



City of Marietta Meeting Agenda

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

CITY COUNCIL

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

Wednesday, February 13, 2008

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

Councilman Van Pearlberg, Ward 4

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

PROCLAMATIONS:

ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:

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:

- * **20080084** **Special Meeting - January 16, 2008**
Review and approval of the January 16, 2008 special meeting minutes.
Council member King abstaining.
- * **20080085** **Regular Meeting - January 9, 2008**
Review and approval of the January 9, 2008 regular meeting minutes.

MAYOR'S APPOINTMENTS:

- * **20080064** **Ethics Committee Appointment**
Reappointment of Warren Herron to the Ethics Committee for a term of two years expiring on March 12, 2010.

CITY COUNCIL APPOINTMENTS:

ORDINANCES:

- * **20080107** **Code Enforcement - 1124 Burbank Circle**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 1124 Burbank Circle.

Owner: Spivak Helen A

Certified mail receipt not received as of 01-30-08

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

* **20080108 Code Enforcement - 496 Barnes Mill Drive**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 496 Barnes Mill Drive.

Owner: Lanham Marjorie Juanita

Certified mail receipt not received as of 01-30-08

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

* **20080110 Code Enforcement - 442 Roosevelt Circle**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 442 Roosevelt Circle.

Owner: Ramiro Rodriguez

Certified mail receipt not received as of 01/29/08.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

* **20080111 Code Enforcement - 232 McInstosh Avenue**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 232 McIntosh Avenue.

Owner: Ramiro Rodriguez

Certified mail receipt received 01/16/08; signed by Karen Rodriguez

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

* **20080124 Code Enforcement - 213 Gramling Street**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 213 Gramling Street.

Owner: Hal Vester Miles, Jr.

Certified mail receipt not received as of 01-30-08.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

RESOLUTIONS:**CITY ATTORNEY'S REPORT:**

- * **20080146 Denial of a Claim**
Denial of a claim of Henry Hennecken.

CITY MANAGER'S REPORT:**MAYOR'S REPORT:****COMMITTEE REPORTS:****1. Economic/Community Development: Grif Chalfant, Chairperson****2. Finance/Investment: Annette Lewis, Chairperson**

- * **20080061 Historic Preservation Commission**
Motion to approve a \$500.00 contribution and Letter of Support for the Cobb County Community Development Historic Property Workshop, as requested by the Historic Preservation Commission. Funding shall come out of the existing Historic Preservation Commission budget.

3. Judicial/Legislative: Philip M. Goldstein, Chairperson

- * **20080077 State Cable and Video Franchise Law**
Motion to approve a Resolution pertaining to State Cable and Video Franchise Law.
- * **20080078 Ethics Committee Attorney**
Motion approving reducing the prohibition for the attorney hired by the Ethics Board to twelve (12) years prior to the date of appointment where the attorney has litigated against the city.
- * **20080089 Detailed Plan for WestOak III**
Motion to approve the Detailed Plan for West Oak III at 1791 West Oak Parkway with the stipulation that the exterior building materials shall be consistent with those shown in the set of pictures (3 pages) dated January 30, 2008.
- * **20071441 Smith-Manning Design Guidelines**
Motion to approve the Design Guidelines for the Smith-Manning House.
Public Hearing Required
- * **20080090 Renaming of the Marietta Conference Center and Resort**
Motion approving the renaming of the Marietta Conference Center and Resort to Hilton Atlanta/Marietta Hotel & Conference Center.
- * **20071403 Precinct Polling Place Changes - Ward 1 & 7**
Ordinance to amend Section 1-6-080 regarding precinct polling places for Wards 1 and 7 for municipal elections to coincide with changes approved by Cobb

County Board for State and County elections.

4. Parks, Recreation and Tourism: Holly Walquist, Chairperson

- * **20080118 KABOOM Playground Contract**
Motion authorizing the City Manager to execute a contract with KABOOM Playground, subject to approval by the City Attorney.

5. Personnel/Insurance: Van Pearlberg, Chairperson

- 20080050 Construction Board of Adjustment and Appeals**
Motion to reappoint Steve Arrants to the Construction Board of Adjustment and Appeals (Ward 2) for a five-year term, expiring January 31, 2013.
- * **20080073 Amendment of Personnel Rules and Regulations**
Ordinance approving amendments to the Personnel Rules and Regulations contained in Part 4, Subsection 16-080 of the Code of Ordinance for revisions to current standards.
- * **20071436 Marietta Cobb New Markets Fund, Inc.**
Motion to appoint Council member Griffin L. Chalfant to the Marietta Cobb New Markets Fund, Inc., Community Development Entity.

6. Public Safety Committee: Anthony Coleman, Chairperson

- 20070617 Intersection Traffic Enforcement**
Motion to move forward with the Intersection Traffic Enforcement Cameras at Powder Springs and South Marietta Parkway.
- * **20080040 Standard Operating Procedures for the Marietta Police Department**
Motion approving revisions to the following Standard Operating Procedures for the Marietta Police Department:
A018 Goals & Objectives; A020 Deadly & Non-Deadly Force, A025 Electronic Control Weapons (new policy), A045 Time Control Procedures; A073 Building Security; A078 Transfers; A082 Performance Evaluations; A085 Promotions; P044 Police Vehicles; S034 Juvenile Procedures; T050 Training

7. Public Works Committee: Jim King, Chairperson

- * **20071235 Dumpsters**
Motion approving the relocation of dumpsters along Hansell Street to the southern side of the roadway east of existing private alley as shown on the Proposed Dumpster Location (Option 3) drawing presented by Public Works. Additionally, authorizing the Public Works Director to change the number of dumpsters at this location based upon service needs.
- * **20071335 Powers Ferry Road at South Marietta Parkway**
Motion approving the SPLOST improvement project concept for the Powers Ferry Road at South Marietta Parkway intersection to include construction of an exclusive right turn lane and sidewalk to be located within existing right of way.
- * **20080165 Acquisition of properties**

Motion to approve partial acquisition of properties for the construction of sidewalks along Fort Street as follows.

114 Woods Drive	Geneva Carter	\$3,775
524 Fort Street	Tina Harris	\$2,300
526 Fort Street	Alvin L. Kinnebrew	\$2,000
540 Fort Street	L.C. & Ida Delay	\$1,650

Council members Lewis and Walquist voting against.

* **20080167 Acquisition of property**

Motion to approve the partial acquisition of property for the construction of sidewalks along Roswell Street as follows.

1092 Roswell Road	H J Millwood LLC	\$3,000
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20080170 Ordinance Amending Streets and Sidewalks

Ordinance amending chapter 5-4 Streets and Sidewalks of the Marietta City Code by adding Section 5-4-180 Modification of Sidewalks within the Central Business District; Permit Required.

20071408 Friends of the Strand

Motion authorizing the Friends of the Strand to install new pavers under the marquee of the Strand Theater for the purposes of raising funds towards the Strand Theater improvements in accordance with Marietta City Code Section 5-4-180.

Councilmember Goldstein disclosed that he is a manager and part owner of the Herbert S. Goldstein Family Limited Partnership, which is the landlord for the Friends of the Strand, Inc.

SCHEDULED APPEARANCES:

UNSCHEDULED APPEARANCES:

OTHER BUSINESS:

* **20080142 National League of Cities (NLC)**

Motion to approve travel and training expenses for Council members who wish to attend the National League of Cities (NLC) 2008 Annual Congressional City Conference in Washington, DC on March 8-12, 2008.

* **20080143 National League of Cities (NLC)**

Motion to approve travel and training expenses for Council members who wish to attend the National League of Cities (NLC) Leadership Training Institute in Charleston, South Carolina on April 27-29, 2008.

* **20080075 Service Agreement with Principal Financial Group**

Motion approving a Service Agreement with Principal Financial Group for services to the City's Supplemental Pension Plan.

20080144 321 Cole Street and 325 North Marietta Parkway

Motion approving proposal response to RFP# 08-013008, for sale and

redevelopment of 321 Cole Street and 325 North Marietta Parkway.

Council member Goldstein disclosed that the original request for the City to sell the property was made by one of his tenants who leases parking spaces and is a subtenant in an adjacent building.

* **20080154** **Conference Center Renovation Financing**

Motion approving the issuance of \$7M in 2008 Revenue Bonds for financing MCCR renovations as authorized by City Resolution and 3rd Supplemental Conference Center Funding Agreement between DMDA and City of Marietta.

* **20080088** **BLW Actions of February 11, 2008**

Review and approval of the February 11, 2008 actions and minutes of the Marietta Board of Lights and Water Works (BLW).

ADJOURNMENT: