



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, December 12, 2007

7:00 PM

Council Chamber

Presiding: Rev. Anthony Coleman

Present: Philip M. Goldstein, Jim King, Holly Walquist, Grif Chalfant, Annette Lewis and Van Pearlberg

Non-Voting: William B. Dunaway

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 7:03 p.m., and then turned the meeting over to Mayor Pro tem Rev. Anthony Coleman.

INVOCATION:

Mayor Pro tem Coleman called upon Grif Chalfant who in turn asked Dr. Bill Ross, Pastor of the First Baptist Church of Marietta, to give the invocation.

PLEDGE OF ALLEGIANCE:

Mayor Pro tem Coleman called upon Brian Buckalew to lead the Pledge of Allegiance.

PRESENTATIONS:

20071412 Swearing-in of police officers

Swearing in of Lt. Jess Zerbe and Officer Charles Simonds into the Marietta Police Department.

Oath Administered.

20071318 CREATE Award Presentation

Recognition of the city of Marietta winning the Atlanta Regional Commission CREATE Award for:

*Community Involvement/ Building

*Regional Prosperity/ Economic Development

- *Educational Excellence
- *Air Quality &
- *Transportation
- *Environmental Sustainability

The CREATE Award recognizes Marietta for its efforts to achieve key regional goals in the Community Building and Involvement category working to improve the Franklin Road community.

Accepting the award on behalf of the city are Daneea Badio, Site Coordinator for the Franklin Road Weed and Seed Program, Angela Smith, Chair of Franklin Rd Weed and Seed Steering Committee, Daniel Flynn, Marietta Police Chief, Lt. Danny Messimer, Marietta Police Department, Shannon Barrett, Asst. to the City Manager and Bill Bruton, City Manager & Fiscal Agent for Weed and Seed.

This matter was Presented.

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).

Mayor Pro tem Coleman briefly explained the consent agenda process. The following amendments were made to the consent agenda:

-under Personnel/Insurance: Agenda item 20071346 was added to the consent agenda and amended to read, "Motion to approve the appointment of Brian Strack to the Marietta Redevelopment Corporation to fill the unexpired term of Scott Condra, expiring April 10, 2009."

-under Public Safety: Agenda item 20070735 was added to the consent agenda and should show Council member Coleman voting against.

-under Public Works: Agenda item 20060945 was removed from the agenda entirely.

-under Other Business: Agenda item 20071427 was removed from the agenda entirely.

-under Other Business: Agenda item 20071416 was amended to read, "Motion to authorize the City Manager to execute a lease of the Clarke Library property located at 156 Church Street to Vexil Productions, LLC, for a term of 5 years at an initial rate of \$1,500 dollars per month, subject to the following conditions:

- 1) The lease shall be a triple net lease.*
- 2) The lease shall be a 5-year lease subject to ratification the new Council elected in 2010.*
- 3) The final document shall be subject to the approval of the City Manager and City Attorney."*

-under Other Business: Agenda item 20071314 should show Council members Goldstein, Chalfant and Pearlberg voting against agenda item 20071178 from the BLW actions of December 10, 2007.

Mayor Pro tem Coleman opened the public hearing for items on the consent requiring a public hearing.

Greg Howe, who resides at 267 Hunting Creek Drive, expressed concern regarding agenda item 20071178 of the BLW actions of December 10, 2007, which increased the water rates for the City.

Bill Bolton, who resides at 2104 Drogheda Lane, spoke in favor of the increased water rates, stating that this action may encourage water conservation.

The public hearing was closed.

A motion was made by Council member King, seconded by Council member Walquist, 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 Coleman voting against agenda item 20070735.

-Council members Pearlberg, Goldstein and Chalfant voting against agenda item 20071178 from the BLW actions of December 10, 2007.

-Council member Goldstein abstaining on agenda item 20071379.

MINUTES:

- * **20071362 Regular Meeting - November 19, 2007**
Review and approval of the November 19, 2007 regular meeting minutes.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved
- * **20071378 Special Meeting - November 29, 2007**
Review and approval of the November 29, 2007 special meeting minutes.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved

MAYOR'S APPOINTMENTS:

CITY COUNCIL APPOINTMENTS:

ORDINANCES:

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

6. Public Safety Committee: Anthony Coleman, Chairperson

* **20070735 Electronic Control Devices**

Motion to authorize the purchase of Electronic Control Devices by the Marietta Police Department.

This Matter was Approved on the Consent Agenda.

Vote: 6 - 1 - 0

Approved

Voting Against: Rev. Anthony Coleman

7. Public Works Committee: Jim King, Chairperson

* **20060945 Floodplain Management/Flood Damage Prevention Ordinance**

Motion to approve the model Floodplain Management/Flood Damage Prevention Ordinance as revised and to authorize staff to apply for grants to fund the required study.

This matter was Removed.

* **20071233 Trolley Proposal**

Motion to authorize the City Manager to place Trolley Tour signs on existing loading zone sign posts within the Downtown area.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20071386 Purchase of Property**

Motion to authorize the purchase of property located at 506 Roswell Road from Marietta Square II, Office Center Associates, Inc. for the amount of \$11,800.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20071343 Memorandum of Agreement**

C/A 3493

Motion to approve a Second Amendment to the May 14, 2004 Memorandum of Agreement by and between the City of Marietta, and Wellstar Health System, Inc.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

SCHEDULED APPEARANCES:

UNSCHEDULED APPEARANCES:

Bill Bolton, who resides at 2104 Drogheda Lane, spoke in favor of leaving the Unscheduled Appearances at the end of the meeting, an issue that was recently discussed by City Council.

OTHER BUSINESS:*** 20071356 2008 Mayors' Day Conference**

Motion to approve travel and training expenses for the Mayor and Council members who wish to attend the Georgia Municipal Association (GMA) Annual Mayors' Day Conference, January 26-28, 2008 in Atlanta, Georgia.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

20071427 Marietta Development Authority

Motion to approve the appointment of _____ to the Marietta Development Authority (Post 1) for a two-year term beginning January 9, 2008 and expiring January 9, 2010.

This matter was Removed.

*** 20071416 Clarke Library**

Motion to authorize the City Manager to execute a lease of the Clarke Library property located at 156 Church Street to Accord Services Inc., for a term of 3 years at an initial rate of _____ dollars per month.

Motion to authorize the City Manager to execute a lease of the Clarke Library property located at 156 Church Street to Vexil Productions, LLC, for a term of 5 years at an initial rate of \$1,500 dollars per month, subject to the following conditions:

- 1) The lease shall be a triple net lease.*
- 2) The lease shall be a 5-year lease subject to ratification the new Council elected in 2010.*
- 3) The final document shall be subject to the approval of the City Manager and City Attorney.*

Council member Goldstein disclosed that Mr. Roger Lee Ivens had inquired about renting property from him; however, no agreement had been reached.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

*** 20071314 BLW Actions of December 10, 2007**

Review and approval of the December 10, 2007 actions and minutes of the Marietta Board of Lights and Water Works (BLW).

Council members Pearlberg, Goldstein and Chalfant voting against agenda item 20071178 from the BLW actions of December 10, 2007.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

ADJOURNMENT:

The meeting was adjourned at 7:53 p.m.

Date Approved: _____

William B. Dunaway, Mayor

Attest: _____
Stephanie Guy, City Clerk