



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes JUDICIAL/LEGISLATIVE COMMITTEE

*Philip M. Goldstein, Chairperson
Jim King*

Wednesday, July 25, 2012

Council Chamber

Immediately following the Parks, Recreation and Tourism Committee

Presiding: Philip M. Goldstein

Present: Jim King

Also Present:

R. Steve Tumlin, Mayor

Grif Chalfant, Council - Ward 2

Johnny Sinclair, Council - Ward 3

Rev. Anthony Coleman, Council - Ward 5

William F. Bruton, Jr., City Manager

Douglas R. Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Chairman Philip M. Goldstein called the meeting to order at 6:18 p.m.

MINUTES:

20120546 Regular Meeting - May 30, 2012

Review and approval of the May 30, 2012 regular meeting minutes.

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

Vote: 2 - 0 - 0

Approved

BUSINESS:

20120528 Alcoholic Beverages General Provisions

Approval of an Ordinance amending 8-8-2-010 "Definitions" and 8-8-2-195 "Minors - Prohibited practices."

Major Cliff Kelker and Lieutenant Steve Kish of the Marietta Police Department presented information regarding incidents and certain conduct occurring in and around establishments known as bars or lounges. Major Kelker explained the necessity to regulate the age of persons attending bars and lounges

In depth discussion was held regarding the appropriate age of any person to enter bars and lounges. The City Attorney was asked to draft an alternate ordinance to allow minors to work in bars, but ban minors under 18 any other time.

Referred to the CITY COUNCIL AGENDA WORK SESSION

20120621 Historic Preservation Commission

The Historic Preservation Commission is requesting permission to proceed with the historic designation of Kennesaw Avenue.

Referred to the CITY COUNCIL AGENDA WORK SESSION

20120532 Amendment to Code Section 6-4-010 Board of Lights and Water (BLW)

Consideration of the following amendment to Code Section 6-4-010 Board of Lights and Water (BLW):

The Board of Lights and Water ("BLW" and hereafter referred to as same) is authorized to build, maintain and operate a water system, sewer system, electrical system, cable television system, telecommunications system and any other utility system. For this purpose, the BLW shall have all powers now provided the BLW by general state law or the Marietta City Charter and all powers formerly vested in the city council for these purposes; provided, all official actions of the BLW shall become effective only upon minutes of the BLW "being received and filed" at the said following meeting of by the city council. Notwithstanding any other provision of the City Code, except for certain actions in the BLW minutes that the Council may deny by a affirmative vote consisting of five(5) positive votes to deny such action(s) with the denied actions being referred back to the BLW Board and the remaining items "received and filed".

Tabled

20120678 5-year Comprehensive Plan Update

Review and approval of the 5-year Comprehensive Plan Update.

Discussion was held regarding the 5-year Comprehensive Plan and future land use map.

A motion was made to move forward with the report of accomplishments and the Short Term Work Program.

The motion was made by Council member King, seconded by Council member Goldstein, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 2 - 0 – 0 Recommended for Approval - Consent Agenda

20120640 Manor Park revised Detailed Plan

Review and approval of the revised Detailed Plan for Manor Park (f/k/a Forest Avenue Manor).

Referred to the CITY COUNCIL AGENDA WORK SESSION

20120641 Final Plat approval for Manor Park

Review and approval of the revised Final Plat for Manor Park (f/k/a Forest Avenue Manor).

Referred to the CITY COUNCIL AGENDA WORK SESSION

20120683 Request to revise stipulations

Request to revise stipulations from Z2011-04 for 819 and 821 Cogburn Avenue

Motion to revise stipulations from Z2011-04 Tower Partners, LLC, for property located at 819 and 821 Cogburn Avenue, to waive the requirement to provide a 6 ft. wooden opaque fence along the northern property line, which was previously included as a stipulation of zoning for Z2011-04 (20110160).

All other conditions and stipulations approved in conjunction with the approval to rezone the property on June 8, 2011, shall remain in full force and effect.

A motion was made by Council member King, seconded by Council member Goldstein, that this matter be Recommended for Council Agenda Non Consent. The motion carried by the following vote:

Vote: 2 - 0 – 0 Recommended for Council Agenda Non Consent

20120702 Housing ratio for rentals and home ownership

Consideration of a city wide goal of a desired ratio of fifty per cent fee simple home ownership and fifty per cent residential rentals for a desired balanced comprehensive housing make up for the general welfare of the City. To accomplish such a goal: Notwithstanding any provisions in City of Marietta's

code of ordinances, a moratorium on new apartment/rental/rental conversion permits until city wide 50/50 is obtained between residential fee simple and residential rental or 12/31/13 whichever comes first. Exception: Marietta Housing "owned" housing units or a contemporaneous retirement of an existing rental facility of an equal or lesser amount of a proposed new rental project. This item was requested by Mayor Tumlin.

Discussion was held. There was a general consensus that an item be added to the next Judicial/Legislative agenda to discuss the City's Vision Statement related to this matter.

Discussed

Chairman Goldstein requested that an item be added to the August Agenda Work Session and Council agenda to consider changing the time for the November 12, 2012 Agenda Work Session.

ADJOURNMENT:

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____