



City of Marietta
Meeting Minutes
COMMITTEE OF THE WHOLE

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

William B. Dunaway, Mayor
Annette Paige Lewis, Ward 1
Grif Chalfant, Ward 2
Holly Marie Walquist, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Monday, December 10, 2007

5:15 PM

4th Floor Conference Room

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, Jr. City Manager

Douglas Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor William B. Dunaway called the meeting to order at 5:15 p.m.

MINUTES:

20071382 Regular Meeting - November 8, 2007

Review and approval of the November 8, 2007 regular meeting minutes.

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

Vote: 7 - 0 - 0

Approved

BUSINESS:

20071424 Executive Session

Executive Session to discuss Personnel, Real Estate and/or Legal matters.

A motion was made in open session by Council member King, seconded by Council member Lewis, to enter an Executive Session to discuss personnel matters. The motion carried by the following vote:

Vote: 7 - 0 - 0

Approved

For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein

The Executive Session was held (the Chairman's affidavit is attached hereto as Attachment A).

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

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

For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein

20071346 Marietta Redevelopment Corporation Appointment

Interviews with candidates for an appointment to the Marietta Redevelopment Corporation to fill the vacancy of Scott Condra whose term expires April 10, 2009.

Motion to approve an appointment to the Marietta Redevelopment Corporation to fill the unexpired term of Scott Condra, expiring April 10, 2009.

The motion was made by Council member Goldstein, seconded by Council member Walquist, that this matter be Recommended for Council Agenda Non Consent. The motion carried by the following vote:

Vote: 7 - 0 - 0 **Recommended for Council Agenda Non Consent**

A motion was made by Council member Goldstein, seconded by Council member Walquist, to approve an appointment to the Marietta Development Authority (Post 1) for a two-year term beginning January 9, 2008 and expiring January 9, 2010. The motion was carried by the following vote:

Vote: 7 - 0 - 0 **Recommended for Council Agenda Non Consent**
(See agenda item 20071427)

20071395 BLW Report

Report by Councilman Jim King of the BLW actions at their December 10, 2007 meeting.

Council member King reported on the actions of the Board of Lights and Water at their December 10, 2007 regular meeting. Acting Finance Director Lori Duncan reported on the BLW finance statements. (See the December 10, 2007 regular Board of Lights and Water meeting minutes for details.)

The Council agenda should show Council members Goldstein and Walquist voting against BLW action 20071178.

General Manager Robert Lewis reported on the Municipal Electric Authority of Georgia (MEAG) Board meeting.

This matter was Reported.

20071408 Friends of the Strand

Mayor Bill Dunaway requests reconsideration of agenda item# 20071321, a request by Friends of the Strand to install bricks underneath the marquee.

Council member Goldstein disclosed he is a manager and part owner of the Herbert S. Goldstein Family Limited Partnership, which is the landlord for the Friends of the Strand, Inc. Council member Goldstein then left the conference room.

In depth discussion was held.

Motion to refer this matter to the Public Works Committee of the Whole meeting to be held January 31, 2008.

This matter was Referred to the PUBLIC WORKS COMMITTEE OF THE WHOLE.

20070617 Intersection Traffic Enforcement

Discussion of traffic enforcement cameras at the following locations:

Cobb Parkway and Roswell Road
Powder Springs and South Marietta Parkway
Bellemeade Drive and Powder Springs
South Marietta Parkway and Franklin Road
Cobb Parkway and Industrial Park Drive

A motion was made by Council member Chalfant, seconded by Council member Walquist, that this matter be Referred to the PUBLIC SAFETY COMMITTEE. The motion carried by the following vote:

Vote: 7 - 0 - 0

Referred

20071235 Dumpsters

Request for approval to move forward with the dumpster/compactor option as discussed.

Motion to refer this matter to the Public Works Committee of the Whole meeting to be held January 31, 2008.

This matter was Referred to the PUBLIC WORKS COMMITTEE OF THE WHOLE.

20071343 Memorandum of Understanding

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.

A motion was made by Council member King, seconded by Council member Lewis, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 0 - 0

Absent: Philip M. Goldstein

**Recommended for Approval - Consent
Agenda**

20071345 Efes On The Square

Mr. Hakan Senkal requests permission to place a sign on the sidewalk next to the Strand construction wall (west side) as long as the construction wall is in place.

Council member Goldstein disclosed that Mr. Senkal is a tenant of the Herbert S. Goldstein Family Limited Partnership of which he is a manager. Council member Goldstein then left the conference room.

This matter was Discussed.

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.

A motion was made by Council member King, seconded by Council member Coleman, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 7 - 0 - 0

Recommended for Approval - Consent Agenda

20071413 Sale of Project 1 Capacity

Motion to approve a contract for permanent sale of Project 1 capacity to the City of Acworth.

This matter was Tabled.

20071414 Capacity Purchase Option

Motion to approve a contract for Capacity Purchase Option to the City of Acworth.

This matter was Tabled.

20071416 Clarke Library

Discussion of Clarke Library Property.

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

Motion to move forward with the Lease Agreement for the Clarke Library property.

The motion was made by Council member Goldstein, seconded by Council member Chalfant, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 7 - 0 - 0

Recommended for Approval - Consent Agenda

20071394 Draft Agenda

Review of the December 12, 2007 Draft City Council Agenda.

The following amendments were made to the draft agenda:

- under Minutes: Agenda items 20071362 and 20071378 were added to the consent agenda.*
- under Ordinances: Agenda item 20071090 was added to the consent agenda.*
- under Judicial/Legislative: Agenda item 20071353 was added to the consent agenda.*
- under Public Safety: Agenda item 20070735 was removed from the consent agenda.*
- under Public Works: Agenda item 20060945 should note Council member Goldstein voting against.*
- under Public Works: Agenda item 20071343 was added to the consent agenda.*
- under Other Business: Agenda items 20071413 and 20071414 were removed from the agenda.*
- under Other Business: Agenda item 20071427 was added to the agenda to approve an appointment to the Marietta Development Authority (Post 1).*
- under Other Business: Agenda item 20071314 was added to the consent agenda, with Council members Goldstein and Walquist voting against agenda item 20071178.*

This matter was Discussed.

20071424 Executive Session

Executive Session to discuss Personnel, Real Estate and/or Legal matters.

The motion was made in open session by Council member Chalfant, seconded by Council member Goldstein, to enter an Executive Session to discuss personnel and legal matters. The motion carried by the following vote:

Vote: 7 - 0 - 0

Approved

For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein

The Executive Session was held (the Chairman's affidavit is attached hereto as Attachment B).

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

Vote: 7 - 0 - 0

Approved

For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein

ADJOURNMENT:

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____