



# City of Marietta

-205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes CITY COUNCIL

*R. Steve Tumlin, Mayor*  
*Cheryl Richardson, Ward 1*  
*Jason Waters, Ward 2*  
*Daniel Gaddis, Ward 3*  
*Byron "Tee" Anderson, Ward 4*  
*M. Carlyle Kent, Ward 5*  
*Andre L. Sims, Ward 6*  
*Joseph R. Goldstein, Ward 7*

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Wednesday, January 14, 2026

7:00 PM

Council Chamber

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

***Present:*** Cheryl Richardson, Jason Waters, Daniel Gaddis, Byron "Tee" Anderson, M. Carlyle Kent, Andre L. Sims and Joseph R. Goldstein

***Also Present:***

*Bill Bruton, City Manager*  
*Daniel White, City Attorney*  
*Stephanie Guy, City Clerk*

### CALL TO ORDER:

*Mayor R. Steve Tumlin called the meeting to order at 7:01 p.m.*

### INVOCATION:

*Mayor Tumlin called upon Council member Richardson to give the invocation.*

### PLEDGE OF ALLEGIANCE:

*Everyone remained standing for the Pledge of Allegiance.*

### PRESENTATIONS:

#### **20260001      Marietta Police Department New Officers**

Presentation of New Officers to the Marietta Police Department.

- Officer Jose Doradea
- Officer Brian Souza Silva
- Officer Jayden Ellis
- Officer Dillon Brumet
- Officer Rhazeer Jones

**Presented**

**PROCLAMATIONS:****ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:****SCHEDULED APPEARANCES:****20260084          Scheduled Appearance**

Scheduled Appearance - Donald Barth.

**Present**

**20260085          Scheduled Appearance**

Scheduled Appearance - Tracy Stevenson.

**Present**

**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 Pro tem Andre Sims briefly explained the consent agenda process.*

*City Attorney Daniel White noted that there were no changes to the consent agenda:*

**A motion was made by Council member Richardson, seconded by Council member Waters, to approve the consent agenda as modified. The motion carried by the following vote:**

**Vote: 7 – 0 – 0                      Approved**

**MINUTES:****\*          20251078          Regular Meeting - December 10, 2025**

Review and approval of the December 10, 2025 meeting minutes.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

- \*      **20251081**      **Special Meeting - December 8, 2025**
- Review and approval of the December 8, 2025 special meeting minutes.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**

- \*      **20260061**      **Special Meeting - December 18, 2025**
- Review and approval of the December 18, 2025 special meeting minutes.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**

- \*      **20260070**      **Special Meeting - January 5, 2026**
- Review and approval of the January 5, 2026 special meeting minutes.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**

**MAYOR’S APPOINTMENTS: (for informational purposes only)**

**CITY COUNCIL APPOINTMENTS:**

- \*      **20260002**      **Board of Zoning Appeals Appointment (Ward 1)**
- Reappointment of James R. Southerland to the Board of Zoning Appeals (Ward 1) for a three (3) year term, expiring January 14, 2029.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**
- \*      **20260003**      **Planning Commission Appointment (Ward 1)**
- Reappointment of Craig Smith to the Planning Commission (Ward 1), for a three (3) year term, expiring January 14, 2029.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**

\*      **20260015      City of Marietta Pension Board 2026 Appointments**

Appointment of Ronnie Barrett (Post 4), Patina Brown (Post 5), and Patrick Bonito (Post 8) to the City of Marietta Pension Board for a three-year term, beginning on January 1, 2026, and expiring on December 31, 2028.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

\*      **20260057      Cobb Municipal Association 2026 Delegates**

Appointment of Joseph R. Goldstein and Cheryl Richardson as voting delegates for the Cobb Municipal Association (CMA) business meetings.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

\*      **20260058      Georgia Municipal Association 2026 Delegates**

Appointment of Andre Sims as the voting delegate and Joseph R. Goldstein as the alternate voting delegate for the Georgia Municipal Association (GMA) business meetings.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

\*      **20260059      National League of Cities 2026 Delegates**

Appointment of voting delegates for the National League of Cities business meetings.

*Appointment of Joseph R. Goldstein as voting delegate and Cheryl Richardson as alternate voting delegate for the National League of Cities business meetings.*

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

\*      **20260069      Historic Board of Review Appointment at Large**

Appointment of Johnny Walker to the Marietta Historic Board of Review for the City Council At Large Appointment for a two-year term.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

\*      **20260079      Pension Board 2026 Appointments**

Appointment of Joseph R. Goldstein and Cheryl Richardson to the City of Marietta Pension Board for a one-year term, expiring on December 31, 2026.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

**20260052      Appointment of Prosecuting Attorney**

Appointment of Benjamin Smith as the Prosecuting Attorney of the Municipal Court, for a two-year term.

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

**Vote: 7 – 0 – 0                      Approved**

**20260098      Appointment of Chief Assistant Prosecuting Attorney**

Appointment of Courtney Brubaker as Chief Assistant Prosecuting Attorney of the Municipal Court, for a two-year term.

**The motion was made by Council member Richardson, seconded by Council member Gaddis, that this matter be Approved. The motion carried by the following vote:**

**Vote: 6 – 1 – 0                      Approved**

Voting Against: M. Carlyle Kent

*A motion was made by Council member Goldstein, seconded by Council member Gaddis, to suspend the rules of order to add an item to the agenda to amend the City Code adding Chief Assistant Prosecuting Attorney. The motion carried by the following vote:*

*Vote: 7 – 0 – 0                      Approved  
(See agenda item 20260101)*

**20260101      Amendment Adding Chief Assistant Prosecuting Attorney**

Amendment to the City Code of Ordinances adding Chief Assistant Prosecuting Attorney.

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

**Vote: 7 – 0 – 0**

**Approved**

*A motion was made by Council member Goldstein, seconded by Council member Richardson, to include in this Ordinance (20260101) the required waiver set forth in 1-4-040 (L) whereby the City Council gives its unanimous consent to authorize the adoption of this Ordinance at this City Council meeting without the necessity of placing this matter on the following regular City Council meeting.*

**The motion carried by the following vote:**

**Vote: 7 – 0 – 0**

**Approved**

## **ORDINANCES:**

### **20250816      Z2025-23 [REZONING] PRE POWDER SPRINGS ROAD, LLC (LAURA WILSON HARDING)**

Z2025-23 [REZONING] PRE POWDER SPRINGS ROAD, LLC. (LAURA WILSON HARDING) are requesting the rezoning of 10.9 acres located in in Land Lots 260, 261, & 332, District 19, Parcel 0020 of the 2nd Section, Cobb County, Georgia, and being known as property on Powder Springs Road SW from R-20 (Single Family Residential) in unincorporated Cobb County to PRD-SF (Planned Residential Development - Single Family) in the city. Ward 2B.

*Planning Commission recommends Denial*

*A motion was made by Mr. Diffley, seconded by Mr. Smith, to recommend denying the request. The motion was carried with a vote of 5-2-0. Mr. Sheehan and Mr. McClure opposed.*

*Should Council vote to approve the request, the following variances would be incorporated as a condition of PRD-SF zoning.*

*1. Variance to reduce the minimum lot size from 4,000 square feet to 3,000 square feet [§708.09 (H.)]*

*2. Variance to reduce the proportion of homes within 300 feet of an active recreation facility from 75% to 50% [§708.09 (B.h.)]*

*3. Variance to provide one (1) access point onto an arterial or collector street rather than two (2) in a development of more than 51 single-family residential units [§730.01 (A.)]*

*Public Hearing (all parties sworn in)*

*City Attorney Daniel White opened the public hearing and called forward those wishing to speak.*

*Daniel Cummings, Acting Development Services Director, presented information regarding the rezoning request for property on Powder Springs Road SW from R-20 (Single Family Residential) in unincorporated Cobb County to PRD-SF (Planned Residential Development - Single Family) in the city.*

*Parks Huff, attorney for the applicant, requested annexation and rezoning for the subject property to allow for the development and construction of a single-family detached subdivision. The subject property is currently zoned R-20 in unincorporated Cobb County.*

*Those speaking regarding this matter:*

*Darren Friberg*

*John Beasley*

*Larry Wills*

*Donald Barth*

*Lauren Roscoe*

*Matthew Staub*

*Hope Brackett*

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

*Discussion was held by Council regarding the objection from Cobb County regarding the annexation.*

*Motion to send notice to Cobb County that the City intends to approve the proposed rezoning application of PRE Powder Springs Road, LLC, as revised, seeking PRD-SF zoning for 10.9 acres of land on Powder Springs Road at a density of 3.93 units per acre, contingent upon resolution of the pending arbitration process.*

**The motion was made by Council member Waters, seconded by Council member Gaddis, that this matter be Approved. The motion carried by the following vote:**

**Vote: 7 – 0 – 0**

**Approved**

**\* 20250817**

**A2025-03 [ANNEXATION] PRE POWDER SPRINGS ROAD, LLC.  
(LAURA WILSON HARDING)**

A2025-03 [ANNEXATION] PRE POWDER SPRINGS ROAD, LLC. (LAURA WILSON HARDING) are requesting the annexation of property located in Land Lots 260, 261, & 332, District 19, Parcel 0020 of the 2nd Section, Cobb County, Georgia, and being known as property on Powder Springs Road SW, consisting of approximately 10.9 acres. Ward 2B.

