



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda CITY COUNCIL

R. Steve Tumlin, Mayor
Stuart Fleming, Ward 1
Grif Chalfant, Ward 2
Johnny Walker, Ward 3
G A. (Andy) Morris, Ward 4
Anthony Coleman, Ward 5
Michelle Cooper Kelly, Ward 6
Philip M. Goldstein, Ward 7

Wednesday, September 9, 2015

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

Council Member Andy Morris, Ward 4

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

20150841 Marietta Fire Department Special Announcement

Mayor Tumlin and Fire Chief Jackie Gibbs will make a special announcement.

20150839 Proclamation - Fire Prevention Week

Proclaiming the week of October 4-10, 2015 as Fire Prevention Week and further, to promote developing a safety plan that includes smoke alarms and residential fire sprinkler installations and maintenance, as well as a home fire inspection plan to aid in preventing and limiting home fires within the City of Marietta..

20150758 Recognition of the Canton Road Neighbors Community Group

Council Member Michelle Kelly and Joan Ellars of Keep Marietta Beautiful would like to recognize and thank the Canton Road Neighbors Community Group for their contribution to the community in creating a garden.

20150838 Government Finance Officers Association Award

Sam Lady, Finance Director, and Lori Duncan, Budget Manager, City of Marietta Finance Department, receive the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA) for 17th consecutive year. "This award is the highest form of recognition in governmental budgeting and represents a significant achievement."

PROCLAMATIONS:**20150781 Proclamation - Public Power and Clean Water Week**

Heidi Isom, BLW Marketing Department, receives a Proclamation declaring September 28th - October 2nd, 2015 as Public Power and Clean Water Week in the City of Marietta to focus bringing safe and dependable power and water service to community homes and businesses.

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

Each speaker is allotted five (5) minutes.

20150837 Georgia Community Coalition Presents Award

Mr. Michael Dorsey with the Georgia Community Coalition presents and award to Council Member Anthony Coleman for "his service to his community".

UNSCHEDULED APPEARANCES:

Each speaker is allotted five (5) minutes.

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:*** 20150788 Regular Meeting - August 12, 2015**

Review and approval of the August 12, 2015 Regular Meeting Minutes.

MAYOR'S APPOINTMENTS: (for informational purposes only)**CITY COUNCIL APPOINTMENTS:****ORDINANCES:***** 20150699 Z2015-28 [REZONING] DONNIS W. KING (BROCK BUILT HOMES, LLC)**

Z2015-28 [REZONING] DONNIS W. KING (BROCK BUILT HOMES, LLC) requesting rezoning for property located in Land Lot 03600, District 17, Parcel 0230, 2nd Section, Cobb, Cobb County, Georgia and being known as 554 Haley Street from NRC (Neighborhood Retail Commercial) to PRD-SF (Planned Residential Development - Single Family). Ward 1A.

The Planning Commission Recommends Approval: Vote: 6-1-0

Mr. Rosenbury made a motion, seconded by Mr. Vanderslice to recommend approval as submitted. Ms. McCrae opposed. The motion carried 6-1-0.

PUBLIC HEARING (All parties are sworn in)

*** 20150708 Z2015-29 [REZONING] ARNOLD KATZ (PATRICIA M. BENEDICT)**

Z2015-29 [REZONING] ARNOLD KATZ (PATRICIA M. BENEDICT) requesting rezoning for property located in Land Lot 1214, District 16, Parcel 0780, 2nd Section, Cobb, Cobb County, Georgia and being known as 108 Ayers Ave from OI (Office Industrial) to OI (Office Institutional) with an additional use (rug cleaning). Ward 1A.

The Planning Commission Recommends approval: Vote: 7-0-0

Mr. Difley made a motion, seconded by Ms. McCrae to recommend approval as submitted including the stipulations set forth in the Staff Report. The motion carried 7-0-0.

Stipulations:

- 1. There shall be a chemical spill kit on-site.*
- 2. The material named "Matrix Break Down" shall be stored into an approved fire resistance container.*
- 3. The subject property shall no longer operate with a septic tank and instead tie into the sewer and water*

PUBLIC HEARING (All parties are sworn in)

3. Judicial/Legislative: Philip M. Goldstein, Chairperson*** 20150701 Residential Infill Development Overlay District**

Motion to authorize advertisement for proposed amendments to the Zoning Ordinance of the City of Marietta, Division 712.11, Residential Infill Development Overlay District.

