



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
G. A. (Andy) Morris, Ward 4
Rev. Anthony C. Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Monday, August 12, 2013

5:15 PM

Council Chamber

Presiding: R. Steve Tumlin, Mayor

Present: Annette Lewis, Grif Chalfant, Johnny Sinclair, Andy Morris, 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 5:21 p.m.

MINUTES:

20130749 Regular Meeting - June 10, 2013

Review and approval of the June 10, 2013 regular meeting minutes.

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

Vote: 6 - 0 - 0 Approved

Absent for the vote: Johnny Sinclair

20130818 Regular Meeting - July 8, 2013

Review and approval of the July 8, 2013 regular meeting minutes.

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

Vote: 6 - 0 - 0 **Approved**
Absent for the vote: Johnny Sinclair

BUSINESS:

20130850 **BLW Report**

Council Member Johnny Sinclair gives the Board of Lights and Water (BLW) Report for the meeting held on Monday, August 12, 2013.

General Manager Robert Lewis reported on the actions of the Board of Lights and Water at their August 12, 2013 regular meeting. Finance Director Sam Lady reported on the BLW finance statements. (See the August 12, 2013 regular Board of Lights and Water meeting minutes for details.)

Discussion was held regarding BLW agenda item 20130833, MEAG Power Excess Base Sale Option/ Vogtle 1 and 2. It was clarified that Board approval of the item was a recommendation to Council since the City of Marietta is the MEAG participant.

A motion was made by Council member Goldstein, seconded by Council member King, to add an item to the Council agenda related to the MEAG Power Excess Base Sale Option-Vogtle 1 and 2. The motion carried by the following vote:

Vote: 7 - 0 - 0 **Recommended for Council Agenda Non-Consent**
(See agenda item 20130875)

20130808 **Lawrence Street Recreation Center Renovation**

Discussion regarding the proposed Lawrence Street Recreation Center renovation estimate and concept plan.

Discussion was held regarding the proposed renovation estimate and concept plan for the Lawrence Street Recreation Center. Staff was able to present a plan that would stay within the approved budget, without a water feature or skateboard area. A community garden and/or other features could be implemented at a later date, if Council so desires.

Motion approving the proposed Lawrence Street Recreation Center renovation in an amount not to exceed \$1,158,423 with construction funding from the 2009 Parks Bond - specifically the line items in the parks improvement and design services.

The motion was made by Council member Lewis, seconded by Council member King, 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**

20130331 Digital Billboards

Motion to authorize advertisement of an amendment to the Comprehensive Development Code of the City of Marietta, Division 714.04, Signs, Section 714.04(F), General Advertising and Off-Premises Signs.

Discussion was held regarding the proposed amendment to the sign ordinance to expand the area where a digital billboard is allowed. The City Attorney was directed to obtain varying opinions from other attorneys who deal with sign ordinances. This would be an additional step to determine the legality of the proposed modifications.

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

Vote: 6 – 1 – 0 Recommended for Approval - Consent Agenda
Voting Against: Philip M. Goldstein

20130852 Executive Session

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

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

Vote: 7 - 0 - 0 Approved
For: Annette Lewis, Grif Chalfant, Johnny Sinclair, G. A. (Andy) Morris, Anthony Coleman, Jim King and Philip M. Goldstein

The Executive Session was held.

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

Vote: 4 - 0 - 0 Approved
For: Annette Lewis, Grif Chalfant, G. A. (Andy) Morris and Jim King
Absent for the vote: Johnny Sinclair, Anthony Coleman and Philip M. Goldstein

20130790 Franklin Gateway Tax Allocation District

Discussion regarding the existing Franklin Gateway Tax Allocation District.

Discussion was held regarding the existing Franklin Gateway TAD and current balance. Discussion was also held regarding the benefits of dissolving the TAD and using the funds on other projects in the Franklin Road area.

Motion to approve a Resolution to dissolve the Franklin Gateway TAD, with the funds being allocated to a special account to be used for the Franklin Road area.

The motion was made by Council member King, seconded by Council member Goldstein, 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

20130765

Speed Table Policy

Discussion regarding proposed revisions to the Speed Hump Policy.

Discussion was held regarding proposed amendments to the Speed Hump Policy, which would change the criteria used to determine if streets qualify for study and possibly the balloting process.

There was general agreement to move this matter forward to a Special Called Public Works meeting on Thursday, August 29, 2013 at 6 p.m. (See page 5 for further discussion.)

Referred to a Special Called Public Works Committee Meeting

Council member Goldstein disclosed that he and/or an entity(s) that he owns, owns property(s) on Waverly Way (along the railroad) and leases and/or owns other property between Whitlock Avenue and West Anderson Street that may possibly be part of the proposed project. Council member Goldstein left the dais prior to the discussion of agenda item 20130853.

20130853

State Properties Commission Revocable License Agreement

Approval of a Revocable License Agreement with the State Properties Commission for the construction of the Kennesaw Mountain to Chattahoochee River Trail, Intown and North Sections.

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

Vote: 6 - 0 - 0

Recommended for Approval - Consent Agenda

Absent for the vote: Philip M. Goldstein

20130526

Board of Lights and Water Appointment

Interviews and discussion regarding an appointment to the Board of Lights and Water (non-resident member). Scheduled at 6:30 p.m.

Interviews held during Executive Session.

There was general agreement to add an item to the Council agenda regarding an appointment to the Board of Lights and Water (non-resident member), with no name at this time.

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

Vote: 6 - 0 - 0 **Recommended for Council Agenda Non Consent**
Absent for the vote: Philip M. Goldstein

A motion was made by Council member Sinclair, seconded by Council member King, to add an item to the Council agenda for the appointment of Hicks Poor to the Planning Commission (Ward 3). The motion carried by the following vote:

Vote: 7 - 0 - 0 *Approved*

Further discussion was held regarding the Special Called Public Works meeting set for Thursday, August 29, 2013. Since that could be considered the beginning of the Labor Day Holiday Weekend the date for the meeting was changed to Tuesday, August 27, 2013.

(Clerk's Note: The date for the Special Called Public Works Committee meeting was later changed back to Thursday, August 29, 2013 at 6 p.m.)

20130851 Draft City Council Agenda

Review and approval of the August 14, 2013, DRAFT City Council Agenda.

- under Minutes: Agenda items 20130820 and 20130821 were added to the consent agenda.

-under Council Appointments: Agenda items 20130848 and 20130863 were added to the consent agenda. A new agenda item was added to the consent agenda regarding the Ward 3 Planning Commission Appointment, item 20130876.

-under Ordinances: Agenda items 20130390, 20130734 and 20130576 were added to the consent agenda.

-under City Attorney's Report: A motion was made by Council member Goldstein, seconded by Council member King to add agenda item 20130801 Denial of Claim of Jason Arias and new agenda item 20130873 Denial of Claim of Jason Smith and 20130874 Denial of Claim of Lesa Hernandez to the consent agenda. The motion was approved unanimously.

-under Judicial/Legislative: Agenda item 20130483 was removed from the consent agenda. Agenda items 20130766 and 20130791 were added to the consent agenda.

-under Public Works: Agenda items 20130797 and 20130800 were added to the consent agenda.

A motion was made by Council member Goldstein, seconded by Council member Chalfant, to remove agenda item 20130728, Speed Hump Installation – Lees’s Trace, from the agenda. The motion was approved unanimously, with Council member Coleman absent.

-under Other Business: Agenda items 20130866 and 20130822 were added to the consent agenda. A new agenda item regarding the MEAG Power Excess Base Sale Option/ Vogtle 1 and 2, was added to the agenda. (See agenda item 20130875.)

Discussed

20130852

Executive Session

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

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

Vote: 7 - 0 - 0 Approved

For: Annette Lewis, Grif Chalfant, Johnny Sinclair, G. A. (Andy) Morris, Anthony Coleman, Jim King and Philip M. Goldstein

The Executive Session was held.

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

Vote: 7 - 0 - 0 Approved

For: Annette Lewis, Grif Chalfant, Johnny Sinclair, G. A. (Andy) Morris, Anthony Coleman, Jim King and Philip M. Goldstein

A motion was made by Council member King, seconded by Council member Coleman, to add an item to the council agenda authorizing acquisition of the property at 24 Alexander Street, 25 Alexander Street, and 274 Washington Avenue from David E. Miller, Jr. and Marietta Development, LLC for the purpose of constructing the Alexander Street Improvements - Roswell to Washington in exchange for \$79,400.00 and is inclusive of site improvements. The motion carried by the following vote:

Vote: 7 - 0 - 0 Approved

A motion was made by Council member King, seconded by Council member Coleman, to add an item to the council agenda authorizing acceptance of the donation of the necessary property and easements at 426 N. Sessions Street from the Board of Lights and Water Works of the City of Marietta for the purpose of constructing the Kennesaw Mountain to Chattahoochee River Trail - North & In-town Section. The motion carried by the following vote:

Vote: 7 - 0 - 0 Approved

A motion was made by Council member King, seconded by Council member Coleman, to add an item to the council agenda authorizing the acceptance of the donation of the necessary easements at 1100 S. Marietta Parkway from Regents of the University System of Georgia for the purpose of constructing the South Marietta Pkwy Sidewalk Project. The motion carried by the following vote:

Vote: 7 - 0 - 0 Approved

ADJOURNMENT:

The meeting was adjourned at 10:20 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____