



# 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, November 8, 2006

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 7:00 p.m.*

## **INVOCATION:**

*Mayor Dunaway called on Council member Holly Walquist who in turn introduced Algen Thurmond with the Four Seasons Garden Club to give the invocation.*

## **PLEDGE OF ALLEGIANCE:**

*Mayor Dunaway asked everyone to stand for the pledge of allegiance.*

## **PRESENTATIONS:**

### **20061214 Swearing in of new police officers**

Swearing in of the following new police officers:

Chris Ellis

Michael Gloyd

Chris Irwin

**This matter was Presented. The motion carried.**

**20061154 SPSU Student Collaborative**

A presentation by the SPSU Student Collaborative on the Powder Springs Road/S. Marietta Parkway area.

**This matter was Presented.**

**PROCLAMATIONS:****20061164 Proclamation recognizing CobbWorks!**

Proclamation presented to CobbWorks! Mr. John Helton, Executive Director, Mrs. Alisa Jackson, Center Coordinator and EO Officer for their generous and continuous support of the annual Cobb/Marietta Career Expo.

**This matter was Read.**

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

*The second annual Veterans Day Parade, sponsored by the Marietta Kiwanis Club and city of Marietta, will be held November 11, 2006. The parade will start at Roswell Street Baptist Church at 10 a.m. and proceed to the Marietta Square.*

*The ground breaking of "Meeting Park", sponsored by Winter Properties, will be held on Tuesday, November 14 at 10 a.m. at the corner of Wayland and Green Streets in downtown Marietta. Meeting Park is a mixed-use neighborhood of townhomes, condominiums, retail and offices space on the site of the former Clay Homes housing complex.*

*Operation Stand-down, sponsored by the Cobb Community Collaborative and Disabled American Veterans Chapter 6, will be held on Saturday, November 18, 2006 from 9:00 a.m. until 4:00 p.m. The goal of the event is to identify the needs of the homeless and unite them with community resources.*

*A tree planting, sponsored by the Marietta Tree Keepers, will be held on Saturday, November 18, 2006 beginning at 8:00 a.m. near Bellemeade and Powder Springs.*

*(Clerk's Note: Agenda item 20061236 was moved ahead of the consent agenda.)*

**20061236 MEAG Negotiations - Plant Vogtle Expansion**

Motion to approve an appointment of a Working Group for the purpose of negotiating with the Municipal Electric Authority of Georgia (MEAG) regarding the Plant Vogtle Expansion.

A motion was made by Council member Chalfant, seconded by Council member Walquist, that this matter be Referred to the CITY COUNCIL SPECIAL MEETING. The motion carried by the following vote:

Vote: 7 - 0 - 0

Referred

### CONSENT AGENDA:

Consent agenda items are marked by an asterisk (\*).

(A public hearing will be held only for those items marked by an asterisk that require a public hearing, which is so noted below the agenda item.)

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

*-under Judicial/Legislative: Agenda item 20061145 was amended to read, "Motion to approve the Detailed Plan for Rockford Commons with the stipulation that the developer attempts to save some trees in the common area with tree save measures, prior to the issuance of a Land Disturbance Permit. Further, the Letter of Stipulations dated November 8, 2006 from John J. Elliott, Jr., is hereby incorporated."*

*-under Judicial/Legislative: Agenda item 20061234 was amended to read, "Motion to waive the 10-day waiting period for comment by Council and approve the final plat for the Manget Development Phase I dated November 8, 2006."*

*-under Judicial/Legislative: Agenda item 20061169 was amended to read, "Motion to approve the Manget Development Phase I revised Detailed Plan along with a variance to reduce the width requirement for sections of alleyways in specific areas of Phase I from 14' to 13'6" and one area to 13'4" as noted on the revised Detailed Plan."*

*-under Other Business: Agenda item 20061235 was amended to read, "Motion to approve the Board of Lights and Water (BLW) November 6, 2006 actions and minutes, with the exception of agenda item 20061231."*

*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 King, 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 abstaining on agenda items 20061189, 20061191 and 20061212*

*Council member Goldstein voting against the first New Issue for the 2007 Session, Enforcement of Residential Rental Units under agenda item 20061048.*

### MINUTES:

---

\* **20061178 Regular Meeting - October 11, 2006**

Review and approval of the October 11, 2006 regular meeting minutes.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 - 0 - 0**

**Approved**

**MAYOR'S APPOINTMENTS:**

**CITY COUNCIL APPOINTMENTS:**

\* **20061210 NLC Congress of Cities Voting and Alternate Voting Delegates**

Motion to appoint Annette Paige Lewis as voting delegate and Rev. Anthony Coleman as alternate voting delegate for the National League of Cities (NLC) Congress of Cities' Annual Business Meeting on Saturday, December 9, 2006.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 - 0 - 0**

**Approved**

**ORDINANCES:**

\* **20061189 Code Enforcement - 574 Welch Street**

*Ord 6973*

An ordinance authorizing the removal of obnoxious vegetation, along with trash and debris, rendering sanitary property located at 574 Welch Street in the corporate limits of the City of Marietta.

Certified mail receipt not received as of October 31, 2006

Taxes paid: Yes

**PUBLIC HEARING REQUIRED**

Philip M. Goldstein abstaining

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

**Vote: 6 - 0 - 1**

**Approved**

Abstain: Philip M. Goldstein

\* **20061191 Code Enforcement - 695 Powder Springs Street**

*Ord 6974*

An ordinance authorizing the removal of obnoxious vegetation, along with trash and debris, rendering sanitary property at 695 Powder Springs Street, in the corporate limits of the City of Marietta.

Certified mail receipt not received as of October 31, 2006

Taxes paid: yes

**PUBLIC HEARING REQUIRED**

Philip M. Goldstein abstaining

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

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

\* **20061212 Code Enforcement - 332 Roosevelt Circle**

*Ord 6975*

An Ordinance authorizing the removal of obnoxious vegetation, along with trash and debris rendering sanitary, property located at 332 Roosevelt Circle in the corporate limits of the City of Marietta.

Certified mail receipt not received as of October 31, 2006

Taxes paid: Yes

**PUBLIC HEARING REQUIRED**

Philip M. Goldstein abstaining

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

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

**20060483 Z2006-15 Nathan Konigsmark 66 Griggs Street**

*Ord. 6990*

Z2006-15 NATHAN KONIGSMARK, request rezoning for property located in Land Lot 02160, 17th District, Parcel 0240, and being known as 66 Griggs Street from R-4 (Single Family Residential 4 units/acre) to RA-8 (Single Family Residential -- Attached) Ward 5A.

*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.*

*Nathan Konigsmark, who resides at 473 Brookwood Court, requested rezoning for property located at 66 Griggs Street from R-4 (Single Family Residential 4 units/acre) to RA-8 (Single Family Residential--Attached) for the purpose of dividing the property into two lots in order to have one home on each lot. Mr. Konigsmark stated that the existing two-bedroom home on the property is approximately 1,100 square feet and the proposed second two-bedroom home would be approximately 1,300 square feet.*

*Discussion was held regarding the materials that would be used to construct the second home. Mr. Konigsmark mentioned that the material would be hardy siding on all four sides of the proposed home. The existing home would be upgraded with new paint and new windows.*

*(Clerk's Note: Mayor Dunaway left the meeting. Pro tem Jim King presided over the remainder of the meeting)*

*Further discussion was held regarding the requested zoning of RA-8 (Single Family Residential--Attached), which would require several variances if approved. Council member Goldstein inquired whether the applicant would be willing to continue this matter until the August council meeting in order to address some of the issues with the rezoning request. Mr. Konigsmark agreed.*

*Motion to continued this matter until the November 29, 2006 Special Called City Council Meeting.*

**The motion was made by Council member Chalfant, seconded by Council member Walquist, that this matter be Referred to the CITY COUNCIL SPECIAL MEETING. The motion carried by the following vote:**

**Vote: 7 – 0 – 0**

**Approved**

**20061062      Z2006-28 White Hawk Business Park 462, 472, 482, 492, 502 and 512 Dickson Road**

*Ord 6980*      Z2006-28 WHITE HAWK BUSINESS PARK, requests rezoning for property located in Land Lot 08740, 16th District, Parcels 19, 20, 21, 22, 23 and 36 and being known as 462, 472, 482, 492, 502 and 512 Dickson Road from R-2 [Single Family Residential(City)] and R-20 [Single Family Residential(County)] to CRC (Community Retail Commercial) Ward 6B.

*Mayor Pro tem King opened the public hearing. City Attorney Douglas Haynie swore in those wishing to speak.*

*Melissa Haisten, attorney for the applicant, requested rezoning for property located at 462, 472, 482, 492, 502 and 512 Dickson Road from R-2 [Single Family Residential (City)] and R-20 [Single Family Residential (County)] to CRC (Community Retail Commercial) Ward 6B. Mrs. Haisten explained that the applicants wish to construct an office warehouse facility that would closely resemble the architectural style and composition of the nearby office warehouse facility also developed by White Hawk located at 1475 Canton Road; however, there will be no metal siding on the fronts of the buildings.*

*Mrs. Haisten mentioned that the applicant, White Hawk, agrees to comply with all Marietta Zoning Code requirements with respect to buffer requirements for the development, aside from the contemporaneous variance stated in the letter of stipulations dated November 7, 2006. Also, truck traffic greater than six (6) wheels only would access the subject property from Canton Road (arterial road) and exit the subject property via a mandatory right turn only, which would be enforced by appropriate signage.*

*Discussion was held regarding stipulations 16, 17 and 18 of the letter that deal with the donation of right-of-way. Mrs. Haisten stated that the applicant would agree to the voluntary donation of right-of-way along the subject property's frontage on Dickson Road, to be 10 feet from proposed back of curb or 30 feet from the centerline, whichever is greater. This donation would accommodate the proposed acceleration/deceleration lane and left turn lane.*

*Carol Brown, who resides at 2181 Lessie Maude Drive, spoke in favor of the development and presented pictures of the current conditions of the neighborhood. Mrs. Brown requested that one stipulation be added to adjust the hours of deliveries to the facility to accommodate the remaining residents in the community.*

*Discussion was held regarding truck traffic on Dickson Road and deliveries to the office warehouse facility. Council member Walquist inquired if the applicant would be willing to stipulate that deliveries be made between the hours of 8:00 a.m. and 7:00 p.m., Monday-Friday. After conferring with the applicant, Mrs. Haisten stated that the applicant would not be willing to stipulate the hours of delivery.*

*J. Tilman Payne, whose wife owns nearby property, expressed concern regarding efforts to have rent the property with the proposed commercial or light industrial zoning being granted in the area.*

*Mayor Pro tem King closed the public hearing.*

*Motion to approve the rezoning request with the Letter of Stipulations to Russell J. Roth, AICP dated November 7, 2006 from Melissa P. Haisten with Sams, Larkin & Huff, LLP with modification to item #16 as follows:*

*-Voluntary donation of right-of-way along the Subject Property's frontage on Dickson Road, to be 10 feet from proposed back of curb or 30 feet from the centerline, whichever is greater.*

*Council member Goldstein inquired whether the applicant understood and accepted the stipulations. Mrs. Haisten agreed to the stipulations on behalf of the applicant.*

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

**Vote: 6 - 1 - 0**

**Approved as Stipulated**

Vote Against: Holly Walquist

**20061063**      **A2006-07 White Hawk Business Park, LLC 462, 482 and 512 Dickson Road**  
*Ord 6981*

A2006-07 WHITE HAWK BUSINESS PARK requests annexation for property located in Land Lot 08740, Parcels 19, 20, 21, 22, 23 and 24, 16th District, 2nd Section, Cobb County, Georgia consisting of 4.26 acres and being known as 462, 472, 482, 492, 502 and 512 Dickson Road. Ward 6B.

*Mayor Pro tem King opened the public hearing.*

*Melissa Haisten, attorney for the applicant, incorporated the prior rezoning presentation regarding the subject property.*

*Mayor Pro tem King closed the public hearing.*

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

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

Vote Against: Holly Walquist

**20061064 CA2006-15 (A2006-07) White Hawk Business Park, LLC 462, 512 and 482 Dickson Road**

*Ord 6982* CA2006-15 (A2006-07) WHITE HAWK BUSINESS PARK in conjunction with the requested annexation of property located in Land Lot 08740, Parcels 19, 20, 21, 22, 23 and 24, 16th District, 2nd Section, Marietta, Cobb County, Georgia and being known as 462, 472, 482, 492, 502 and 512 Dickson Road, the City of Marietta proposes to designate the Future Land Use of said property as IW (Industrial - Warehousing). Ward 6B.

*Mayor Pro tem opened the public hearing. Seeing no one wishing to speak the public hearing was closed.*

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

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

Vote Against: Holly Walquist

\* **20061065 Z2006-29 Vickley L. Raeford 1388 Canton Highway**

*Ord 6983* Z2006-29 VICKLEY L. RAEFORD, requests rezoning for property located in Land Lot 08740, District 16, Parcel 0290 and being known as 1388 Canton Road from GC [General Commercial (County)] to CRC [Community Retail Commercial (City)]. Ward 6C.

*(Clerk's Note: Council member Holly Marie Walquist disclosed for the record that MariettaTree Keepers, an organization of which she is a member, hired Raeford Land Clearing to clear the land at the Pocket Park.)*

**This Matter was Approved on the Consent Agenda.**

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

\* **20061066 A2006-08 Vickley L. Raeford 1388 Canton Highway**

*Ord 6984* A2006-08 VICKLEY L. RAEFORD requests annexation for property located in Land Lot 08740, Parcel 0290, 16th District, 2nd Section, Cobb County, Georgia consisting of 0.78 acres and being known as 1388 Canton Road. Ward 6C.

**This Matter was Approved on the Consent Agenda.**

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

\* **20061067 CA2006-16 (A2006-08) Vickley L. Raeford 1388 Canton Highway**

*Ord 6985* CA2006-16 (A2006-08) VICKLEY L. RAEFORD in conjunction with the requested annexation of property located in Land Lot 08740, Parcel 0290, 16th

District, 2nd Section, Marietta, Cobb County, Georgia and being known as 1388 Canton Road, the City of Marietta proposes to designate the Future Land Use of said property as IW (Industrial - Warehousing) Ward 6C.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 - 0 - 0**

**Approved**

**20061070 Z2006-30 Pleasant Grove Baptist Church 566 Whitlock Avenue**

*Ord 6986*

Z2006-30 PLEASANT GROVE MISSIONARY BAPTIST CHURCH OF COBB COUNTY, INC. requests rezoning for property located in Land Lot 1222, 16th District, Parcel 0140, and being known as 566 Whitlock Avenue from R-3 (Single Family Residential) to OI (Office Institutional). Ward 3A.

*Mayor Pro tem King opened the public hearing. City Attorney Doug Haynie swore in those wishing to speak.*

*John Moore, representing Pleasant Grove Missionary Baptist Church, requested rezoning for property located at 566 Whitlock Avenue from R-3 (Single Family Residential) to OI (Office Institutional) to allow operation of a Day-Care Learning Center. The center would accommodate a maximum of 100 students ages 0-2 and 3-4 for pre-schoolers. Mr. Moore mentioned that the property has been inspected by the Marietta Fire Departments and meets all code requirements for a day-care center.*

*Mr. Moore stated that traffic would enter the facility on Lindley Avenue, which means the access gate facing Whitlock Avenue would remain closed. There would be an adequate stacking area on the subject property as vehicles drive around the church to the drop-off/pick-up point. There would also be two or three staggered drop-off/pick-up times to reduce traffic congestion.*

*Mayor Pro tem closed the public hearing.*

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

**Vote: 7 - 0 - 0**

**Approved**

**\* 20060952 Proposed amendments regarding buffer requirements**

*Ord 6988*

Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 708.05, 708.06 and 708.07, regarding residential zoning buffer requirements.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 - 0 - 0**

**Approved**

**RESOLUTIONS:**

**CITY ATTORNEY'S REPORT:**

- \* **20061217 Denial of a claim**  
Denial of a claim by Deborah M. D'Ottavio  
**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**

