



**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

Wednesday, January 10, 2007

7:00 PM

Council Chamber

Presiding: William B. Dunaway

Present: Philip M. Goldstein, James W. King, Rev. Anthony Coleman, Holly Walquist, Griffin "Grif" L. Chalfant, Jr., Annette Lewis and Irvan A. "Van" Pearlberg

Also Present:

William F. Bruton, Jr.

Douglas R. Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor William B. Dunaway called the meeting to order at 7:08 p.m.

INVOCATION:

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

PLEDGE OF ALLEGIANCE:

Mayor Dunaway called upon Stephen Imler to lead the 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).

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

-under Ordinances: Agenda item 20061376 was added to the consent for approval.

-under Ordinances: Agenda item 20060953 was added to the consent agenda for approval.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070037 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, 2008.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070038 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, 2008.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070039 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, 2008.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070040 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, 2008.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070041 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, 2008.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070042 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, 2008.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070043 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, 2008.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070044 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, 2008.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070045 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, 2008.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070046 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, 2008.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

CITY COUNCIL APPOINTMENTS:

* **20061362 Board of Lights and Water - Citizen Member**

Reappointment of Arthur D. Vaughn to the Marietta Board of Lights and Water (citizen member), effective February 11, 2007 and expiring February 10, 2010.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

- * **20061382 Cobb Housing, Inc.**
Appointment of Griffin (Grif) L. Chalfant, Jr., to the Cobb Housing, Inc. (CHI) Board of Directors for a one year term expiring on January 10, 2008.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved
- * **20061383 Cobb Municipal Association 2007 Delegates**
Appointment of Annette Paige Lewis and Irvan (Van) Pearlberg to serve as the 2007 voting delegates for the Cobb Municipal Association (CMA) business meetings.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved

ORDINANCES:

- 20061376 Z2007-01 Century Partners No. 5, LLC (Whit Marshall) 554 and 560 Haley Street**
Z2007-01 Century Partners No. 5, LLC [Whit Marshall, Partner] requests rezoning for property located in Land Lot 0360, District 17, Parcels 22 & 23, and being known as 554 and 560 Haley Street from NRC (Neighborhood Retail Commercial) to PRD-SF (Planned Residential Development - Single Family). Ward 5.
Motion to table Z2007-01 Century Partners No. 5, LLC (Whit Marshall) 554 and 560 Haley Street until the February 14, 2007 regular Council meeting.
A motion was made by Council member Pearlberg, seconded by Council member Coleman, that this matter be Tabled. The motion carried by the following vote:
Vote: 7 - 0 - 0 Tabled
- * **20060953 CA2007-01 Proposed amendments regarding Traffic & Parking Standards and Definitions**
Ord 7001 Proposal to amend the Comprehensive Development Codes of the City of Marietta, Division 716 Traffic & Parking Standards (off-street parking requirements to add categories to clarify uses); Division 716.10 (designated loading/unloading zones); and, Division 724 Definitions (to add definitions)
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved
- * **20070052 Property Purchase**
Ord 7003 Ordinance to amend FY2007 budget to appropriate \$150,000 from fund balance for purchase of property.
This Matter was Approved on the Consent Agenda.

Vote: 4 - 3 - 0

Approved

Vote Against: 3 - Holly Walquist, James W. King and Irvan A. "Van" Pearlberg

RESOLUTIONS:

CITY ATTORNEY'S REPORT:

* **20070067 Denial of a claim**

Denial of a claim by Ms. Ruth Dupree.

This Matter was Approved to Deny Claim on the Consent Agenda.

Vote: 7 - 0 - 0

Approved to Deny Claim

CITY MANAGER'S REPORT:

MAYOR'S REPORT:

COMMITTEE REPORTS:

1. Economic/Community Development: Grif Chalfant, Chairperson

2. Finance/Investment: Annette Lewis, Chairperson

* **20061354 Federal Grant Funds for Bullet Resistant Vests**

Ord 7002 Ordinance to amend the FY2007 budget to accept and appropriate grant reimbursement funds of \$12,137 for MPD purchase of bullet resistant vests

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20061372 Marietta Fire Donation**

Ordinance to amend FY2007 budget to receive and appropriate donations totaling \$1,500 from the Wal-Mart Foundation for public safety education programs

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070072 National League of Cities**

Motion to approve travel and training expenses for Council members who wish to attend the National League of Cities (NLC) 2007 Annual Congressional City Conference in Washington, DC on March 10-14, 2007.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20061370 Parade permit fees**

Motion to approve the revised Parade Permit Fees as follows.

1. Fee schedule.
5K -- \$1,500
10K--\$2,500
2. Multi-jurisdictional events:
Charges as indicated for 5K's or 10K's
Pay officers directly at the discretion of the Chief of Police
Figure amount based on needed personnel
3. City sponsored events shall be exempt from these fees. Events conducted by other governments shall be subject to the Parade permit fees unless co-sponsored by the City of Marietta.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070073 2007 Mayors' Day Conference**

Motion approving travel and training expenses for Council members who wish to attend the Georgia Municipal Association (GMA) Annual Mayors' Day Conference, January 20-22, 2007 in Atlanta, Georgia.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

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

* **20061361 City Council Regular Meeting 2007 Calendar**

Res. 1416 Approval of a Resolution establishing dates, time and place of regular council meetings for 2007.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20061379 Parking Enforcement Ordinance**

Motion approving revisions to the Parking Enforcement Ordinance to allow the use of civilian parking enforcement officers by amending Marietta Code Sections 2-4-010, 2-10-020, 2-10-070 and 9-4-040.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070064 Revised Detailed Plan for Johnny Walker Homes**

Motion to approve the revised Detailed Plan for Johnny Walker Homes. Approval of this matter does not amend the Landscape Plan previously approved for Johnny Walker Homes.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

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

* **20061395 Property easement**

Motion to request that Marietta Housing Authority Quit Claim the property located between 37 Reynolds Street and 348 Powder Springs Street to the City of Marietta. Staff was also directed to have the subject property surveyed.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

5. Personnel/Insurance: Van Pearlberg, Chairperson

6. Public Safety Committee: Anthony Coleman, Chairperson

7. Public Works Committee: Jim King, Chairperson

SCHEDULED APPEARANCES:

UNSCHEDULED APPEARANCES:

OTHER BUSINESS:

20061298 HO2006-02 Motion to Approve 443 McArthur Drive

HO2006-02 Motion to Approve home occupation for Jemimah Machayo, Land Lot 11610, 16th District, Parcel 0260, 2nd Section, Cobb County, Marietta, Georgia and being 443 McArthur Drive. Request to establish a home occupation for daycare [712.04]. Ward 5.

A motion was made by Council member Coleman, seconded by Council member Pearlberg, that this matter be Denied. The motion carried by the following vote:

Vote: 5 - 2 - 0

Denied

Vote Against: 2 - Holly Walquist and Griffin "Grif" L. Chalfant, Jr.

20061390 V2007-01 Shaw and Baugh, Inc. 680 Powder Springs Street

Motion to remove V2007-01 Shaw and Baugh, Inc. 680 Powder Springs Street from the agenda until the February 14, 2007 regular Council meeting, with the ability of staff to delay the matter if necessary.

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

Vote: 7 - 0 - 0

Approved as Stipulated

