



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, February 14, 2007

7:00 PM

Council Chamber

Presiding: William B. Dunaway

Present: Philip M. Goldstein, James W. King, Rev. Anthony Coleman, Holly Walquist, Griffin "Grif" L. Chalfant, Jr., Annette Lewis and Irvan A. "Van" Pearlberg

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 7:01 p.m.

INVOCATION:

Mayor Dunaway called upon Council member James W. King to give the invocation.

PLEDGE OF ALLEGIANCE:

Mayor Dunaway called upon Civil Service Board member Rupert Raines to lead the pledge of allegiance.

PRESENTATIONS:

20070079 Distinguished Service Award

Presentation of a Distinguished Service Award to David E. Summers for his dedicated service on the Marietta Civil Service Board.

This matter was Presented.

20070147 Commendation

Commendation honoring D.C. William Grogan, for outstanding performance as Deputy Chief.

This matter was Presented.

20070148 Commendation

Commendation honoring D.C. David Beam, for outstanding performance as Acting Police Chief.

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 Dunaway briefly explained the consent agenda process. The following amendments were made to the consent agenda:

-under Ordinances: Agenda item 20070020 was added to the consent for approval.

-under Ordinances: Agenda items 20070005, 20070021 and 20070022 were removed from the agenda.

-under Personnel/Insurance: Agenda item 20061389 was amended to appoint Wardlyn Bassler to fill the MRC Vacancy.

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 King, 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 Goldstein voting against Section 1, Item #4 under agenda item 20070083.

20070027 HO2007-01 Motion to Approve 1598 Brentwood Drive

HO 2007-01 NEJER WILKERSON requests a home occupation for property located in Land Lot 08800 of the 16th District, Parcel 0390, 2nd Section of Cobb County, Marietta, Georgia and being known as 1598 Brentwood Drive. Request to establish a home occupation for daycare [712.04]. Ward 6.

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

Vote: 7 - 0 - 0

Denied

MINUTES:

- * **20070119 Regular Minutes - January 10, 2007**
Review and approval of the January 10, 2007 regular meeting minutes.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved
- * **20070135 Special Meeting - February 8, 2007**
Review and approval of the February 8, 2007 special meeting minutes.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved

MAYOR'S APPOINTMENTS:

- * **20070114 Clean City Commission**
Reappointment of Jewel Cribb to the Clean City Commission for a two-year term effective February 14, 2007, and expiring on January 1, 2009.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved
- 20070161 Marietta Housing Authority**
Formal announcement of the appointment of J. Larry Stevens to the Marietta Housing Authority to fill the unexpired term of Keith Alan Davidson expiring on May 29, 2009.
Approved by the Mayor.

CITY COUNCIL APPOINTMENTS:

- * **20070084 Construction Board of Adjustment and Appeals - Ward 4**
Appointment of Chris Poston (Ward 4) to the Construction Board of Adjustment and Appeals for a term of five years expiring on January 31, 2011.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved
- * **20070102 Construction Board of Adjustment and Appeals - Ward 5**
Re-appointment of Allen Bernard Worthy (Ward 5) to the Construction Board of Adjustment and Appeals for a term of five years expiring on January 31, 2011.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved

ORDINANCES:

This matter was Removed.

- * **20070021** **A2007-02 25 square feet of property located in Land Lot 0147, Parcel 144, 17th District (Billboard)**

A2007-02 CITY OF MARIETTA requests annexation for property located in Land Lot 147, Parcel 144, 17th District, 2nd Section, Cobb County, Georgia consisting of 25 square feet and being known as property off Powder Springs Road. Ward 3.

This matter was Removed.

- * **20070022** **CA2007-05 25 square feet of property located in Land Lot 0147, Parcel 144, 17th District (Billboard)**

CA2007-05 CITY OF MARIETTA in conjunction with the requested annexation of property located in Land Lot 0147, 17th District, Parcel 144, 2nd Section, Marietta, Cobb County, Georgia and being known as 25 square feet of property off Powder Springs Street, the City of Marietta proposes to designate the Future Land Use of said property as CAC (Community Activity Center). Ward 3.

This matter was Removed.

- * **20070007** **Z2007-05 City of Marietta 25 square feet of property located in Land Lot 0214, Parcel 64, District 17 (Billboard)**

Ord 7010 Z2007-05 CITY OF MARIETTA requests rezoning for property located in Land Lot 0214, 17th District, Parcel 64, and being known as 25 square feet of property off Powder Springs Street from GC [General Commercial (County)] to NRC [Neighborhood Retail Commercial (City)]. Ward 3.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

- * **20070023** **A2007-03 25 square feet of property located in Parcel 64, Land Lot 0214, 17th District (Billboard)**

Ord 7011 A2007-03 CITY OF MARIETTA requests annexation for property located in Land Lot 0214, Parcel 64, 17th District, 2nd Section, Cobb County, Georgia consisting of 25 square feet and being known as property off Powder Springs Road. Ward 3.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

- * **20070024** **CA2007-06 25 square feet of property located on Powder Springs Street in Land Lot 0214, Parcel 64, 17th District (Billboard)**

Ord 7012 CA2007-06 CITY OF MARIETTA in conjunction with the requested annexation of property located in Land Lot 0214, 17th District, Parcel 64, 2nd Section, Marietta, Cobb County, Georgia and being known as 25 square feet of property off Powder Springs Street, the City of Marietta proposes to designate the Future Land Use of said property as CAC (Community Activity Center). Ward 3.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20061278 Weekend Directional Signs**

Ord 7013 Motion to approve proposed amendments to Division 714 Comprehensive Development Code regarding Weekend Directional Signs.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

20061279 Billboard Ordinance Amendment

Ord 7014 Motion to approve an amendment to the Sign Ordinance to prohibit LCD, LED and other similar electronic signage devices within the City of Marietta.

Discussion was held regarding the proposed amendment to the Sign Ordinance to prohibit electronic signage devices within the City of Marietta.

A motion was made by Council member Goldstein, seconded by Council member King, to approve an amendment to the Sign Ordinance to prohibit LCD, LED, Plasma and other similar electronic signage devices within the City of Marietta.

A substitute motion was made by Council member Pearlberg, seconded by Council member Walquist, to deny the amendment to the Sign Ordinance to prohibit LCD, LED, Plasma and other similar electronic signage devices within the City of Marietta. The motion carried by the following vote:

Vote: 2 - 5 - 0

Failed

Voting against: Annette Paige Lewis, Grif Chalfant, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein

Mayor Dunaway called for a vote on the original motion to approve an amendment to the Sign Ordinance to prohibit LCD, LED, Plasma and other similar electronic signage devices within the City of Marietta.

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

Vote: 5 - 2 - 0

Approved

Vote Against: 2 - Holly Walquist and Irvan A. "Van" Pearlberg

* **20061316 Comprehensive Development Code Division 714, Signs**

Ord 7015 Motion to approve an amendment to the Comprehensive Development Code

Division 714 to allow white backgrounds on signs that are internally illuminated.

RESOLUTIONS:

* **20070191 MEAG Voting Delegates**

Res 2007-1418 Appointment of Philip M. Goldstein as the voting delegate with authority to cast all votes to which Marietta is entitled, and appointment of Rev. Anthony Coleman as alternate voting delegate to the Municipal Electric Authority of Georgia Election Committee.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

CITY ATTORNEY'S REPORT:

* **20070146 Denial of Claim**

Denial of a claim of Deborah Branson.

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

Vote: 7 - 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

* **20070004 Marietta Fire Donation**

Ord 7016 Approval of an ordinance appropriating a \$1,000 donation from Red Train Inc. for public education and safety programs.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20070094 Landscaping Donation**

Ord 7017 Approval of an Ordinance amending the FY2007 budget for acceptance of a \$6,000 donation from the DMDA for landscaping

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

3. Judicial/Legislative: Philip M. Goldstein, Chairperson

* **20070085 Detailed Plan for Sandtown Village**

Ord 7020 Approval of an Ordinance amending the City of Marietta/BLW FY07 pay and classification plans and position allocation chart to create and add one position of Parking Enforcement Officer to the Police Department [#4001].

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

* **20061389 MRC Board Vacancy**

Motion to appoint Wardlyn Mills Bassler to fill the unexpired term of William B. Hamilton, Sr which expires on April 10, 2007 for the Marietta Redevelopment Corporation. All terms are for two (2) years; therefore, the next term would begin April 11, 2007 and expire April 10, 2009.

Motion to appoint Wardlyn Mills Bassler to fill the unexpired term of William B. Hamilton, Sr, which expires on April 10, 2007 for the Marietta Redevelopment Corporation. All terms are for two (2) years; therefore, the next term would begin April 11, 2007 and expire April 10, 2009.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

6. Public Safety Committee: Anthony Coleman, Chairperson

* **20070082 Standard Operating Procedures P015**

Motion to approve amendments to departmental S.O.P P015 Video/Audio Recording Equipment in order to maintain accreditation status.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

7. Public Works Committee: Jim King, Chairperson

SCHEDULED APPEARANCES:

Bruce Hamilton, who resides at 361 N Hillcrest Drive, presented a rose and read a poem to his wife Council member Walquist for Valentine's Day.

UNSCHEDULED APPEARANCES:

OTHER BUSINESS:

* **20070123 Additional Parking Enforcement Officer**

Ord 7021 Ordinance to amend the FY07 budget to fund one additional Parking Enforcement Officer (unsworn) to the Police Department.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0

Approved

- * **20070120 Georgia Municipal Association (GMA) Annual Convention**
Motion to approve travel and training expenses for Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, Philip M. Goldstein the Mayor and any other Council members who wish to attend the Georgia Municipal Association (GMA) 2007 Annual Convention in Savannah, GA June 23-26, 2007.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved
- * **20070121 Georgia Municipal Association (GMA) Leadership Institute**
Motion to approve travel and training expenses for Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, Philip M. Goldstein the Mayor and any other Council members who wish to attend the Georgia Municipal Association (GMA) Leadership Institute in Athens, GA July 25-28, 2007.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved
- * **20070122 GMA Voting Delegates for the 2007 Annual Convention**
Appointment of Holly Walquist as voting delegate and Annette Lewis as alternate voting delegate for the 2007 Georgia Municipal Association (GMA) Business Session being held during the 2007 Annual Convention June 23-26, 2007.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved
- * **20070186 Revised Detailed Plan for Manget**
Motion to approve the Revised Detailed Plan for Manget.
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved
- * **20070138 BLW Actions of February 12, 2007**
Review and approval of the February 12, 2007 actions and minutes of the Marietta Board of Lights and Water Works (BLW).
This Matter was Approved on the Consent Agenda.
Vote: 7 - 0 - 0 Approved

ADJOURNMENT:

The meeting was adjourned at 8:06 p.m.

Date Approved: _____

William B. Dunaway, Mayor

Attest: _____
Stephanie Guy, City Clerk