



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes

### CITY COUNCIL AGENDA WORK SESSION

*R. Steve Tumlin, Mayor*  
*Annette Paige Lewis, Ward 1*  
*Griffin "Grif" L. Chalfant, Jr., Ward 2*  
*Johnny Sinclair, Ward 3*  
*Irvan A. "Van" Pearlberg, Ward 4*  
*Rev. Anthony C. Coleman, Ward 5*  
*James W. King, Ward 6*  
*Philip M. Goldstein, Ward 7*

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Monday, April 9, 2012

5:15 PM

Council Chamber

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**Presiding:** R. Steve Tumlin, Mayor

**Present:** Annette Lewis, Grif Chalfant, Johnny Sinclair, Van Pearlberg,  
Rev. Anthony Coleman, Jim King, and Philip M. Goldstein

**Also Present:**

*William F. Bruton, Jr. City Manager*

*Douglas R. Haynie, City Attorney*

*Stephanie Guy, City Clerk*

#### CALL TO ORDER:

*Mayor R. Steve Tumlin called the meeting to order at 5:17 p.m.*

#### MINUTES:

**20120263 Regular Meeting - March 5, 2012**

Review and approval of the March 5, 2012 regular meeting minutes.

*Council was asked to consider the revised minutes related to agenda item 20120208, Consideration of additional tourism funding to various groups including Theatre in the Square. Council member Goldstein was absent at the time of the vote. Council King mentioned that the vote was still off on the revised minutes and should have been 5 - 1 - 0, with Council member Coleman voting against and Council member Goldstein absent.*

**A motion was made by Council member King, seconded by Council member Lewis, to approve the revised minutes as amended. The motion carried by the following vote:**

**Vote: 7 - 0 - 0**

**Approved as Amended**

**BUSINESS:**

**20120339 Off-premise banner request**

Special request by Mayor Tumlin for discussion to consider acceptance of application to place an off-premises banner for the Lyric Theater at 105 N Park Square.

*Council member Goldstein disclosed that he is the owner of and a general manager for the Herbert S. Goldstein Family Limited Partnership that owns the Earl Smith Strand Theater at 115-119 North Park Square, Marietta GA. The tenant is Friends of the Strand, Inc. The tenant has an agreement with the Atlantic Lyric Theater, Inc., to use the facility. 105 North Park Square is owned jointly by Mary S. Goldstein (Councilman Goldstein's mother) and Herbert S. Goldstein Family Limited Partnership (relationship disclosed above). Council member Goldstein abstains on and will not participate on this issue in his elected capacity.*

*Council member Goldstein left the dais prior to the discussion.*

*Diane Butler, Director of Marketing and Community Relations for the Lyric Theater, spoke regarding an application to place an off-premises banner for the Lyric Theater at 105 North Park Square. Discussion was held regarding the need for a public hearing, which would require advertisement 14 days prior. Alternative methods of promoting the upcoming show at the Lyric Theater were also discussed.*

*There was a general consensus to take no action regarding this matter.*

**No Action Taken**

*Council member Goldstein returned to the dais.*

**20120322 BLW Report**

Council Member Jim King gives the Board of Lights and Water (BLW) report for the meeting held on Monday, April 9, 2012.

*Council member King reported on the actions of the Board of Lights and Water at their April 9, 2012 regular meeting. Finance Director Sam Lady reported on the BLW finance statements. (See the April 9, 2012 regular Board of Lights and Water meeting minutes for details.)*

**Reported**

**20120324 Executive Session**

Executive Session to discuss legal, personnel and/or real estate matters.

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

**Vote: 7 - 0 - 0**

**Approved**

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

**A motion was made in open session by Council member Pearlberg, seconded by Council member Goldstein, to close the Executive Session. The motion carried by the following vote:**

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

**20120138                      Ethics Committee Council Appointment**

Interviews and discussion regarding the Council appointment to the Ethics Committee.

**Discussed**

**20120277                      Marietta Redevelopment Corporation (MRC) Board of Directors**

Interviews and discussion regarding an appointment to the Marietta Redevelopment Corporation (MRC) Board of Directors for a two year term.

**Discussed**

**20120251                      Speed Hump Policy**

Review of Speed Hump Policy modifications.

*This matter was discussed and already appears on the Council agenda.*

**Discussed**

**20120323                      Draft City Council Agenda**

Review and approval of the April 9, 2012 DRAFT City Council Agenda.

*-under Minutes: agenda items 20120243, 20120265 and 20120316 were added to the consent agenda.*

*-under Mayor's Appointment: agenda item 20120338 was amended to read, "Appointment of Council Member Jim King to serve as Vice Chair for the Finance and Insurance Committee.*

*-under City Council Appointments: agenda item 20120272 was removed from the agenda.*

*-under City Council Appointment: agenda item 20120315 was amended to read, "...until such time as a successor appointment can be made."*

*-under City Attorney's Report: agenda item 20120340 was added to the consent agenda, Denial of claim of Wolfgang Hoddow.*

*-under Judicial/Legislative: agenda item 20120190 was added to the consent agenda, with Council member Coleman voting against.*

*-under Public Works: agenda items 20120325 and 20120326 were added to the consent agenda.*  
*-under Other Business: agenda item 20120264 was added to the consent agenda.*  
*-under Other Business: agenda item 20120141 was amended to read, "Council member Chalfant disclosed that he has employed the engineer, Wayne Proctor, at various times in the past. Council member Goldstein disclosed that he has used the engineer, Wayne Proctor, in the past; however, has no current business dealings with him."*

**Discussed**

**ADJOURNMENT:**

*The meeting was adjourned at 8:35 p.m.*

**Respectfully submitted,**

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**Stephanie Guy, City Clerk**

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