Council member Goldstein Voting Against

*** 20150691 Street Names for Kennesaw State University - Marietta Campus (SPSU)**

Motion to approve the proposed street names for the Marietta Campus of Kennesaw State University, as shown below and on the attached map:

1. Rossbacher Way
2. Cheshier Road
3. Arntson Drive
4. Walter Kelly Road
5. Koger Drive
6. Clair Harris Road
7. Goat Path
8. Hornet Loop
9. Stinger Loop
10. Hexagon Way
11. Hexagon Drive

20150737 800 MHz Agreement

Motion approving the 800 MHz Radio System License User Agreement with Cobb County.

* **20150790 City's Vision Statement**

Motion approving amendments to the City of Marietta Vision Statement with the addition of the following

1. We are to be a City that implements walkability, bicycle use, sidewalks, electric vehicles and carts, and safe crossings in its street designs, both private and public roads (collectively known as "Walkability"). Said implementation shall be included in public works projects, zoning, commercial usage, and residential usage, both owner occupied neighborhoods and multifamily neighborhoods. Walkability shall be implemented as a component in redesigning and in new projects as well.
2. Marietta establishes itself as a City embracing the Arts by incorporating Public Art in its' infrastructure, streetscapes, parks, sidewalks, bridges, parking areas and open areas where possible and to whatever acceptable extent on a case by case basis."

20150760 Revision to the Detailed Plan for Walton Horizons Subdivision - Dunlieth Parkway

Motion to include the attached revised architectural elevations with those previously approved for the single-family homes associated with the Detailed Plan for Walton Horizons, signed by the owner, and dated September 9, 2015, in accordance with Section 708.20(J.4) of the Marietta zoning Ordinance. All other zoning conditions previously approved, including site plans, landscape plans, and architectural elevations, shall remain in effect. The purpose of this revision is to: Approve the revised architectural plans for the single-family homes on lots 18-30; as shown on the attached drawings.

4. Parks, Recreation, and Tourism: Michelle Cooper Kelly, Chairperson

* **20150775 Monument Sign wording for the Facilities on Kenneth E. Marcus Way**

Motion approving the wording of the sign for the Custer Recreation Center, which reads "Custer Park Sports and Fitness Complex with the address 545-600 Kenneth E. Marcus Way."

20150793 Tourism Grant Plan Amendment

Motion to approve the amending of the previously awarded tourism grant plan, along with the Memorandum of Understanding (MOU).

Council member Goldstein has previously disclosed that he is a member or participant of Marietta Square Branding Project, Inc.

* **20150778** **Establishment of an EP Historic Committee**

Motion to authorize the establishment of an Elizabeth Porter Historic Monument, Art and Murals Committee to capture the history of the Elizabeth Porter Hospital/Recreation Center, with the following individuals: Virginia Gresham, Jeannie Carter, Joyce Holliday, Felicia Wilson Taylor, Judge Jim Morris, Clara Jenkins, Reverend Walter Moon, Annette Carter, Pearl Freeman, Louis Walker, Jeriene Grimes, Tom Scott, Trevor Beemon, Sally Macauley, Parks and Recreation Director or Designee.

5. Personnel/Insurance: Johnny Walker, Chairperson

* **20150770** **Consolidated Retirement Plan**

Approval of an ordinance amending the language in Article IV, Section 3 of the Consolidated Retirement Plan (Ordinance 4532) regarding eligibility to receive a refund of participant contributions. Also, approval of an ordinance amending the language in Article IX, Section 1 of the Consolidated Retirement Plan (Ordinance 4532) regarding issuance of first pension check.

* **20150771** **Civilian Transport Officers Shift Differential Pay**

Approval of an ordinance amending Article 4-4-24-120, City of Marietta/BLW Compensation Policies, and Procedures, regarding shift differential pay for full-time civilian transport officers.

* **20150772** **Group Health and Life Plan and Ancillary Benefits Administration**

Motion approving the renewal of group health and dental plan administration with Blue Cross and Blue Shield of Georgia, Inc. for calendar year 2016, approving the 2016 Medicare Advantage plan with Aetna, Inc. for Medicare-eligible retirees, approving group life plan administration with Lincoln National Life Insurance Company, and approving the administrative services agreements with all selected providers.

6. Public Safety Committee: Anthony Coleman, Chairperson

* **20150759 Standard Operating Procedures**

Motions approving revisions to listed MPD Policies:

A025 (Electronic Control Weapon), A035 (Salary Augmentation), A042 (Awards & Commendations), A044 (Uniforms, Equipment & Department Property), A046 (GCIC and NCIC Computer Systems); A060 (Evidence & Property Management; A085 Promotions (R); A090 Court Procedures (R); C060 Volunteer Program (R); E015 Emergency Operations (R); P010 Patrol Operations (R); P050 Senior Patrol Officer (R); S034 Juvenile Procedures (R); T031 Career Development (R).

7. Public Works Committee: Grif Chalfant, Chairperson

* **20150678 Request to Consider Honorary Street Sign**

Motion authorizing the installation of signage on Lemon Street between Cherokee Street and Cole Street, dedicating the street as “Zion Blvd. Dedicated to ZBC (est. 1866)”.

* **20150697 Roswell Street, Victory Drive, and unnamed alley Right of Way**

Motion authorizing advertisements for a public hearing regarding the proposed abandonment, exchange and/or sale of portions of Roswell Street, Victory Drive, and unnamed alley rights of way to be conducted at the October 14, 2015 City Council Meeting.

Council Member Goldstein Abstaining

* **20150763 Manget Street Traffic Calming**

Motion authorizing the installation of one driver speed feedback sign on Manget Street.

* **20150764 Fairground Street Concept**

Motion authorizing the Fairground Street Concept to include modifications as deemed necessary by a Traffic Engineering Analysis, to consider extending the left turn storage lane traveling southbound to eastbound South Marietta Parkway.

* **20150765 Pedestrian Crossing at the Chestnut Hill Road and Raleigh Court Intersection**

Motion authorizing the installation of crosswalks and a four way stop to allow for pedestrian access at the intersection of Chestnut Hill Road and Raleigh Court.

Council Member Goldstein Voting Against

* **20150766 Maple Avenue at Holland Street Sidewalk Radius Improvement**

Motion authorizing the extension of the sidewalk along Maple Avenue at Holland Street with a restriction for right turn traffic westbound to Holland Street northeast.

* **20150840 Installation of Crosswalks**

Motion authorizing the installation of crosswalks at the intersection of Maple Avenue at Winn Street, Camp Street, and Holland Street contingent upon donation of right-of-way or easements necessary for construction.

20150359 No Parking Zones and Signage in Montgomery Park

Motion removing the no parking zone restrictions previously approved with the Montgomery Park Final Plat along the west side of Harold Street, north side of Avery Street, and the east side of Hunt Street. Motion leaves the prior approved no parking restrictions within the Montgomery Park Subdivision along the east side of Harold Street, south side of Avery Street, west side of Hunt Street, north side of Lyman Drive, and the east side of Lyman Drive as conceptually shown on the attached drawing.

OTHER BUSINESS:

20150834 Streets and Sidewalks Code Amendment

Ordinance amending City Code Section 5-4-110 Obstructions in Streets and Sidewalks.

Council member Goldstein disclosed that there are various tenants of various entities owned by myself or family members if tenants of myself that may be affected by this ordinance. This will affect all similarly situated business the same.

* **20150696 Beaver Street, Gunter Street, and Adam Circle Right of Way Abandonment**

Motion authorizing the abandonment and exchange of rights of way including all portions of Gunter Street right of way between Washington Avenue and Harold Street; all portions of Beavers Street north of Washington Avenue and south of Harold Street; and all portions of Adams Circle between Gunter Street and the northern boundary of the former Boston Homes development, currently known as Marvelle. All utilities existing in said abandoned and exchanged rights of way shall be granted a permanent easement until such time as the respective utilities relocate or otherwise release their rights to the use of the right of way. Said rights of way shall be abandoned and exchanged for new rights of way of equal or greater square footage to be finalized in conjunction with the final plat for the Marvelle development. The City Attorney and Public Works Director are authorized to take actions as needed to finalize the abandonment and exchange of said right of way.

Public Hearing Required

* **20150756 Property Acquisition - 16 Hedges Street**

Motion authorizing for the exchange and/or sale of a portion of 16 Hedges Street.

Council member Goldstein disclosed that he owns stock jointly in Synovus and is abstaining on this issue, as said company is the parent of Bank of North Georgia.

Council member Goldstein Abstaining

Public Hearing Required

20150789 BLW Actions of September 8, 2015

Review and approval of the September 8, 2015 actions and minutes of Marietta Board of Lights and Water.

UNSCHEDULED APPEARANCES:

Each speaker is allotted five (5) minutes.

ADJOURNMENT: