



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda CITY COUNCIL

Steve Tumlin, Mayor
Annette Paige Lewis, Ward 1
Griffin "Grif" L. Chalfant, Jr., Ward 2
Johnny Sinclair, 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 13, 2010

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

Council Member Jim King, Ward 6

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

20091461 Energy Challenge Winner

First Semester Energy Challenge Winner as presented by Barry Echols, Board of Lights and Water and Mayor Steve Tumlin.

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:

* **20100002 Regular Meeting - December 9, 2009**

Review and approval of the December 9, 2009 regular meeting minutes.
Council member Johnny Sinclair abstaining.

* **20100003 Special Meeting - January 4, 2009**

Review and approval of the January 4, 2009 special meeting minutes.

MAYOR'S APPOINTMENTS:

GOVERNING AUTHORITY APPOINTMENTS:

* **20100023 Municipal Judge**

Reappointment of Roger J. Rozen as the Marietta Municipal Chief Judge.

* **20100048 Municipal Associate Judges**

Appointment of the following Municipal Associate Judges:
Robert F. Schnatmier
Nathan Wade
Nancy Ingram Jordan

* **20100024 Municipal Associate Judges**

Reappointment of the following Municipal Associate Judges:
Lawrence E. Burke
Diane Busch
Mazi Mazloom
Joel C. Pugh
Stephen A. Yaklin
John Storey Morgan
Melinda Davis Taylor

* **20100025 City Solicitor**

Reappointment of Robert I. Donovan as the City Solicitor to serve at the pleasure of and upon the concurrence of the Mayor and a majority of City Council.

* **20100026 Associate City Solicitors**

Reappointment of the following Associate City Solicitors to serve at the pleasure of and upon the concurrence of the Mayor and a majority of City Council:

Steve Cook
Susan M. Miller
Michael B Syrop
Keith M. Olmert
Carmen Porreca
Thomas Griner
Jason Treadway
Latonia Patrice Hines

CITY COUNCIL APPOINTMENTS:

* **20100027 City Manager**

Reappointment of William F. Bruton, Jr., as City Manager to serve at the pleasure of city council, and confirmation of his employment contract with the city.

* **20100028 City Clerk**

Reappointment of Stephanie Guy as City Clerk to serve at the pleasure of city council.

* **20100029 City Attorney**

Reappointment of Douglas R. Haynie, the firm of Haynie, Litchfield and Crane, as the City Attorney to serve at the pleasure of city council.

* **20100049 Marietta Welcome Center & Visitors Bureau Appointment**

Reappointment of Philip M. Goldstein to the Marietta Welcome Center & Visitors Bureau for a two-year term.

* **20100050 Appointments to the Citizens Advisory Committee for Marietta Parks (CACMP)**

Mayor Tumlin: Kim Gresh and Heath Garrett
Annette Lewis: Betty Hunter and Alan Watson
Grif Chalfant: Randy Weiner and Cindy Suto
Johnny Sinclair: Larry Ceminsky and Mitch Hunter
Van Pearlberg: Ford Bohannon and James Morris
Rev. Anthony Coleman: Walter Moon and Melody Unger
Jim King: Michelle Cooper Kelly and Michael Helenek
Philip M. Goldstein: Deborah Huwaldt and Bill Hagemann

* **20100006 Cobb Housing, Inc. (CHI)**

Appointment of Annette Lewis to to the Cobb Housing, Inc. (CHI) Board of Directors for a one year term expiring on January 2011.

* **20100022 Cobb Municipal Association 2010 Delegates**

Appointment of Philip M. Goldstein and Grif Chalfant to serve as the 2010 voting delegates for the Cobb Municipal Association (CMA) business meetings.

ORDINANCES:

* **20091466 Code Enforcement - 265 Windsor 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 265 Windsor Drive.
Listed Owner: Martinez Miguel A. & Carballo M. Dela Paz
Repeat Violation History: (2) previous cases since February 18, 2008.
Certified mail receipt received December 9, 2009.
Taxes paid: Yes
PUBLIC HEARING REQUIRED

* **20091483 Code Enforcement - 2265 Kingston Court**

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 2265 Kingston Court.
Listed Owner: RM Kid One LLC/Registered Agent, Jay R. Patel
Repeat Violation History: None.
Certified mail receipt not received as of December 30, 2009.
Taxes paid: Yes
PUBLIC HEARING REQUIRED
Philip M. Goldstein abstaining

* **20091488 Code Enforcement - 430 Wellons 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 430 Wellons Street.

Listed Owner: Milton A. Hutchins & Henry Hutchins & Thomas L. Stone

Repeat Violation History: (2) previous cases since 2002.

Certified mail receipt received December 11, 2009; signed by Mary A. Stone.

Taxes paid: Unpaid; owes \$1,670.94

PUBLIC HEARING REQUIRED

* **20091492 Code Enforcement - 1725 Spinks 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 1725 Spinks Drive.

Listed Owner: Monir & Imad Monsour

Repeat Violation History: None

Certified mail receipt not received as of December 31, 2009.

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**

* **20091424 CDBG-R Stimulus Budget Account**

Approval of an Ordinance amending the Fiscal Year 2010 Housing Fund budget to receive and appropriate two CDBG-R stimulus bill Public Works Projects totaling \$290,000 funded by the US Department of Housing and Urban Development.

* **20091447 Donation from Golden Living Center - Kennestone**

Approval of an Ordinance amending the Fiscal Year 2010 General Fund budget to receive and appropriate a donation from Golden Living Center at Kennestone for fire safety materials.

* **20091401 Department of Justice Grant**

Approval of an Ordinance amending the Fiscal Year 2010 Grant Fund to receive and appropriate a grant from the Department of Justice for \$56,289 in order to purchase Automated External Defibrillators (AEDs).

* **20091402 Department of Justice Grant**

Approval of an Ordinance amending the Fiscal Year 2010 Grant Fund to receive and appropriate a grant from the Department of Justice for \$499,100 for the school system to purchase cameras and other security items.

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

* **20091426 Clarke Library**

Motion to advertise a Public Hearing for the adoption of the Clarke Library Preservation Plan.

* **20091428 Brumby Hall**

Motion to advertise a Public Hearing for the adoption of the Brumby Hall Preservation Plan

* **20091429 Marietta Waterworks Building**

Motion to advertise a Public Hearing for the adoption of the Marietta Waterworks Building Preservation Plan.

* **20091430 Kennesaw Avenue**

Approval of an Ordinance designating the Kennesaw Avenue Historic District.

PUBLIC HEARING REQUIRED

Council member Philip M. Goldstein abstaining.

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

* **20100019 Citizens Advisory Committee for Marietta Parks (CACMP)**

Approval of a Resolution authorizing the extension of the Citizens Advisory Committee for Marietta Parks (CACMP), expiring January 13, 2011.

5. Personnel/Insurance: Van Pearlberg, Chairperson

* **20091427 Civil Service Board Appointment**

Appointment of Francine Wilkins to the Civil Service Board (Post 1) for a term of three years, to fill an expiring term.

6. Public Safety Committee: Anthony Coleman, Chairperson

7. Public Works Committee: Jim King, Chairperson

* **20091451 Franklin Road**

Motion approving temporary state route on Franklin Road for LCI Project Funding.

* **20100030 Acquisition of Right of Way**

Motion to approve a Resolution for the contract for acquisition of right-of-way Federal or State-Aid Project CM000-00BK-00(027).

SCHEDULED APPEARANCES:

UNSCHEDULED APPEARANCES:

OTHER BUSINESS:

20091423 V2009-26 Union Chapel United Methodist Church 264 Fowler Circle

V2009-26 UNION CHAPEL UNITED METHODIST CHURCH request a variance for property located in Land Lot 11450, District 16, Parcel 2160, 2nd Section of Cobb County, Marietta, Georgia and being known as 264 Fowler Circle. Variance to reduce the number of trees in a required landscape strip from 12 to 3 along Fowler Circle; and from 11 to 3 along North Marietta Parkway. Ward 5.

Nothing contained herein shall grant to the applicant or any other party any vested right or other right to encroach upon, use or obtain any right in, to, over or through property or right-of-way owned by the City of Marietta. Notwithstanding same, in the event that any rights have been or shall be acquired, same may be revoked, rescinded and/or terminated at any time by the Marietta City Council, the City Manager or the Director of Public Works.

* **20100021 Administrative Assistant to the Mayor**

Motion to approve the Employment Agreement for the Administrative Assistant to the Mayor.

* **20100004 BLW Actions of January 11, 2010**

Review and approval of the January 11, 2010 actions and minutes of the Marietta Board of Lights and Water.

ADJOURNMENT: