



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, May 6, 2013

5:15 PM

Council Chamber

Presiding: R. Steve Tumlin, Mayor

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

Absent: Jim King

Also Present:

William F. Bruton, Jr. City Manager

Douglas R. Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor Tumlin called the meeting to order at 5:25 p.m.

MINUTES:

20130461 Regular Minutes - April 15, 2013

Review and approval of the April 15, 2013 regular meeting minutes.

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

Vote: 5 - 0 - 0 Approved

Absent for the vote: Anthony Coleman

BUSINESS:

20130499 BLW Report

Council Member Johnny Sinclair gives the Board of Lights and Water (BLW) report for the meeting held Monday, May 6, 2013.

Council member Sinclair reported on the actions of the Board of Lights and Water at their May 6, 2013 regular meeting. Finance Director Sam Lady reported on the BLW finance statements. (See the May 6, 2013 regular Board of Lights and Water meeting minutes for details.)

Reported

20130467 WellStar Community Health Awareness Program

Discussion regarding a joint venture with WellStar for an ongoing community health awareness program.

Wellstar representative Cecelia Wagner presented more information regarding the proposed joint venture for an ongoing community health awareness program.

There was general agreement to move this matter forward to the Council agenda.

Recommended for Approval - Consent Agenda

20130506 Public Hearing - Adoption of Modification of Urban Redevelopment Plan

Public Hearing regarding the adoption of a modification to the Urban Redevelopment Plan by the City of Marietta.

City Attorney Doug Haynie opened the public hearing. Seeing no one wishing to speak, the public hearing was closed.

Public Hearing Held

20130516 Resolution to Adopt a Modification to the Urban Redevelopment Plan

Approval of a Resolution of the City of Marietta adopting a modification to the Urban Redevelopment Plan.

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

Vote: 5 - 0 – 1 Recommended for Approval - Consent Agenda
Abstaining: Philip M. Goldstein

20130435 Consideration of Projects for the Urban Redevelopment Bond

Consideration by Mayor Tumlin and City Council of possible projects to implement using Urban Redevelopment Bond proceeds.

Discussion was held regarding potential projects to implement using Bond proceeds.

City Attorney Doug Haynie opened the public hearing.

Robbie Huck, who resides at 191 Summit Avenue, expressed concern regarding the concept of an urban redevelopment bond.

Seeing no one else wishing to speak, the public hearing was closed.

Public Hearing Held

20130515 Resolution to Request the Calling of an Election

Approval of a Resolution of the City Council to request the calling of an election to determine the issuance or non-issuance of \$35,000,000.00 aggregate principal amount of general obligation bonds of the City of Marietta; to provide for the date, maximum rate of interest and schedule of maturities that said bonds shall bear; to provide for the submission to the qualified voters of the City of Marietta the question of whether or not said bonds shall be authorized at an election and to call said election; to provide for the levy and collection of taxes to service said bonded indebtedness if so authorized; and for other purposes.

Discussion was held regarding the timetable for approving the resolution. There was general agreement to remove this matter from the Council agenda and refer the matter to a Special Called meeting.

A motion was made by Council member Sinclair, seconded by Council member Morris, that this matter be Referred to a Special Called Council meeting. The motion carried by the following vote:

Vote: 6 - 0 - 0 Referred to a Special Called Council meeting

20130503 Amendment to Code Section 10-4-070, Drinking Prohibited

Approval of an amendment to Code Section 10-4-070, Drinking Prohibited to allow the sale and consumption of beer and wine in Atherton Square.

Discussion was held regarding an amendment to Code Section 10-4-070, Drinking Prohibited to allow the sale and consumption of beer and wine in Atherton Square.

Staff was asked to provide a final draft for review prior to the Council meeting.

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

Vote: 4 - 0 – 0 Recommended for Council Agenda Non Consent
Absent for the vote: Johnny Sinclair and Anthony Coleman

Kennestone Hospice Sign

20130430

Request by Kennestone Hospice to place a sign on City of Marietta right of way at the corner of Kennesaw Avenue and Dickson Avenue.

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

Vote: 5 - 0 – 0 Recommended for Approval - Consent Agenda
Absent for the vote: Johnny Sinclair

Elizabeth Porter Recreation Center

20130478

Report from staff on designs and real estate for Elizabeth Porter.

Parks and Recreation Director Rich Buss stated that there was no new information to report regarding the Elizabeth Porter Center.

