



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, October 10, 2007

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

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor William B. Dunaway called the meeting to order at 7:00 p.m.

INVOCATION:

Mayor Dunaway called upon Council member Philip M. Goldstein to give the invocation.

PLEDGE OF ALLEGIANCE:

Mayor Dunaway called upon Larry Zenoni to lead the pledge of allegiance.

PRESENTATIONS:

20071163 Swearing In

Swearing in of Police Officer Amy Valente.

This matter was Oath Administered.

20071028 Commendation for heroic efforts

Commendation honoring Mr. Tommy Barrows, Mr. Joseph Hermon, Ms. Paula Rigsby, and Mr. Terrence Royster for their heroic actions in detaining a suspected bank robber.

This matter was Presented.

20071162 City's Web Site Wins National Award

Presentation of award to the GIS staff for their winning second place for cities with a population under 75,000 at the National Association of Government Webmasters Awards Ceremony.

This matter was Presented.

20071164 2007 Park Street Elementary School Poster Contest Winners

2007 Park St. Elementary School Poster Contest Winners

Public Power Contest Winners

Grand Prize \$ 100.00 - Laura Roque, 5th Ms. White

1st Place \$ 50.00 - Hana Castillo, 4th Ms. Hoffman

2nd Place \$ 25.00 - Jaqueline Ruiz, 4th Mr. Blackmon

3rd Place \$ 15.00 - Leonardo Alvarez, 3rd Ms. Bennett

Clean Water Contest Winners

Grand Prize \$ 100.00 - Luis Gonzalez

1st Place \$ 50.00 - Maria Isabel Orozco, 3rd Ms. Bennett

2nd Place \$ 25.00 - Kevin Ojiagoale, 4F Mrs. Jackson

3rd Place \$ 15.00 - Katia Roque, 4th Ms. Hoffman

This matter was Presented.

PROCLAMATIONS:**20071145 Proclamation recognizing efforts for 2007 Career Expo**

Proclamations presented to the following individuals and organizations for their generous support of the annual Cobb/Marietta Career Expo.

Mr. John Helton, Executive Director of Cobb Works!

Mrs. Alisa Jackson, Center Coordinator and EO Officer of Cobb Works!

Mr. Warren Smith, Georgia DOL

Mrs. Miriam Corbin, Employment Manager for the City of Marietta

Mr. Jason Bourne, City of Marietta Public Information Office

This matter was Presented.

20071165 2007 Cobb Chamber of Commerce Small Business Association of the Year

Proclamation to Professional Group Associates for being named the Cobb Chamber of Commerce 2007 Small Business of the Year.

This matter was Presented.

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

Mayor Dunaway announced that volunteers are needed for the "Love the Loop" event, which is an effort to clean up trash around the North Loop. This event is sponsored by the Keep Marietta Beautiful committee and will be held on Saturday, October 13, 2007 beginning at 9:00 a.m.

Mayor Dunaway mentioned that Billy Joe Royal would give a concert on Tuesday, October 16, 2007. The concert is a fun way to raise money to support the Strand Theatre renovations.

Mayor Dunaway announced the Marietta Benefit Bazaar would be held Saturday October 20, 2007 beginning at 9:00 a.m.

Council member Coleman presented a short video regarding the 2007 Career Fair that was held on September 26, 2007 at the Cobb County Civic Center.

Council member Goldstein made comments regarding the Marietta Daily Journal.

Mayor Dunaway reminded everyone about the public input meetings scheduled regarding the master plan for the city's parks. The meetings are to ensure the community has the types of parks and recreation it wants for years to come. The dates are as follows:

*October 9 Central Library, 266 Roswell St. 10 a.m.
October 11 Dunleith Elementary 7-9 p.m.
October 16 Marietta High School 7-9 p.m.
October 17 Sawyer Road Elementary 7-9 p.m.*

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 Personnel/Insurance: Agenda item 20071170 was added to the consent agenda.

-under Public Works: The disclosure made by Council member Goldstein was added to agenda item 20071069.

-under Other Business: Agenda item 20071089 was amended to read, "Motion to approve with the following changes:

-The Revised Detailed Plan dated October 10, 2007

-Stipulation #5 should state that it is a pedestrian gate

-Stipulation #8 shall be added to state that no parking signs shall be posed in all alleys.

-under Other Business: Agenda item 20071193 was added to the consent agenda.

-under Other Business: Agenda item 20071188 was voted in favor of by all Council members.

-under Other Business: Agenda item 20071189 was removed from the agenda.

Council member Goldstein requested that agenda item 20070963 be added to consent conditioned upon receiving the Letter of Stipulations. There was general agreement of council to add this matter to the consent agenda.

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 Coleman, 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 members Pearlberg and King voting against agenda item 20071070

-Council member Pearlberg voting against agenda item 20071170 and 20071064.

Council members Lewis, Coleman and Goldstein voting against agenda item 20070738.

-Council member Goldstein abstaining on agenda items 20071069, 20071111, 20071113, and 20071131.

MINUTES:

- * **20071082 Regular Meeting - September 11, 2007**
Review and approval of the September 11, 2007 regular meeting minutes.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

MAYOR'S APPOINTMENTS:

- * **20071065 Appointment of Additional Associate Solicitor's**
Mayor's appointment of additional solicitor's for the Marietta Municipal Court.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

CITY COUNCIL APPOINTMENTS:

*** 20071066 Reappointment to the Marietta Historic Preservation Commission**

Re-appointment of Ray Worden to the Marietta Historic Preservation Commission for a three year term beginning September 15, 2007 and expiring September 14, 2010.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

ORDINANCES:

*** 20070963 Z2007-15 [REZONING] 727 Cobb Parkway Realty, LLC 727 and 757 Cobb Parkway South from LI (Light Industrial) and CRC (Community Retail Commercial) to CRC (Community Retail Commercial)**

Ord 7089 Z2007-15 [REZONING] 727 COBB PARKWAY REALTY, LLC, requests rezoning for property located in Land Lot 05740, District 17, and being known as 727 Cobb Parkway South (Parcel 0064) from Community Retail Commercial to Community Retail Commercial and 757 Cobb Parkway South (Parcel 0220) from LI (Light Industrial) to CRC (Community Retail Commercial). Ward 7.

Motion to approve conditioned upon receipt of the Letter of Stipulations.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

20071087 Property Acquisition

The City of Marietta, being committed to total public disclosure, has resolved that all properties to be purchased by the City of Marietta with a signed contract by the seller shall be disclosed at the time of the initial public vote to approve the purchase of the property, the price, name of seller, closing date and the address of the property. Excepted from this policy would be the instance in which the city would be interested in purchasing property at a foreclosure or other bid situation.

A motion was made by Council member King, seconded by Council member Chalfant, to approve this matter. The motion carried by the following vote:

Vote: 5 - 2 - 0

Approved

Voting Against: Rev. Anthony Coleman and Philip M. Goldstein

Mayor Dunaway vetoed the motion.

(The official veto of the amendment by Mayor Dunaway is on file in the City Clerk's Office.)

A motion was made by Council member Chalfant, seconded by Council member Pearlberg, to override the veto. The motion failed by the following vote:

Vote: 3 - 4 - 0

Denied

Voting Against: Rev. Anthony Coleman, Annette Lewis, Jim King and Philip M. Goldstein

A motion was made by Council member King, seconded by Council member Lewis, to approve the following policy for Property Acquisition:

For properties in areas where the city expects no further purchases or acquisitions, the city, following discussion in executive session and the delivery of a signed contract by the seller to the city, shall disclose in the public vote to approve the purchase of the property the price, name of the seller, closing date and address of the property.

For properties a) which the city determines that a city purchase may cause price escalation, or b) in areas where the city expects further purchases or acquisition, the city shall, following discussion in executive session, comply with the Georgia Open Meetings law as to the first closing or set of closings and vote on any purchase in public without disclosing any further details of the purchase until the property has closed.

Exempted from this policy would be the instance in which the city would be interested in purchasing property at a foreclosure or other bid situations.

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

Vote: 4 - 3 - 1

Approved as Amended

Vote Against: 3 - Van Pearlberg, Grif Chalfant and Philip M. Goldstein

Abstain: 1 - Rev. Anthony Coleman

Mayor Dunaway voted in favor of this motion due to the tie vote.

20070964 Z2007-16 [REZONING] The Sons of Thunder Realty Investments, Inc. 140 Blackwell Lane from RM-8 (Multi-Family Residential, 8 units/acre) to PRD-MF (Planned Residential Development Multi-Family)

Ord 7090 Z2007-16 [REZONING] THE SONS OF THUNDER REALTY INVESTMENTS, INC., requests rezoning for property located in Land Lot 11590, District 16, Parcel 0900 and being known as 140 Blackwell Lane from RM-8 (Multi-Family Residential 8 units/acre) to PRD-MF (Planned Residential Development Multi-Family). Ward 4.

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

Council member Goldstein left the Council Chamber.

Michael Brown, President of the Sons of Thunder Realty Investments, requested rezoning for property located at 140 Blackwell Lane for the purpose of constructing a new condominium building. It would be a four unit building constructed of the same materials presented in the rendering.

Discussion was held regarding the building materials. Mr. Brown stipulated that the materials to be used would be stacked stone and brick, as presented.

Mayor Dunaway closed the public hearing.

Motion to approve the rezoning request with the stipulation that the proposed building be constructed with the same design and materials show in the picture presented.

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

Vote: 6 - 0 - 0

Approved as Stipulated

Absent: Philip M. Goldstein

20070965

Z2007-17 [REZONING] Circle A Fences, Inc. a portion of 1589 Canton Road, 698 Collins Road, 639 Collins Road, 643 Collins Road, 655 Collins Road and 663 Collins Road

Z2007-17 [REZONING] CIRCLE A FENCES, INC., requests rezoning in LL 08540, Dist 16: Portion of 1589 Canton Rd (Pcl 014), General Commercial (County) to Community Retail Commercial(City); 698 Collins Rd, Pcl 002, Single Family Residential(County) to Community Retail Commercial(City); 639 Collins Rd, Pcl 010, 643 Collins Rd, Pcl 011 and 655 Collins Rd, Pcl 012, Single Family Residential(City) to Light Industrial(City); 663 Collins Rd, Pcl 013, Single Family Residential(County) to Light Industrial(City) w/variances and all associated right-of-way. Ward 6.

Mayor Dunaway opened the public hearing. City Attorney Douglas Haynie swore in those wishing to speak.

Jimmy Miller, owner of Circle A Fences, requested rezoning several properties located on Collins Road for the purpose of building a residential community. Mr. Miller mentioned that a buffer would be constructed to address the concerns of the affected neighbors on Oakhurst Drive.

Discussion was held regarding written agreements between the neighbors on Oakhurst Drive. There was general agreement to table this matter until written agreements can be obtained from the neighbors.

Discussion was held regarding the time limits to complete the annexation process. Zoning Manager Rusty Roth was asked to provide this information.

Mayor Dunaway closed the public hearing.

Motion to table this matter until the next regular Council meeting.

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

Vote: 7 - 0 - 0

Tabled

20070966

A2007-05 [ANNEXATION] Circle A Fences, Inc. a portion of 1589 Collins Road, 663 Collins Road, 698 Collins Road

A2007-05 [ANNEXATION] CIRCLE A FENCES, INC. requests annexation for properties located in Land Lot 08540, District 16, as follows: a portion of 1589 Canton Road (Parcel 014), 698 Collins Road (Parcel 002) and 663 Collins Road (Parcel 013), and all associated right-of-way for each address, in the 2nd Section, Cobb County, Georgia consisting of 2.70 acres. Ward 6.

Mayor Dunaway opened the public hearing. City Attorney Douglas Haynie swore in those wishing to speak. Seeing no one wishing to speak, the public hearing was closed.

Motion to table this matter until the next regular Council meeting.

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

Vote: 7 - 0 - 0

Tabled

20070967

CA2007-21 [CODE AMENDMENT] Circle A Fences, Inc. a portion of 1589 Canton Road, 663 Collins Road and 698 Collins Road proposed designation for the Future Land Use of said property is IW (Industrial Warehousing).

CA2007-21 [CODE AMENDMENT] CIRCLE A FENCES, INC. in conjunction with the requested annexation of properties located in Land Lot 08540, District 16, as follows: a portion of 1589 Canton Road (Parcel 014); 698 Collins Road (Parcel 002); and, 663 Collins Road (Parcel 013), 2nd Section, Marietta, Cobb County, Georgia, the City of Marietta proposes to designate the Future Land Use of said property as IW (Industrial Warehousing). Ward 6.

Mayor Dunaway opened the public hearing. City Attorney Douglas Haynie swore in those wishing to speak. Seeing no one wishing to speak, the public hearing was closed.

Motion to table this matter until the next regular Council meeting.

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

Vote: 7 - 0 - 0

Tabled

20071053

Z2007-18 [REZONING] City of Marietta 1161 Whitlock Avenue from NS

(Neighborhood Shopping-County) to NRC (Neighborhood Retail Commercial-City), Ward 2.

Ord 7091 Z2007-18 [REZONING] CITY OF MARIETTA requests rezoning for property located in Land Lot 03250, District 20, Parcel 0440 and being known as 1161 Whitlock Avenue from NS (Neighborhood Shopping-County) to NRC (Neighborhood Retail Commercial-City), Ward 2.

Mayor Dunaway opened the public hearing. City Attorney Douglas Haynie swore in those wishing to speak. Seeing no one wishing to speak, the public hearing was closed.

Motion to approve the rezoning request with the understanding that the amortization period stated in the Sign Ordinance begins when the property is annexed into the city.

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

Vote: 7 - 0 - 0

Approved as Stipulated

20071054 A2007-06 [ANNEXATION] City of Marietta 1161 Whitlock Avenue

Ord 7092 A2007-06 [ANNEXATION] CITY OF MARIETTA requests annexation for property located in Land Lot 03250, District 20, Parcel 0440 and being known as 1161 Whitlock Avenue, and all associated right-of-way, in the 2nd Section, Cobb County, Georgia consisting of 0.30 acres. Ward 2.

Mayor Dunaway opened the public hearing. City Attorney Douglas Haynie swore in those wishing to speak. Seeing no one wishing to speak, the public hearing was closed.

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

Vote: 7 - 0 - 0

Approved

20071055 CA2007-24 (A2007-06) [CODE AMENDMENT] City of Marietta 1161 Whitlock Avenue

Ord 7093 CA2007-24 [CODE AMENDMENT] CITY OF MARIETTA in conjunction with the requested annexation of properties located in Land Lot 03250, District 20, Parcel 0440 and being known as 1161 Whitlock Avenue,, the City of Marietta proposes to designate the Future Land Use of said property as NAC (Neighborhood Activity Center). Ward 2.

Mayor Dunaway opened the public hearing. City Attorney Douglas Haynie swore in those wishing to speak. Seeing no one wishing to speak, the public hearing was closed.

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: 7 - 0 - 0 **Approved**

- * **20070813** **CA2007-23 [CODE AMENDMENT] Amending the Comprehensive Development Code regarding the Temporary/Conditional Uses Allowed by the Director**

Ord 7094 Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 708.15(C), Division 708.16(C), Division 708.17(C) regarding Temporary/Conditional Uses Allowed by the Director.

This Matter was Approved on the Consent Agenda.

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

- * **20070814** **CA2007-22 [CODE AMENDMENT] Amending the Comprehensive Development Code regarding container bins and donation boxes**

Ord 7095 CA2007-22 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 708.15(F), Division 708.16(F), Division 708.17(F) and Division 710.08 regarding container bins and donation boxes.

This Matter was Approved on the Consent Agenda.

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

- * **20071111** **Code Enforcement - 879 Meadow Place**

Ord 7096 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 879 Meadow Place.

Owner: JOSE E. ZUNIGA

Certified mail receipt not received as of 09/26/07.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

This Matter was Approved on the Consent Agenda.

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

Abstain: Philip M. Goldstein

- * **20071113** **Code Enforcement - 714 Tom Read Drive**

Ord 7097 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 714 Tom Read Drive.

Owner: RUBERA PAOLO

Certified mail receipt not received as of 09/26/07.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

This Matter was Approved on the Consent Agenda.

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

- * **20071129** **Code Enforcement - 108 Holiday Street**
Ord 7098 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 108 Holiday Street.
Owner: HSBC Bank USA as Trustee for A Securities Corp Home Equity HL
Certified mail receipt received 9-4-07; signed by R. Loto
Taxes paid: Yes
PUBLIC HEARING REQUIRED
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 **Approved**

- * **20071131** **Code Enforcement - 130 Woods Drive**
Ord 7099 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 130 Woods Drive.
Owner: Amanda Trust 5/2/06, Ramona Jennings as Trustee
Certified mail receipt not received as of 9/28/07.
Taxes paid: No
PUBLIC HEARING REQUIRED
Philip M. Goldstein abstaining
This Matter was Approved on the Consent Agenda.
Vote: 6 - 0 - 1 **Approved**
Abstain: Philip M. Goldstein

RESOLUTIONS:

CITY ATTORNEY'S REPORT:

- * **20071166** **Denial of a claim**
Denial of a claim of Susan B. Hellie.
This Matter was Approved to Deny Claim on the Consent Agenda.
Vote: 7 - 0 - 0 **Approved to Deny Claim**
- * **20071167** **Denial of a claim**
Denial of a claim of Yssmine's Entertainment Hall & Shadia's Restaurant, LLC; Nazareth, LLC; Waleed "Lee" Jaraysi; and 555 Commerce Avenue, Marietta, Georgia
This Matter was Approved to Deny Claim on the Consent Agenda.
Vote: 7 - 0 - 0 **Approved to Deny Claim**

Vote: 6 - 1 - 0 **Approved**
Voting Against: Van Pearlberg

- * **20071170** **New Police Officer for City Schools**
Ord 7101 Approval of amending FY08 budget to add one position of Police Officer to serve as school resource officer.
This Matter was Approved on the Consent Agenda.

Vote: 6 - 1 - 0 **Approved**
Voting Against: Van Pearlberg

- * **20071084** **MRC Vacancy**
Motion to authorize advertisement of a vacancy on the Marietta Redevelopment Corporation Board to fill an unexpired term.

This Matter was Approved on the Consent Agenda.

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

- * **20071085** **Marietta Museum of History Board of Directors**
Appointment of Jim Glover to the Marietta Museum of History Board of Directors for a 3-year term expiring on October 31, 2010.

This Matter was Discussed on the Consent Agenda.

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

- * **20071086** **Marietta Museum of History Board of Directors**
Re-appointment of Mary Ladd, James Southerland and Charles M. Brown III to the Marietta Museum of History Board of Directors for 3-year terms expiring on October 31, 2010.

This Matter was Discussed on the Consent Agenda.

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

6. Public Safety Committee: Anthony Coleman, Chairperson

7. Public Works Committee: Jim King, Chairperson

- * **20070455** **Downtown Solid Waste Fee Schedule**
Motion to approve the proposed Fee Schedule for waste removal and recycling in the CBD.

This Matter was Approved on the Consent Agenda.

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

- * **20071018 Alexander Street Improvement Project**
Motion to approve the Alexander Street Improvement Project from Washington Avenue to Roswell Road (Option 2), following staff recommendation.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved
- * **20071074 Crescent Circle Sidewalks**
Motion to approve a request from Marietta Housing Authority for sidewalks on Crescent Circle between Henderson Arms and Powder Springs Street.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved
- * **20070738 Speed Tables**
Motion to begin a test study on Wright Street, and Bellemeade Drive, by installing speed cushions, which will be monitored for a period of 90 days using the speed trailer. Source of funding shall be the General Fund Reserve.
This Matter was Approved on the Consent Agenda.
Vote: 4 - 3 - 0 Approved
Voting Against: Annette Lewis, Rev. Anthony Coleman and Philip M. Goldstein
- * **20071069 Authorization to advertise for sale city-owned parcel(s)**
Motion to advertise sale of 321 Cole Street (north and south parcel) and 325 North Marietta Parkway through a Request for Proposal public process subject to final determination of right-of-way needs by the City and contingent on Mayor and Council having the right to reject any and all offers.
Council member Goldstein disclosed that the request was made by one of his tenants. Council member Philip M. Goldstein abstaining.
This Matter was Approved on the Consent Agenda.
Vote: 6 - 0 - 1 Approved
Abstaining: Philip M. Goldstein
- * **20071177 Rezoning of City -owned parcel(s) at Cole and the North Loop**
Motion to authorize advertisement for rezoning from R4 (Residential, 4 units/acre) to OI (Office Institutional) of City-owned property located in Land Lot 11450, 16th District, Parcel 2220, 2nd Section, Marietta, Cobb County, Georgia and being known as 321 Cole Street.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved

Vote: 7 - 0 - 0

Approved

* **20071169**

FY2007 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.

Ord 7102

Approval of an Ordinance amending the Fiscal Year 2008 Budget to receive and appropriate a federal grant from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program to purchase digital recording devices for police investigations.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20071089**

Revised Detail Plan for Rockford Commons

Motion to approve the Revised Detailed Plan for Rockford Commons Subdivision located on Manning Road in Land Lot 00010, 17th District, 2nd Section, Marietta, Cobb County, Georgia, with the following stipulations:

- 1) Parking pads for Units 28-31 facing Manning Road shall be increased from 16 feet to 17 feet.
- 2) The homeowner association covenants shall prohibit vehicles parking in the driveway from hanging out past the driveway pad, specifically so that cars will not extend out into the alleys.
- 3) Maintain the 35 additional guest parking spaces as proposed.
- 4) Alleys must be one way with no parking on the alleyways. The direction of the one-ways must be indicated on the plat.
- 5) Units 24-31 shall each have a gate in the fence along Manning Road.
- 6) Garages must be at least 20 feet deep.
- 7) This Motion is contingent upon the applicant signing a Release and Indemnity Agreement in favor of the City of Marietta. In addition, the applicant shall require that each purchaser execute and return to the City of Marietta a Release and Indemnity Agreement which shall run with the land and be binding on subsequent purchasers are owners. (See attached agreement)

Motion to approve with the following changes:

-The Revised Detailed Plan dated October 10, 2007

-Stipulation #5 should state that it is a pedestrian gate

-Stipulation #8 shall be added to state that no parking signs shall be posed in all alleys.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20071193**

Alleyways for Rockford Commons Revised Detailed Plan

Motion to allow alleys within the Rockford Commons Development located on Manning Road in Land Lot 00010 17th District, 2nd Section, Marietta, Cobb County, Georgia, as specifically noted and approved on the revised Detailed Plan.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20071189 Condemnation of Property - 567 and 595 Roswell Street**

Motion to authorize city staff and city attorney to commence condemnation procedures on property known as 567 and 595 Roswell Street, Marietta, Georgia and to authorize and direct the city staff and the city attorney to take any and all action required by H.B. 1313 in order to acquire fee simple title to the aforementioned property. This authorization shall include the giving of proper written notice, the posting of the property, the required legal advertisements in order to commence the condemnation process and any other action required or appropriate pursuant to the above law.

This matter was Removed.

* **20071192 Condemnation of Property - 59 Olive Street**

Motion to authorize city staff and city attorney to commence condemnation procedures on property known as 59 Olive Street, Marietta, Georgia and to authorize and direct the city staff and the city attorney to take any and all action required by H.B. 1313 in order to acquire fee simple title to the aforementioned property. This authorization shall include the giving of proper written notice, the posting of the property, the required legal advertisements in order to commence the condemnation process and any other action required or appropriate pursuant to the above law.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20071190 Purchase of Property**

Motion to approve the purchase of designated properties for the designated amounts.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20071188 Municipal Electric Authority of Georgia (MEAG) Revised Supplemental Power Purchase**

C/A 3474

Motion for approval of the Supplemental Power Purchase Contract between the Municipal Electric Authority of Georgia (MEAG) and the City of Marietta subscribing to 70 megawatts of the proposed West Georgia Transaction.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