- \* **20060930 Funding of Additional Fencing at Lewis Park**  
*Ord 6977* Approval of an Ordinance amending the Fiscal Year 2007 Budget to appropriate \$4,862 from Whitaker Trust Funds for purchase and installation of a fence at the Lewis Park Dog Park.  
**This Matter was Approved on the Consent Agenda.**  
Vote: 7 - 0 - 0 **Approved**
- \* **20061082 Weed and Seed Program Grant Funds**  
*Ord 6987* Ordinance to amend FY2007 budget to receive and appropriate grant funding from U.S. Department of Justice and the CDBG for the Weed and Seed Program for Franklin Road  
**This Matter was Approved on the Consent Agenda.**  
Vote: 7 - 0 - 0 **Approved**
- \* **20060953 Proposed amendment regarding off-street parking requirements**  
Motion to authorize advertisement of the proposed amendment regarding off-street parking requirements to add categories to clarify uses.  
**This Matter was Approved on the Consent Agenda.**  
Vote: 7 - 0 - 0 **Approved**
- \* **20061048 2007 Legislative Package**  
Motion to approve the 2007 Legislative package from Council, as amended.  
**This Matter was Approved on the Consent Agenda.**  
Vote: 7 - 0 - 0 **Approved**
- \* **20061080 Parking fines**

*Ord 6989* Ordinance amending the Marietta City Code Sections 9-4-040 and 2-10-060 to amend the General Parking Fines, Fire Lane Parking Fines and Boot Fines structure effective January 1, 2007.

**This Matter was Approved on the Consent Agenda.**

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

\* **20061144 Detailed Plan for Walton Village**

Motion to approve the Detailed Plan for Walton Village with the following stipulations:

- There shall be no more than five percent (5%) rental units at any one time.
- That the Detailed Plan be modified to show eight (8) additional parking spaces.
- That the development consists of four-sided architecture.

**This Matter was Approved on the Consent Agenda.**

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

\* **20061233 Final Plat for Walton Village**

Motion to waive the 10-day waiting period for comment by Council and approve the final plat for Walton Village.

**This Matter was Approved on the Consent Agenda.**

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

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

\* **20061169 Manget Development Phase 1 - Revised Detailed Plan**

Motion to approve the Manget Development Phase I revised Detailed Plan along with a variance to reduce the width requirement for sections of alleyways in specific areas of Phase I from 14' to 13'6" as noted on the revised Detailed Plan.

*Motion to approve the Manget Development Phase I revised Detailed Plan along with a variance to reduce the width requirement for sections of alleyways in specific areas of Phase I from 14' to 13'6" and one area to 13'4" as noted on the revised Detailed Plan.*

**This Matter was Approved on the Consent Agenda.**

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

\* **20061234 Final Plat for the Manget Development Phase I**

Motion to waive the 10-day waiting period for comment by Council and approve the final plat for the Manget Development Phase I.

*Motion to waive the 10-day waiting period for comment by Council and approve the final plat for the Manget Development Phase I dated November 8, 2006.*

**This Matter was Approved on the Consent Agenda.**

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

\* **20061145 Detailed Plan for Rockford Commons**

Motion to approve the Detailed Plan for Rockford Commons with the stipulation that the developer attempts to save some trees in the common area, as long as it does not adversely affect the grading. Also, council requests that the developer speak with the homeowner adjacent to the subject property to advise them of the variance granted regarding setback requirements.

*Motion to approve the Detailed Plan for Rockford Commons with the stipulation that the developer attempts to save some trees in the common area with tree save measures, prior to the issuance of a Land Disturbance Permit. Further, the Letter of Stipulations dated November 8, 2006 from John J. Elliott, Jr., is hereby incorporated.*

**This Matter was Approved on the Consent Agenda.**

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

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

\* **20061138 Request to Add One Deputy Court Clerk Position**

*Ord 6978* Approval of an Ordinance amending the FY2006-2007 City of Marietta/BLW position allocation chart adopted by Ordinance 6932 so as to add one position of Deputy Court Clerk to the Municipal Court Department [#1101) for the purpose of adding staff to support the judicial process of traffic enforcement and other citations.

**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**

\* **20061136 Standard Operating Procedures**

Motion to adopt a new departmental policy, P025 Mental Illness, for the Marietta Police Department in order to maintain CALEA accreditation.

**This Matter was Approved on the Consent Agenda.**

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

\* **20061155 Acceptance of a donation**

*Ord 6979* Motion to approve the acceptance of a \$2,000 donation from Walmart, Inc. for the purchase of drug testing kits for parents.