No Report

Draft City Council Agenda

20130500

Review and approval of the May 8, 2013, DRAFT City Council Agenda.

-under Minutes: Agenda item 20130462 was added to the consent agenda., with an amendment on page 2 regarding agenda item 20130308, Housing Authority Appointment and on page 7 regarding agenda item 20130389, Bond Advisors. The motion should read, "...Disclosure Counsel for a fee not to exceed \$35,000 contingent upon the Urban Redevelopment Bond issue passing and being issued."

-under Ordinances: Agenda item 20130365, Rezoning 2141 Kingston Court, was added to the consent agenda with the stipulation that the Letter of Stipulations shall be incorporated as a condition of the zoning.

-under Economic Development: Agenda item 20130516, Resolution to adopt a modification to the Urban Redevelopment Plan, was added to the consent agenda.

-under Economic Development: Agenda item 20130435 was amended to be a Public Hearing regarding possible projects to implement using Urban Redevelopment Bond proceeds.

-under Economic Development: Agenda item 20130515, Resolution to request the Calling of an Election, was removed from the agenda.

-under Public Works: Agenda item 20130424, Traffic Calming, should show Council member Goldstein voting against.

-under Public Works: Agenda item 20130504, Traffic Calming, was left off the consent agenda and should stipulate that the project shall be completed in the current budget year.

-under Public Works: Agenda item 20130505, Funding City-County Coop/Sub Grant Agreement, was added to the consent agenda.

-under Public Works: Agenda item 20130429, 89 Maple Avenue, remains on the consent agenda with a stipulation that the project shall be completed in the current calendar year.

-under Other Business: Agenda item 20130464, BLW Actions of May 6, 2013 meeting, was added to the consent agenda.

Discussion was held regarding the June Committee meeting date. A request was made to change the date of the Thursday, June 27, 2013 City Council Committee Meetings to Wednesday, June 26, 2013. The date was originally moved to accommodate Council members who planned to attend the GMA Conference. There was general agreement to move forward with the date change. (See agenda item 20130517)

Discussed

20130517

City Council Committee Meetings

Motion to change the date of the Thursday, June 27, 2013 City Council Committee Meetings to Wednesday, June 26, 2013 to be held at the regular time 5:15 p.m.

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

20130501 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 Coleman, to enter an Executive Session to discuss personnel and real estate matters. The motion carried by the following vote:

Vote: 6 - 0 - 0 Approved
For: Annette Lewis, Grif Chalfant, Johnny Sinclair, G. A. (Andy) Morris, Rev. Anthony Coleman and Philip M. Goldstein

Council member Goldstein disclosed that he, family members, 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 Executive Session during some of the discussion.

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 Chalfant, seconded by Council member Lewis, to exit the Executive Session. The motion carried by the following vote:

Vote: 5 - 0 - 0 Approved
For: Annette Lewis, Grif Chalfant, Johnny Sinclair, G. A. (Andy) Morris and Rev. Anthony Coleman

A motion was made by Council member Chalfant, seconded by Council member Lewis, to add the following property acquisitions to the consent agenda:

Motion authorizing acquisition of the property at 330 Roselane Street & 338 Roselane Street from BRB Holdings, LLLP for the purpose of constructing the Kennesaw Mountain to Chattahoochee River Trail - North & In-town Section in exchange for \$30,526.00 and is inclusive of fence, relocation of the dumpster and parking, and site improvements.

Motion authorizing acquisition of the property at 277 South Marietta Parkway from Douce Lulu, LLC for the purpose of constructing the Kennesaw Mountain to Chattahoochee River Trail - North & In-town Section in exchange for \$52,425.00, with Council member Goldstein abstaining.

Motion authorizing the acquisition of the necessary right-of-way and easements at 611 S. Marietta Parkway from Parkway, Inc. for the purpose of constructing the South Marietta Pkwy Sidewalk Project in exchange for \$8,770.00.

Motion authorizing acquisition of the property at 22 Polk Street from Saint James Episcopal Church for the purpose of constructing the Kennesaw Mountain to Chattahoochee River Trail - North & In-town Section in exchange for \$7,500.00 with stipulations for the temporary construction easement and City construction of cost-to-cure items as part of the construction plans for the project, as stipulated.

The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

ADJOURNMENT:

The meeting was adjourned at 8:26 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____