



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, August 8, 2007

7:00 PM

Council Chamber

Presiding: William B. Dunaway

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

Absent: Rev. Anthony Coleman

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 7:09 p.m.

INVOCATION:

Mayor Dunaway called on Clarence Elder Sinkler, Chaplin of the VFW to give the invocation.

PLEDGE OF ALLEGIANCE:

Mayor Dunaway asked Elder Sinkler to lead the pledge of allegiance.

PRESENTATIONS:

PROCLAMATIONS:

* **20070883 Leo Frank Proclamation**

Proclamation commemorating the anniversary and condemning the lynching of Leo Frank.

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 0

Approved

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

Mayor Dunaway mentioned that Michael French would no longer cover the City of Marietta for the Marietta Daily Journal.

The Veterans Day Parade sponsored by the Kiwanis Club will be held Sunday,

November 11, 2007.

Applications are now being accepted for the Marietta Benefit Bazaar, which will be held Saturday, October 20, 2007.

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 Ordinances: Agenda items 20070839 and 20070853 were removed from the agenda.

-under Resolutions: Agenda item 20070898 was added to the consent agenda.

-under Judicial/Legislative: Agenda item 20070789 was added to the consent agenda with Council member King voting against.

-under Other Business: Agenda item 20070897 was added 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 Goldstein, seconded by Council member Walquist, to add an item to the consent agenda to replace the Montag & Caldwell fund with the T. Rowe Price Growth Stock R Fund in the Large Cap Equity family. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

A motion was made by Council member Walquist, seconded by Council member Chalfant, to approve the consent agenda as modified. The motion unanimously carried by the following vote:

Vote: 6 - 0 - 0

Approved

with the following exceptions:

-Council member King voting against agenda item 20070789.

-Council member Walquist voting against agenda item 20070896.

-Council member Goldstein abstaining on agenda item 20070854.

MINUTES:

* **20070867 Special Meeting - July 30, 2007**

Review and approval of the July 30, 2007 special meeting minutes.

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 0

Approved

* **20070868 Regular Meeting - July 11, 2007**

Review and approval of the July 11, 2007 regular meeting minutes.

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 0

Approved

MAYOR'S APPOINTMENTS:

CITY COUNCIL APPOINTMENTS:

ORDINANCES:

* **20070839 Code Enforcement - 373 Allgood Road**

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 373 Allgood Road.

Certified mail receipt received 08/09/07; signature not legible.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

This matter was Removed.

* **20070853 Code Enforcement - 230 Frasier Street**

An ordinance authorizing the removal of obnoxious vegetation, along with trash and debris, rendering sanitary property located at 230 Frasier Street in the corporate limits of the City of Marietta.

Certified mail receipt received in person 07/27/07.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

This matter was Removed.

* **20070854 Code Enforcement - 600 Tom Read Drive**

Ord 7071

An ordinance authorizing the removal of obnoxious vegetation, along with trash and debris, rendering sanitary property located at 600 Tom Read Drive in the corporate limits of the City of Marietta.

Certified mail receipt not received as of July 27, 2007.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

Vote: 6 - 0 - 0

Approved

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 0

Approved

RESOLUTIONS:

*** 20070898 Planning and Zoning Director**

Res. 1429 Approval of a Resolution acknowledging that the title of Planning and Zoning Director shall also refer to the Development Services Director when stated in the Marietta Zoning Ordinance, Marietta City Code, printed material and on the City website.

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 0

Approved

CITY ATTORNEY'S REPORT:

*** 20070869 Denial of a Claim**

Denial of a claim by Grams Osborne.

This Matter was Approved to Deny Claim on the Consent Agenda.

Vote: 6 - 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

*** 20070837 ITC Monies**

Motion to approve forwarding \$1,167.63 in remaining funds from the Information Technology and Communications (ITC) Steering Committee of the National League of Cities that was held May 31, 2007 - June 2, 2007 to Lenexa, Kansas, the next host city for the exclusive use of hosting the event.

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 0

Approved

*** 20070840 National League of Cities (NLC)**

Motion to approve travel and training expenses for Council member Philip M. Goldstein attending the National League of Cities (NLC) ITC Steering Committee in Overland Park, Kansas, September 6-8, 2007.

This Matter was Approved on the Consent Agenda.

- * **20070789 Proposed amendment to the Comprehensive Development Code**
Ord 7082 CA2007-19 Motion to approve Section 726 Title, Purpose and Jurisdiction of the Comprehensive Development Code regarding public hearing requirements for Gated Communities

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 0

Approved

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

5. Personnel/Insurance: Van Pearlberg, Chairperson

6. Public Safety Committee: Anthony Coleman, Chairperson

- * **20070797 Standard Operating Procedures**

Motion to adopt amendments to Standard Operating Procedure P046 Legal Process in order to maintain CALEA accreditation.

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 0

Approved

7. Public Works Committee: Jim King, Chairperson

SCHEDULED APPEARANCES:

UNSCHEDULED APPEARANCES:

OTHER BUSINESS:

- * **20070875 MRC Annual Report**

Motion to amend the agreement between the City of Marietta and the Marietta Redevelopment Corporation (MRC) by changing the deadline for the MRC annual report to September 15 annually.

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 0

Approved

- * **20070884 Island Annexations**

Motion to authorize advertisement of annexing certain parcel/s of islands into the city limits of Marietta.

This Matter was Approved on the Consent Agenda.

Vote: 6 - 0 - 0

Approved

- * **20070896 Appeal to the Supreme Court of Georgia**

Motion to authorize an appeal by the City Attorney to the Supreme Court of Georgia.

ADJOURNMENT:

The meeting was adjourned at 7:31 p.m.

Date Approved: 09/11/07

William B. Dunaway, Mayor

Attest: _____
Stephanie Guy, City Clerk