**This Matter was Approved on the Consent Agenda.**

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

**7. Public Works Committee: Jim King, Chairperson**

- \* **20061148 Henry Drive**  
*Res 2006-* Approval of a Resolution authorizing the closing of a portion of Henry Drive right-of-way within the City of Marietta.  
**This Matter was Approved on the Consent Agenda.**  
**Vote: 7 - 0 - 0 Approved**
- \* **20061073 Request for Ownership of Roswell Street**  
*Res 2006-* Motion to approve the Local State Route Acceptance Resolution regarding ownership of Roswell Street between Highway 41 and the 120 Loop at Whitlock Avenue.  
**This Matter was Approved on the Consent Agenda.**  
**Vote: 7 - 0 - 0 Approved**
- \* **20061170 2005 SPLOST Memorandum of Understanding**  
Motion to approve the Memorandum Of Understanding (MOU) between Cobb County and the City of Marietta for the use and distribution of proceeds from the 2005 Special Purpose Local Option Sales Tax (SPLOST) for Transportation Major Projects dated October 6, 2006.  
**This Matter was Approved on the Consent Agenda.**  
**Vote: 7 - 0 - 0 Approved**

**SCHEDULED APPEARANCES:**

*Andy and Pat Yustat, who reside at 380 Cherokee Street, spoke regarding a fence that was damaged during an MPD chase.*

*BLW Customers Clint Pollard, Julie Labbe, and Eric & Ada Gray, who reside on Leafwood Drive, spoke regarding compensation for losses due to sewer back-up and damage to property and possessions on Leafwood Drive.*

**UNSCHEDULED APPEARANCES:****OTHER BUSINESS:**

- \* **20061223 Amending Development and Management Agreement**  
*C/A 3341* Motion to amend Section 6.8 of the Development and Management Agreement between the City of Marietta and the Marietta Redevelopment Corporation, with the addition of language stating that the City of Marietta may require the Marietta Redevelopment Corporation (MRC) to pay down the loan before the account is liquidated.  
**This Matter was Approved on the Consent Agenda.**  
**Vote: 7 - 0 - 0 Approved**

- \* **20061224 Atlanta Regional Commission (ARC) Project List**  
Motion supporting the ARC staff reranking of the Powder Springs Road Connector so that the ARC will move the project forward on the TIP funding priority listing to the 2014-2020 time frame.  
**This Matter was Approved on the Consent Agenda.**  
**Vote: 7 - 0 - 0 Approved**
- \* **20061237 Purchase of Property**  
Motion to authorize the purchase of property within the City of Marietta.  
**This Matter was Approved on the Consent Agenda.**  
**Vote: 7 - 0 - 0 Approved**
- \* **20061194 Additional Court Clerk Funding**  
*Ord 6976* Motion to approve an Ordinance to amend FY2007 General Fund budget to appropriate additional revenue from traffic fines to cover cost of additional court clerk.  
**This Matter was Approved on the Consent Agenda.**  
**Vote: 7 - 0 - 0 Approved**
- \* **20061215 Civil Service Board Uncontested Election**  
Motion to approve the certified Uncontested Election results for the Marietta Civil Service Board Post 2 vacancy electing Edgar Darden Borders, II for a term of three years, effective January 1, 2007 and expiring on December 31, 2009.  
**This Matter was Approved on the Consent Agenda.**  
**Vote: 7 - 0 - 0 Approved**
- \* **20061235 BLW Actions of November 6, 2006**  
Motion to approve the Board of Lights and Water Works (BLW) November 6, 2006 actions and minutes.  
*Motion to approve the Board of Lights and Water (BLW) November 6, 2006 actions and minutes, with the exception of agenda item 20061231.*  
**This Matter was Approved on the Consent Agenda.**  
**Vote: 7 - 0 - 0 Approved**

**ADJOURNMENT:**

*The meeting was adjourned at 9:33 p.m.*

**Date Approved:** \_\_\_\_\_

\_\_\_\_\_  
**William B. Dunaway, Mayor**

**Attest:** \_\_\_\_\_  
**Stephanie Guy, City Clerk**