



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, January 9, 2008

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

The Reverend Karen Evans, St. James Episcopal Church

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

20080043 Swearing in of police officers

The following police officers are sworn in to the Marietta Police Department.

Greg Miniger
Nathan Devaux
Troy Moore

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:

- * 20071426 Regular Meeting - December 12, 2007
Review and approval of the December 12, 2007 regular meeting minutes.
- * 20071466 Special Meeting - December 20, 2007
Review and approval of the December 20, 2007 special meeting minutes.

MAYOR'S APPOINTMENTS:

- * 20071480 Mayor Pro tem
Appointment of Griffin Lee Chalfant, Jr., as the Mayor Pro tem for a term of one year expiring on January 9, 2009.

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- * **20071481 Presiding Officer**
Appointment of Annette Paige Lewis as the Presiding Officer for a term of one year expiring on January 9, 2009.
 - * **20071482 BLW Council Representative**
Reappointment of James W. King as the council representative on the Board of Lights and Water (BLW) for a term of one year expiring on January 9, 2009.
 - * **20071483 Economic/Community Development Committee**
Appointment of Griffin Lee Chalfant, Jr., as the chairperson, Holly M. Walquist and Philip M. Goldstein, to the Economic/Community Development Committee for a term of one year expiring on January 9, 2009.
 - * **20071484 Finance/Investments Committee**
Appointment of Annette Paige Lewis, as the chairperson, James W. King and Anthony C. Coleman to the Finance/Investments Committee for a term of one year expiring on January 9, 2009.
 - * **20071485 Judicial/Legislative Committee**
Appointment of Philip M. Goldstein, as the chairperson, Irvan Alan Pearlberg and James W. King to the Judicial/Legislative Committee for a term of one year expiring on January 9, 2009.
 - * **20071486 Parks, Recreation & Tourism Committee**
Appointment of Holly M. Walquist, as the chairperson, Anthony C. Coleman and Annette Paige Lewis to the Parks, Recreation and Tourism Committee for a term of one year expiring on January 9, 2009.
 - * **20071487 Personnel/Insurance Committee**
Appointment of Irvan Alan Pearlberg, as the chairperson, Griffin Lee Chalfant, Jr., and Annette Paige Lewis to the Personnel/Insurance Committee for a term of one year expiring on January 9, 2009.
 - * **20071488 Public Safety Committee**
Appointment of Anthony C. Coleman, as the chairperson, Irvan Alan Pearlberg and Holly M. Walquist to the Public Safety Committee for a term of one year expiring on January 9, 2009.
 - * **20071489 Public Works Committee**
Appointment of James W. King, as the chairperson, Griffin Lee Chalfant, Jr., and Philip M. Goldstein to the Public Works Committee for a term of one year expiring on January 9, 2009.
 - * **20071490 Marietta Housing Authority Council Liaison**
Appointment of Anthony C. Coleman as the council liaison to the Marietta Housing Authority for a term of one year expiring on January 9, 2009.
 - * **20071491 Marietta Board of Education Council Liaison**
Appointment of Annette Paige Lewis as the council liaison to the Marietta Board

of Education for a one-year term expiring on January 9, 2009.

CITY COUNCIL APPOINTMENTS:**ORDINANCES:**

- * **20071465 Code Enforcement - 588 Wilshire 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 588 Wilshire Avenue.
Listed Owner: Maria S. Gaspar & Julio Pedro Martinez
Certified mail receipt not received as of 12/31/07.
Taxes paid: Yes
PUBLIC HEARING REQUIRED
Philip M. Goldstein abstaining
- * **20071479 Code Enforcement - 222 Cole 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 222 Cole Street.
Listed Owner: Freeport Title & Guaranty, Inc.
Certified mail receipt returned 12-17-07; signature not legible
Taxes paid: Yes
PUBLIC HEARING REQUIRED
Philip M. Goldstein abstaining

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

- 1. Economic/Community Development: Grif Chalfant, Chairperson**
- 2. Finance/Investment: Annette Lewis, Chairperson**
- 3. Judicial/Legislative: Philip M. Goldstein, Chairperson**

- * **20071403 Precinct Polling Place Changes - Ward 1 & 7**
Motion to authorize advertisement of proposed precinct polling place changes for municipal elections to coincide with changes approved by Cobb County Board for State and County elections.
- * **20071428 800 MhZ Radio License Agreement**
Motion to approve the First Amendment to the Second 800 MhZ Radio System User License Agreement with Cobb County.
- * **20071433 Meeting Park**
Motion to approve the Revised Detailed Plan for Meeting Park (Winter

- PropertiesDevelopment)
- * **20071441 Smith-Manning Design Guidelines**
Motion to approve advertising of a Public Hearing for the Design Guidelines for the Smith-Manning House to be held at the regularly scheduled City Council meeting on Wednesday, February 13, 2008.
 - * **20071453 Historic Preservation Ordinance**
Motion to approve the proposed revision on meeting dates for the Historic Preservation Commission.
 - * **20071422 Public Urination Ordinance**
Approval of an Ordinance prohibiting urination and/or defecating in public or in view of a public place.
 - * **20071357 City Council Regular Meeting 2008 Calendar**
Approval of a Resolution establishing dates, time and place of regular council meetings for 2008.

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

- * **20071459 Taste of Marietta Street Closing Request**
Motion Authorizing Street Closures for the 2008 Taste of Marietta as follows:
1) North and West Park Square from 10:00pm, Saturday, April 26, 2008 until 10:00pm, Sunday, April 27, 2008
2) East Park Square and Lawrence Street between East Park Square and Waddell Street from 1:00am to 10:00pm, Sunday, April 27, 2008.
3) South Park Square from 1:00am to 10:00pm, Sunday, April 27, 2008 and;
4) the following streets on Sunday April, 27, from 8:00 am until 10:00 pm: a) Mill Street east of the Railroad Tracks, b) Whitlock Avenue east of the Railroad Tracks, c) Church Street from Hansell Street to N. Park Square and, d) Powder Springs Street from S. Park Square to Anderson Street.

5. Personnel/Insurance: Van Pearlberg, Chairperson

- * **20071352 ADA Advisory Board - Post 1**
Appointment of Nysia Lanier (Post 1) and Lawrence (Larry) Panetta (Post 5) to the Americans with Disabilities (ADA) Advisory Board for a three-year term, expiring December 31, 2010.
- * **20071401 Planning Commission Appointment - Ward 4**
Appointment of Donald A. Gillis to the Planning Commission (Ward 4) for a three-year term, expiring January 14, 2011.
- * **20071454 Appointed Officials Performance/Compensation Reviews**
Approval of an Ordinance amending the Appointed Officials Performance & Compensation and the City Manager Employment Agreement.

6. Public Safety Committee: Anthony Coleman, Chairperson

- * **20071423 Standard Operating Procedures for the Marietta Police Department**
- Motion approving the revisions to the following Standard Operating Procedures for the Marietta Police Department:
A030 Code of Conduct; A032 Personnel Manager; A039 Personnel Selection; A041 Organizational Structure; A044 Uniforms, Equipment & Department Property; A052 Detention & Housing of Detainees; A070 Departmental Forms & Reports; S035 Crime & Accident Scenes

7. Public Works Committee: Jim King, Chairperson

20071452 321 Cole Street and 325 North Marietta Parkway

Motion to authorize staff to advertise for the sale of 321 Cole Street and 325 North Marietta Parkway with minimal right-of-way reserved as surveyed.

SCHEDULED APPEARANCES:

Mr. Leland Dombrowsky
Executive Director/President, CSA Sports

UNSCHEDULED APPEARANCES:

OTHER BUSINESS:

20071402 V2008-01 Trilogy Development Group, Inc. 1120 Powder Springs Street

V2008-01 [VARIANCE] Trilogy Development Group, Inc. request a variance for property located in Land Lot 00670, 17th District, Parcel 0420, 2nd Section of Cobb County, Marietta, Georgia and being located at 1120 Powder Springs Street. Variance to increase the front setback from a maximum of 75' to 90' in the Commercial Corridor Design Overlay District. Ward 2.

- * **20080039 Letter of Understanding**
- Motion to approve a Letter of Understanding between the DMDA and Morgan Keegan & Company, Inc., to act as Underwriter/Re-Marketing Agent on \$7,000,000 DMDA Revenue Bonds, Series 2008 and to approve the recommended Plan of Finance for \$7,000,000 DMDA Revenue Bonds, Series 2008.
- * **20071492 Cobb Housing, Inc.**
- Appointment Holly Marie Walquist to the Cobb Housing, Inc. (CHI) Board of Directors for a one year term expiring on January 10, 2009.
- * **20071387 Cobb Municipal Association 2008 Delegates**
- Appointment of Philip M. Goldstein and Grif Chalfant as the 2008 voting delegates for the Cobb Municipal Association (CMA) business meetings.
- * **20080017 lil' chickens of marietta**
- Motion to authorize the lil' chickens of Marietta public art display per the request of the Cobb-Marietta Junior League as a city-sanctioned event with the condition that the placement and duration of the art shall be subject to the approval of the City Manager.
- * **20080044 Property Acquisition**

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

114 Woods Drive	Geneva Carter	\$3,775
524 Fort Street	Ms. Tina Harris	\$2,300
526 Fort Street	Mr. Alvin Lorenzo Kinnebrew	\$2,000
530 Fort Street	Ms. Ercelene T. Adams	\$1,350
540 Fort Street	L.C. & Ida J. Delay	\$1,650
1395 Whitlock Ave.	James W. Martin	\$1.00
1140 Roswell Road	Perry S. Alterman	\$1.00
1176 Roswell Road	Diwa IV, Inc.,	\$1.00
1200 Roswell Road	1200 Roswell Inc.	\$1.00
1256 Roswell Road	Parsa International LLC	\$1.00
1288 Roswell Road	Michael O. Ward	\$1.00

Also approving a "Non-Exclusive License to Landscape" with Cobb County for the purpose of constructing sidewalks at the following properties.

1425 Whitlock Ave.
1445 Whitlock Ave.
1455 Whitlock Ave.
1465 Whitlock Ave.
1482 Whitlock Ave.

* **20080045 Franchise Agreement**

Motion to approve the Franchise Agreement between the City of Marietta and Cobb Electric Membership Corporation (EMC), including the authorization for the Mayor, City Manager and City Attorney to execute any and all documents related to the litigation between the parties.

* **20080046 Marietta Redevelopment Corporation**

Motion to approve the Employment Agreement for the Executive Director of the Marietta Redevelopment Corporation (MRC), as presented.

* **20080031 BLW Actions of January 7, 2008**

Review and approval of the January 7, 2008 actions and minutes of the Marietta Board of Lights and Water Works (BLW).

ADJOURNMENT: