



City of Marietta Meeting Minutes CITY COUNCIL

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

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

Monday, October 13, 2008

7:00 PM

Council Chamber

Presiding: William B. Dunaway

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

Also Present:

William F. Bruton, City Manager

Douglas R. Haynie, City Attorney

Yvonne Williams, Deputy Clerk

CALL TO ORDER:

Mayor William B. Dunaway called the meeting to order at 7:15 p.m.

INVOCATION:

Mayor Dunaway called upon Council member Rev. Anthony Coleman to give the invocation.

PLEDGE OF ALLEGIANCE:

Mayor Dunaway called upon Reggie Taylor, Executive Director of the Marietta Redevelopment Corporation, to lead the Pledge of Allegiance.

A motion was made by Council member Walquist, seconded by Council member Goldstein, to suspend the rules of order to add a proclamation to the agenda. The motion carried by the following vote:

Vote: 7 - 0 - 0

Approved

(See agenda item 20081388)

PRESENTATIONS:

20081186 Governor's Challenge Award

The Marietta Police Department's Selective Traffic Enforcement Program Unit has received the 2008 Governor's Challenge Award for Bike/Pedestrian Safety. This award honors Sgt. Grant Foster, Officer Terry Wardlaw, Officer Brian Honea, Officer Mario Beneito, Officer Nick Costos, and Officer Ken Wishon for their dedication to the safety of our motorists, bicyclists and pedestrians in Marietta.

This matter was Presented

20081234 Public Power/ Clean Water Week poster contest winners

2008 Public Power/ Clean Water Week Poster contest winners from Park Street Elementary.

Public Power Contest Winners

Grand Prize - Christopher Pappagiannopoulos- 4th Grade

1st Place - Shamael Callender-

2nd Place - Shirley Sanchez- 3rd Grade

3rd Place - Taylor Tillman- 5th

Clean Water Contest Winners

Grand Prize - Ana De Souza- 4th Grade

1st Place - Carolina Diaz- 5th Grade

2nd Place - Carlos Ayala- 3rd Grade

3rd Place - Anthony Anderson- 5th Grade

This matter was Presented.

PROCLAMATIONS:**20081248 National Community Planning Month**

Proclamation presented to the Marietta Planning Commission and Marietta Board of Zoning Appeals recognizing the City's planning efforts and designating the month of October 2008 as Community Planning Month in the City of Marietta in conjunction with the celebration of National Community Planning Month.

This matter was Presented.

20081388 Domestic Violence Awareness Day

Proclamation presented to the YWCA recognizing October 23, 2008 as Domestic Violence Awareness Day.

This matter was Presented.

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).

Mayor Dunaway briefly explained the consent agenda process. The following amendments were made to the consent agenda:

-under Council Appointments: Agenda item 20081178 was removed from the agenda.

-under Ordinances: Agenda items 20081140, 20081142 and 20081143 were added to the consent agenda. Agenda item 20081140 was amended to read, "The following stipulation was incorporated: 1) All other existing stipulations attached to the current existing Ordinance shall remain in force and effect unamended."

-under Ordinances: Agenda item 20081190 was removed from the agenda.

-under Public Works: Agenda item 20081162 was added to the consent agenda and amended to read, "Motion approving revisions to the Campbell Hill Street Closure Agreement, as amended."

-under Public Works: Agenda item 20080858 was added to the consent agenda.

A motion was made by Council member King, seconded by Council member Goldstein, to suspend the rules of order to add 3 items regarding property acquisition. The motion carried by the following vote:

Vote: 7 - 0 - 0 **Approved**
(See agenda items 20081266, 20081267 and 20081268.)

-under Other Business: Agenda items 20081121 and 20081149 were referred back to the Judicial Legislative Committee.

Mayor Dunaway opened the public hearing for items on the consent requiring a public hearing. Seeing no one wishing to speak, the public hearing was closed.

A motion was made by Council member Walquist, seconded by Council member Lewis, to approve the consent agenda as modified. The motion unanimously carried by the following vote:

Vote: 7 - 0 - 0 **Approved**
with the following exceptions:
Council member Goldstein abstained on agenda items 20081075, 20081189, 20081191, 20081192, 20081195, 20081196, 20081211, 20081212, 20081213, 20081214, 20081215, 20081232, 20081235 and 20081236.
Council member Pearlberg opposed to agenda items 20081266, 20081267, and 20081268.
Council member Walquist abstaining on agenda item 20081253.
Council member Coleman opposed to agenda item 20081268.

MINUTES:

- * **20081245 Regular Meeting - September 10, 2008**
Review and approval of the September 10, 2008 regular meeting minutes.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 **Approved**

* **20081157 Marietta Museum of History - Board Appointment**

Consideration of a recommendation by the Museum of History Board to appoint Stacy Simpson Brown to the Marietta Museum of History Board of Directors to replace Vickie Thomas David for a 3-year term expiring on October 31, 2011.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

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

Council member Walquist announced that the Junior League will have their annual Mistletoe Market at the Civic Center October 15 - 18, 2008. The Mistletoe Market is a three-day holiday gift shopping extravaganza. The Mistletoe Market is held every October and hosts more than 50 unique vendors from all across the nation featuring fabulous gifts, accessories, gourmet food and decorative items for men, women and children.

Mayor Dunaway announced that the new marquee for the Strand Theatre will go up this week, which should be something special for those visiting the Strand.

Council member Goldstein left the dais during the Mayor's announcement and referred to his previously submitted disclosure 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.

Council member Goldstein returned to the dais after the Mayor's announcement.

ORDINANCES:

20081034 Z2008-13 Gary T. Bottoms 325 Alexander Street

Ord 7236 Z2008-13 [REZONING] GARY T. BOTTOMS request rezoning for property located in Land Lot 1289, 16th District, Parcel 039, 2ND Section, Marietta, Cobb County, Georgia and being known as 325 Alexander Street from OIT (Office Institution Transitional) to OIT (Office Institution Transition) with stipulations. Ward 5.

Mayor Dunaway opened the public hearing. City Attorney Douglas Haynie explained the rules of order and swore in those wishing to speak.

Garvis Sams, attorney for the applicant, requested rezoning for property located at 325 Alexander Street from OIT (Office Institution Transitional) to OIT (Office Institution Transition) with stipulations. Mr. Sams presented a Letter of Stipulations dated October 7, 2008 and discussed the proposed landscaping for the property, access to the property and the elevations of the proposed building.

Speaking in opposition:

Christopher Johnson, who resides at 243 Waterman Street, expressed concern regarding the architectural style of the proposed building and access onto the property.

Leon Jackson, 307 Alexander Street, also expressed concern regarding the architectural style of the proposed building and access onto the property.

In rebuttal, Mr. Sams addressed the concerns of the residents including the access issue onto Frasier Street. He explained that there would minimal traffic to and from the business, as this would be an insurance firm with less than 10 employees.

Mayor Dunaway closed the public hearing.

Discussion was held.

A motion was made by Council member Pearlberg, seconded by Council member Coleman, to approved the rezoning request with the Stipulation Letter of October 7, 2008 from Garvis L. Sams, Jr. to Russell J. Roth, AICP, with an amendment to paragraph 8(a) that would waive the required setback on both Alexander and Frasier Streets, respectively, to the extent that is required due to the right-of-way donation.

A substitute motion was made by Council member Lewis, seconded by Council member Goldstein, to approve the rezoning as stated by Council member with a variance to allow a right turn only onto Frasier Street.

Further discussion was held.

Council member Lewis amended her motion to state that the right turn must meet AASHTO Standards (American Association of State Highway and Transportation Officials), subject to the approval by the Public Works Director. Council member Goldstein seconded the amended motion.

A substitute motion was made by Council member Chalfant, seconded by Council member King, to approve the rezoning request, with the following variance and stipulation:

- 1) Stipulation Letter of October 7, 2008 from Garvis L. Sams, Jr. to Russell J. Roth, AICP, with an amendment to paragraph 8(a) that would waive the required setback on both Alexander and Frasier Streets, respectively, to the extent that is required due to the right-of-way donation.*
- 2) Variance to allow the Frasier Street access be a left and/or right turn in and out, provided that the left and right turns meet AASHTO Standards (American Association of State Highway and Transportation Officials), subject to the approval by the Public Works Director.*

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

Vote: 5 - 2 - 0

Approved as Stipulated

Vote Against: Philip M. Goldstein and Annette Lewis

* **20081140**

Z2008-14 RG Investments, LLC Cobb Parkway

Ord 7237

Z2008-14 [REZONING] RG INVESTMENTS request rezoning for property located in Land Lot 0865, 16th District, Parcel 8, 2nd Section, Marietta, Cobb County, Georgia and being vacant property on Cobb Parkway from GC [General Commercial (County)] to MXD [Mixed Use Development (City)]. Ward 5.

The following stipulation was incorporated:

1) All other existing stipulations attached to the current existing Ordinance shall remain in force and effect unamended.

This Matter was Approved as Amended on the Consent Agenda.

Vote: 7 - 0 - 0

Approved as Amended

* **20081142**

A2008-02 Pat E. Belcher vacant property on Cobb Parkway

Ord 7238

A2008-02 [ANNEXATION] RG INVESTMENT, LLC requests annexation for property located in Land Lot 865, District 16, Parcel 8 and being known as vacant property on Cobb Parkway, in the 2nd Section, Cobb County, Georgia consisting of 0.07760 acres. Ward 5.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20081143**

CA2008-08 RG Investments Vacant property on Cobb Parkway

Ord 7239

CA2008-08 [CODE AMENDMENT] PAT BELCHER (RG Investments) in conjunction with the requested annexation of property located in Land Lot 0865, District 16, Parcel 8, 2nd Section, Marietta, Cobb County, Georgia, the City of Marietta proposes to designate the Future Land Use of said property as CAC (Community Activity Center). Ward 5.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20081075**

Code Enforcement - 341 West Post Oak Crossing

Ord 7240

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 341 West Post Oak Crossing.

Listed Owner: Erika S. Burse

Certified mail receipt returned 09/19/08; marked Vacant, Unable to Forward

Taxes paid: Yes
PUBLIC HEARING REQUIRED

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1 **Approved**
Abstain: Philip M. Goldstein

- * **20081189** **Code Enforcement - 1289 Andrews Drive**
Ord 7241 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 1289 Andrews Drive.
Listed Owner: Hills, James J & Wanda S, c/o Peach Properties
Certified mail receipt not received as of 09/26/08.
Taxes paid: Yes
PUBLIC HEARING REQUIRED

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1 **Approved**
Abstain: Philip M. Goldstein

- * **20081190** **Code Enforcement - 1785 Barrington Overlook**
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 1785 Barrington Overlook.
Listed Owner: Brooks JD
Certified mail receipt received on 09/19/08; not signed by owner.
Taxes paid: Yes
PUBLIC HEARING REQUIRED

This Matter was Removed on the Consent Agenda.

Vote: 7 - 0 - 0 **Removed**

- * **20081191** **Code Enforcement - 1124 Burbank Circle**
Ord 7242 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.
Listed Owner: Spivak Helen
Certified mail receipt not received as of 09/26/08.
Taxes paid: Yes
PUBLIC HEARING REQUIRED

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1 **Approved**
Abstain: 1 - Philip M. Goldstein

- * **20081192 Code Enforcement - 600 Tom Read Drive**
Ord 7243 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 600 Tom Read Drive.
Listed Owner: Webb Jason D
Certified mail receipt not received as of 09/26/08.
Taxes paid: Yes
PUBLIC HEARING REQUIRED
This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1 Approved
Abstain: 1 - Philip M. Goldstein
- * **20081195 Code Enforcement - 195 Wright Street**
Ord 7244 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 195 Wright Street.
Listed Owner: Deloris Douglas
Certified mail receipt returned 09/05/08 as "Unable to Forward."
Taxes paid: Yes
PUBLIC HEARING REQUIRED
This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1 Approved
Abstain: 1 - Philip M. Goldstein
- * **20081196 Code Enforcement - 128 Patrick Way L-7**
Ord 7245 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 128 Patrick Way L-7.
Listed Owner: Robert Harris Homes
Certified mail receipt received on 09/18/08; not signed by officer.
Taxes paid: Yes
PUBLIC HEARING REQUIRED
This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1 Approved
Abstain: 1 - Philip M. Goldstein
- * **20081211 Code Enforcement - 1720 Twin Brooks Drive**

Ord 7246 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 1720 Twin Brooks Drive.

Listed Owner: Cynthia Germeil Fletcher

Certified mail receipt not received as of 09/25/08.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1

Approved

Abstain: 1 - Philip M. Goldstein

* **20081212 Code Enforcement - 1639 Longwood Drive**

Ord 7247 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 1639 Longwood Drive.

Listed Owner: Brian T. & Patricia M. McNair

Certified mail receipt not received as of 09/26/08.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1

Approved

Abstain: 1 - Philip M. Goldstein

* **20081213 Code Enforcement - 401 Water Oak Way**

Ord 7248 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 401 Water Oak Way.

Listed Owner: Anita May Dobson

Certified mail receipt not received as of 09/26/08.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1

Approved

Abstain: 1 - Philip M. Goldstein

* **20081214 Code Enforcement - 350 Water Oak Way**

Ord 7249 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 350 Water Oak Way.

Listed Owner: Ribeiro Egrismar
Certified mail receipt not received as of 09/26/08.
Taxes paid: Yes
PUBLIC HEARING REQUIRED

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1 **Approved**
Abstain: 1 - Philip M. Goldstein

* **20081215**

Code Enforcement - 683 Cherokee Street

Ord 7250

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 683 Cherokee Street.
Listed Owner: Cuthbertson Carol Ann & Cuthbertson Vanna Victoria
Certified mail receipt returned 09/22/08; not signed by owner.
Taxes paid: Yes
PUBLIC HEARING REQUIRED

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1 **Approved**
Abstain: 1 - Philip M. Goldstein

Code Enforcement - 390 Scott Drive

* **20081232**

Ord 7251

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 390 Scott Drive,
Listed Owner: Cash James G.
Certified mail receipt not received as of 09/26/08.
Taxes paid: Yes
PUBLIC HEARING REQUIRED

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1 **Approved**
Abstain: 1 - Philip M. Goldstein

* **20081233**

Code Enforcement - 1503 Church Street Extension

Ord 7252

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 1503 Church Street Extension.
Listed Owner: Kwon Phil
Certified mail receipt returned 09/18/08.

Taxes paid: Yes
PUBLIC HEARING REQUIRED

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20081235 Code Enforcement - 85 Kimberly Way**

Ord 7253

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 85 Kimberly Way.

Listed Owner: Chris P. Doyle

Certified mail receipt not received as of 09/26/08.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1

Approved

Abstain: 1 - Philip M. Goldstein

* **20081236 Code Enforcement - 87 Kimberly Way**

Ord 7254

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 87 Kimberly Way.

Listed Owner: Chris P. Doyle

Certified mail receipt not received as of 09/26/08.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1

Approved

Abstain: 1 - Philip M. Goldstein

RESOLUTIONS:

CITY ATTORNEY'S REPORT:

* **20081187 Denial of a claim**

Denial of the claim of the Islamic Circle of North America, Inc.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

CITY MANAGER'S REPORT:

MAYOR'S REPORT:

COMMITTEE REPORTS:

1. Economic/Community Development: Grif Chalfant, Chairperson**2. Finance/Investment: Annette Lewis, Chairperson***** 20081175 Grant funds**

Ord 7255 An Ordinance approving an amendment to the Fiscal Year 2009 budget to receive and appropriate a grant from the Department of Justice through the Edward Byrne Memorial Justice Assistance Grant Program for \$14,948.00 to purchase in-car video systems for motorcycle units.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0 Approved

*** 20081173 Historic Preservation Commission**

Ord 7256 An Ordinance approving an amendment to the Fiscal Year 2009 General Fund budget to use \$3,000 from designated contingency for the installation of historical signs for the Smith-Manning House.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0 Approved

3. Judicial/Legislative: Philip M. Goldstein, Chairperson*** 20080718 Comprehensive Development Code, Division 714 Signs.**

Motion to authorize advertisement for proposed amendments to the Comprehensive Development Code, Division 714 Signs.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0 Approved

*** 20081130 Peachtree Business Products Revised Landscape Plan**

Motion approving the revised Landscape Plan for Peachtree Business Products located at 1940 West Oak Circle.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0 Approved

4. Parks, Recreation and Tourism: Holly Walquist, Chairperson**5. Personnel/Insurance: Van Pearlberg, Chairperson****6. Public Safety Committee: Anthony Coleman, Chairperson****7. Public Works Committee: Jim King, Chairperson***** 20081162 Campbell Hill Street Closure Agreement**

Motion approving revisions to the Campbell Hill Street Closure Agreement.

Motion approving revisions to the Campbell Hill Street Closure Agreement, as amended.

This Matter was Approved as Amended on the Consent Agenda.

Vote: 7 - 0 - 0

Approved as Amended

* **20081163**

Pedestrian Improvements at Bus Stops

c/a 3578

Motion approving an Inter-local Agreement between Cobb County and Marietta for pedestrian improvements at bus stops.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20080858**

Chestnut Hill/Powder Springs Street

Motion to approve an expenditure from the alternate compliance tree fund not to exceed \$6,000, to landscape only the right-of-way at the northwest corner of Chestnut Hill Road and Powder Springs Road with a sustainable landscape design privately funded.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20081171**

Post Office Property on Lawrence Street

Motion to approve a request by the Marietta Branch Post Office for easement along Lawrence Street for the completion of proposed improvements, which shall include replacement of the sidewalk along the site frontage fully compliant with ADA Requirements.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20081266**

Purchase of Property

Motion authorizing acquisition of the following real property:

Fairground Street Median & Streetscapes
350 South Fairground Street D & L Leasing, Inc. \$32,587

This Matter was Approved on the Consent Agenda.

Vote: 6 - 1 - 0

Approved

Vote Against: Van Pearlberg

* **20081267**

Purchase of Property

Motion authorizing acquisition of the following real property:

Fairground Street Median & Streetscapes
68 Black Street Estrella & Associates, Inc. \$8,800 (easement)

This Matter was Approved on the Consent Agenda.

Vote: 6 - 1 - 0 **Approved**

Vote Against: Van Pearlberg

* **20081268 Purchase of Property**

Motion authorizing acquisition of the following real property, subject to the approval of the City Attorney and City Manager.

Roswell Street Median & Streetscapes
1010 Roswell Street Four Star RTO, LLC \$459,195

This Matter was Approved on the Consent Agenda.

Vote: 5 - 2 - 0 **Approved**

Vote Against: Van Pearlberg and Rev. Anthony Coleman

SCHEDULED APPEARANCES:

UNSCHEDULED APPEARANCES:

Bill Bolton, who resides at 2104 Drogheda Lane, expressed concern regarding the discussion held for agenda item 20081034. Mr. Bolton felt that most of the issues should have been resolved before coming before Council.

OTHER BUSINESS:

* **20081246 Lights of Life Use of Wildwood Park**

Motion approving a request from Holiday Lights, LLC on behalf of Life University to place a lighted display promoting "Lights of Life" in Wildwood Park between November 1, 2008 - January 5, 2009. This annual request is to be approved administratively for the remainder of the term of this City Council unless there is a major change or until revoked by this City Council.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0 **Approved**

* **20081253 Hotel/Motel Occupancy Tax - Quality Inn**

Motion to authorize the enforcement and collection of the Hotel/Motel Occupancy Tax due to the City of Marietta by the Quality Inn located at 1255 Franklin Road, Marietta Georgia and to authorize the City Manager and City Attorney to take any action necessary to accomplish this motion, including, but not limited to, the institution of legal action, including the filing of any appeal related thereto.

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 1 **Approved**
Abstain: 1 - Holly Walquist

- * **20081244** **Final Hickory Hills Park Payment**
Ord 7257 Ordinance to amend FY2009 budget in amount of \$50,000 for the final payment for purchase of Hickory Hills Park

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0 **Approved**

20081121 Denial of Sign Permit Application

Motion to affirm the decision of the Director of Development Services to deny the Sign Permit application for Clear Channel Outdoor, Inc. to install LED sign faces on existing sign located at 50 Powers Ferry Road (a/k/a 70 Powers Ferry Road), Marietta, GA.

This matter was Referred to the JUDICIAL/LEGISLATIVE COMMITTEE.

20081149 V2008-20 Clear Channel Outdoor, Inc. 50 Powers Ferry Road

V2008-20 [Variance] Clear Channel Outdoor, Inc. request variances for property located in Land Lot 12390, 16th District, Parcel 270 and being known as 50 Powers Ferry Road. Variances for Section 714.04 (F.1)(F.4)(F.5)(F.8) and (F.9) regarding General Advertising and Off Premises Signs, to install LED sign faces on existing sign.

This matter was Referred to the JUDICIAL/LEGISLATIVE COMMITTEE.

- * **20081181** **BLW Actions of October 6, 2008**
Review and approval of the October 6, 2008 actions and minutes of the Marietta Board of Lights and Water Works (BLW).

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0 **Approved**

ADJOURNMENT:

The meeting was adjourned at 8:40 p.m.

Date Approved: _____

William B. Dunaway, Mayor

Attest: _____
Stephanie Guy, City Clerk