2012

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

Council Member Jim King, Ward 6

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

20121232 Digital City Top 10 Award

Recognition of the City of Marietta's IT Department for winning one of the Top 10 Digital Cities awards. This Award is given to the Governments that are the leaders in the use of Technology in ways which improve efficiency and provide better service to the Public.

20121179 Distinguished Service Award

Distinguished Service Award presented to Mark Anderson for his years of service on the Pension Board.

20121209 Government Finance Officers Association Award

Sam Lady, Finance Director, receives the GFOA Award for the 25th consecutive year. The Certificate of Achievement for "Excellence in Financial Reporting" is given by the Government Finance Officers Association of the United States and Canada for its Comprehensive Annual Financial Report (CAFR). The GFOA Press Release states "This Certificate is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management."

PROCLAMATIONS:**20121258 Proclamation - Patrick Thompson**

The presentation of a Proclamation to Patrick Thompson thanking him for his years of service on the Planning Commission and the Height Advisory Committee.

ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:**SCHEDULED APPEARANCES:****UNSCHEDULED APPEARANCES:****CONSENT AGENDA:**

Consent agenda items are marked by an asterisk (*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).

MINUTES:*** 20121200 Regular Meeting - November 14, 2012**

Review and approval of the November 14, 2012 regular meeting minutes.

*** 20121201 Special Meeting - November 26, 2012**

Review and approval of the November 26, 2012 special meeting minutes.

MAYOR'S APPOINTMENTS:

CITY COUNCIL APPOINTMENTS:*** 20121169 Board of Zoning Appeals Appointment**

Appointment of The Reverend Ron Clark to the Board of Zoning Appeals (Ward 5), for a three year term expiring December 12, 2015.

*** 20121152 Civil Service Board Appointment**

Reappointment of James T. Martin to the Civil Service Board (Post 1) for a three (3) year term expiring December 31, 2015.

ORDINANCES:*** 20121076 Z2012-13 David Youssi (YREI, LLC) 25 Trammell Street**

Z2012-13 [REZONING] DAVID YOUSSEI (YREI, LLC) request rezoning for property located in Land Lot 12900, District 16, Parcel 0030, 2nd Section, Marietta, Cobb County, Georgia and being known as 25 Trammell Street from OI (Office Institutional) to OI w/residential use (Office Institutional w/residential use). Ward 3.

Planning Commission recommends for approval as stipulated. Vote: 5 – 0 – 0

Motion: Mr. Carter made a motion, seconded by Mr. Diffley, to recommend to City Council the rezoning request be approved in conjunction with the stipulations listed in the staff report, with the exception of #8.

Stipulations:

- 1. Variance to allow a single family residence as a permitted use; however, if the main structure is demolished, the zoning will revert back to OI, without the residential use.*
- 2. Variance to reduce the minimum lot width from 75' to 53.77.' §708.23 (H)*
- 3. Variance to reduce the front setback from 30' to 21.24' in order to accommodate the existing building. §708.23 (H)*
- 4. Variance to reduce the left (east) side setback from 15' to 9.82' in order to accommodate the existing building. §708.23 (H)*
- 5. Variance to reduce the right (west) side setback from 15' to 11.35' in order to accommodate the existing building. §708.23 (H)*
- 6. Variance to reduce the minimum lot size from 20,000 s.f. to 6,621.12 s.f. §708.23 (H)*
- 7. Variance to allow the current trees and landscaping conditions to satisfy the requirements of Section 712.08 until the site is converted to commercial use. §712.08*
- 8. Variance to allow the storage of vehicles on an unapproved surface until the site is converted to commercial use. §716.08*

PUBLIC HEARING (All parties sworn in.)

20121234 REAPPORTIONMENT - SECOND READING

Motion to approve the reapportionment map of the City of Marietta in accordance with O.C.G.A. § 36-35-3, et seq. and Section 3.3 of the Charter of the City of Marietta. This is the second reading following the second of two public hearings.

PUBLIC HEARING

RESOLUTIONS:**CITY ATTORNEY'S REPORT:***** 20121208 Denial of Claim**

Denial of Claim of Nanette L Harris.

CITY MANAGER'S REPORT:**MAYOR'S REPORT:****COMMITTEE REPORTS:**

- 1. Economic/Community Development: Grif Chalfant, Chairperson**
- 2. Finance/Investment: Annette Lewis, Chairperson**

*** 20121145 Donation to the Tree Preservation Fund by Whiteway Outdoor Advertising**

Approval of an Ordinance amending the Fiscal Year 2013 Tree Preservation Fund budget to receive and appropriate a donation from Whiteway Outdoor Advertising.

*** 20121156 Budget amendment to settle up FY2012**

Approval of an Ordinance amending the Fiscal Year 2012 budget to allocate all items in the Unallocated Departments to other departments, and to allocate the General Fund capital contingency fund to the user departments for expenditure.

*** 20121161 Powder Springs Street Bus Shelter**

Approval of an Ordinance amending the Fiscal Year 2013 budget to receive and appropriate an insurance reimbursement check from State Farm Automobile Insurance Company to replace the decorative bus shelter on Powder Springs Street.

3. Judicial/Legislative: Philip M. Goldstein, Chairperson* **20121217** Authorization to Advertise - Commercial Properties

20121217 Motion to authorize legal advertisement to proceed with annexation, rezoning and assigning a future land use category for the following properties, which shall be designated for commercial use, as well as all required right of way, as per O.C.G.A. § 36-36 Georgia Annexation Code.

	PIN	Property Address	Cobb Co Zoning	Proposed City Zoning	Cobb Co FLU	Proposed City FLU
1	16087500040	Canton Rd 1436	GC	LI	IC	IW
2	16087400500	Canton Rd 1441	GC	CRC	IC	IW
3	16087400010	Canton Rd 1447	GC	CRC	IC	IW
4	16087500050	Canton Rd 1451	HI	LI	IC	IW
5	17064200140	Cobb Pkwy S	GC	CRC	IND	CAC
6	17058100130	Cobb Pkwy S 1011	GC	CRC	CAC	CAC
7	17058100040	Cobb Pkwy S 1049	GC	CRC	CAC	CAC
8	17064200080	Cobb Pkwy S 1265	GC	CRC	IND	CAC
9	17064200100	Cobb Pkwy S 1265	GC	CRC	IND	CAC
10	17064200150	Cobb Pkwy S 1265	R-20	CRC	IND	CAC
11	17064200070	Cobb Pkwy S 1291	GC	CRC	IND	CAC
12	17058100060	Cobb Pkwy S 991	GC	CRC	CAC	CAC
13	17064200090	Cobb PkwyS 1265	R-20	CRC	IND	CAC
14	16087400130	Dickson Rd 515	LI	LI	IC	IW
15	16087400110	Dickson Rd 521	LI	LI	IC	IW
16	16087400350	Dickson Rd 525	LI	LI	IC	IW
17	16087400260	Dickson Rd 532	O&I/NS	CRC	IC	IW
18	16087400120	Dickson Rd 515	LI	LI	IC	IW
19	17064200040	Franklin Rd 1264	GC	CRC	IND	CAC
20	16092600360	Owenby Dr 1343	HI	HI	IC	IM
21	16087500120	Owenby Dr 1398	GC	HI	IC	IM
22	16087500120	Owenby Dr 1398	HI	HI	IC	IM
23	16087400030	Owenby Dr 1479	GC	CRC	IC	IW
24	17014800050	Powder Springs ST SW	O&I	OI	CAC	CAC
25	16087500640	Sawyer Rd	HI	LI	IC	IW
26	16087500060	Sawyer Rd 705	HI	LI	IC	IW
27	16087500660	Sawyer Rd 725	HI	LI	IC	IW
28	16087500670	Sawyer Rd 731	HI	LI	IC	IW
29	16087500030	Sawyer Rd 748	GC	LI	IC	IW
30	16087500020	Sawyer Rd 751	GC	LI	IC	IW

31	16087500630	Simms Dr 1401	HI	LI	IC	IW
32	16087500590	Simms Dr 1421	HI	LI	IC	IW
33	16085400410	West Oak Dr	HI	LI	None	IW
34	16085300020	West Oak Dr 1556	LI	LI	IC	IW
35	16085300020	West Oak Dr 1556	LI	LI	IC	IW
36	16080400170	West Oak Dr 1654	HI	LI	IC	IW
37	17058100170	Wylie Rd 1035	GC	CRC	CAC	CAC
38	16087500680	Sawyer Rd	HI	LI	IC	IW
39	16087500710	Sawyer Rd	HI	LI	IC	IW

* **20121218 Authorization to Advertise - Residential Properties**

20121218 Motion to authorize legal advertisement to proceed with annexation, rezoning and assigning a future land use category for the following properties, which shall be designated for residential use, as well as all required right of way, as per O.C.G.A. § 36-36 Georgia Annexation Code.

	PIN	Property Address	Cobb Co	Proposed	Cobb FLU	Proposed
			Zoning	City Zoning		City FLU
1	16092300080	Allgood Rd 1244	R-20	R-2	MDR	MDR
2	16092300190	Allgood Rd 1284	R-20	R-2	MDR	MDR
3	16087900040	Allgood Rd 1380	R-20	R-2	LDR	LDR
4	16087400370	Dickson Rd 529	R-20	R-2	IC	IW
5	16092300210	Lincoya Dr 1271	R-20	R-2	MDR	MDR
6	16085400400	Sawyer Rd 1506	R-20	R-2	PI	IW
7	16085400390	West Oak Dr 1516	R-20	R-2	IC	IW
8	16085400380	West Oak Dr 1526	R-20	R-2	IC	IW
9	16085400370	West Oak Dr 1536	R-20	R-2	IC	IW
10	16085400360	West Oak Dr 1546	R-20	R-2	IC	IW

4. Parks, Recreation and Tourism: Johnny Sinclair, Chairperson

5. Personnel/Insurance: G. A. (Andy) Morris, Chairperson

* **20121155 Reorganization of the IT Department**

Approval of an Ordinance amending the City of Marietta and Board of Lights and Water position allocations chart and position classification and compensation plans for the 2013 fiscal year.

* **20121093 Marietta Museum of History Board Appointment**

Approval to reappoint Betty Hunter, Walter (Kee) Carlisle, Bill Kinney and Harlon Crimm to the Museum of History Board of Directors, for 3-year terms expiring on October 31, 2015.

6. Public Safety Committee: Anthony Coleman, Chairperson

7. Public Works Committee: Jim King, Chairperson

* **20121150 Traffic Safety and Signals**

Approval of an Ordinance amending the Fiscal Year 2013 budget to appropriate prior year funding from Wellstar for signal installation at the intersection of Tower Road at North Avenue.

Council member Johnny Sinclair disclosed that he serves on the Kennestone Regional Board.

* **20121151 Traffic Calming**

Motion approving the installation of speed tables on Hickory Drive and Evelyn Street.

Council member Goldstein abstaining.

* **20121159 Wilson Drive**

Motion to name a currently unnamed city street Wilson Drive which is located between 900 and 932 Roswell Street as shown on the attached map.

* **20121160 Wilson Drive No Parking Zone**

Motion to install a “No Parking” zone along both sides of Wilson Drive.

APPEARANCES:

OTHER BUSINESS:**20121135 V2012-46 QuikTrip Corporation 900 Whitlock Avenue**

V2012-46 [VARIANCE] QUIKTRIP CORPORATION requesting variances for property located in Land Lot 12240, District 16, Parcel 0200 and being known as 900 Whitlock Avenue.

1. Variance to eliminate the 75' maximum front setback. [§712.09(G)(2)(b)(i)]
2. Variance to reduce the rear yard setback from 35' to 0.' [§708.16(H)]
3. Variance to increase the allowable impervious surface from 80% to 85%. [§708.16(H)]
4. Variance to increase the allowable height for a monument sign on Whitlock Avenue from 15' to 16'4." [§714.04(E) Table H]
5. Variance to increase the allowable height for a monument sign on Burnt Hickory Road from 10' to 10'9". [§714.04(E) Table H]
6. Variance to allow an accessory structure be located closer to the right of way than the principal building. [§708.16(F)(1)]
7. Variance to allow a refuse area be within the public view. [§712.09(G)(1)(b)(xiv)]
8. Variance to reduce the required street trees along Burnt Hickory Road from 7 to 4. [§712.08 Table G-1]
9. Variance to reduce the required street trees along Whitlock Avenue from 8 to 0. [§712.08 Table G-1]
10. Variance to reduce the required setback for a fuel storage tank from 20' to 10.' [§708.16(B)(8)(a)]

*** 20121231 Safety Crossing**

Motion to approve a Cooperative Subgrant Agreement with Cobb County for the Construction of Pedestrian Safety Improvements along South Marietta Parkway.

20121197 BLW Actions of the December 12, 2012

Review and approval of the December 12, 2012 actions and minutes of the Marietta Board of Lights and Water.

UNSCHEDULED APPEARANCES:**ADJOURNMENT:**