*Planning Commission recommends Denial*

*A motion was made by Mr. Diffley, seconded by Mr. Smith, to recommend denying the request. The motion was carried with a vote of 5-2-0. Mr. Sheehan and Mr. McClure opposed.*

*Motion to Table*

**This Matter was Tabled on the Consent Agenda.**

**Vote: 7 – 0 – 0**

**Tabled**

\* **20250818**

**CA2025-07 [CODE AMENDMENT]**

CA2025-07 [CODE AMENDMENT] In conjunction with the requested annexation of property located in Land Lots 260, 261, & 332, District 19, Parcel 0020 of the 2nd Section, Cobb County, Georgia, and being known as property on Powder Springs Road SW, the City of Marietta proposes to designate the Future Land Use of said property as MDR (Medium Density Residential). Ward 2B.

*Planning Commission recommends Denial*

*A motion was made by Mr. Diffley, seconded by Mr. Smith, to recommend denying the request. The motion was carried with a vote of 5-2-0. Mr. Sheehan and Mr. McClure opposed.*

*Motion to Table*

**This Matter was Tabled on the Consent Agenda.**

**Vote: 7 – 0 – 0**

**Tabled**

**20250947**

**Z2025-25 [REZONING] TRATON, LLC.**

Z2025-25 [REZONING] TRATON, LLC. is requesting the rezoning of 3.28 acres located in Land Lot 1076 of the 16th District, Parcels 530, 1180, 330, 380, 370, 360, 350, 340, 450, 630, 460, 470, 480, 490, 500, 510, 320, 650, 640, 430, & 410 of the 2nd Section, Cobb County, Georgia, and being known as 116 & 122 Burnap Street; 103, 83, 87, 91, 95, & 99 Croft Street; 100, 101, 102, 106, 108, 110, 112, 114, & 116 Jordan Street; 315, 319, 325, & 329 Roselane Street from R-2 (Single Family Residential - 2 units/acre) to R-4 (Single Family Residential - 4 units/acre) with an increased density of 5.5 units/acre. Ward 4B.

*Planning Commission recommends Approval*

*A motion was made by Mr. Sheehan, seconded by Mr. Hunter, to recommend approving the request as stipulated. The motion was carried with a vote of 7-0-0.*

*Should Council vote to approve the request the following stipulation letter would be incorporated as a condition of zoning.*



*1) Letter of Agreeable Stipulations and Conditions to Shelby Little, AICP, Planning & Zoning Manager; from J. Kevin Moore dated January 5, 2026.*

*Public Hearing (all parties sworn in)*

*City Attorney Daniel White opened the public hearing and called forward those wishing to speak.*

*Daniel Cummings, Acting Development Services Director, presented information regarding the rezoning request for the subject properties from R-2 (Single Family Residential - 2 units/acre) to R-4 (Single Family Residential - 4 units/acre) with an increased density of 5.5 units/acre.*

*Kevin Moore, attorney for the applicant, requested rezoning for the subject property to construct up to 18 single-family homes. The site is currently comprised of twenty-one (21) parcels, all zoned R2 (Single Family Residential - 2 units/acre). The applicant intends to reconfigure these parcels to create 18 buildable lots, all of which are currently vacant and would be accessed via Jordan Street.*

*Those speaking regarding this matter:*

*Debra Whitworth*

*Donald Barth*

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

*Discussion was held by Council.*

*Motion to approve the rezoning request of the properties located at 116 & 122 Burnap Street; 103, 83, 87, 91, 95, & 99 Croft Street; 100, 101, 102, 106, 108, 110, 112, 114, & 116 Jordan Street; 315, 319, 325, & 329 Roselane Street from R-2 (Single Family Residential - 2 units/acre) to R-4 (Single Family Residential - 4 units/acre).*

*The following is incorporated as a condition of zoning:*

*1. Letter of Agreeable Stipulations and Conditions to Shelby Little, AICP, Zoning Manager; from J. Kevin Moore dated January 12, 2026.*

**The motion was made by Council member Anderson, seconded by Council member Waters, that this matter be Approved. The motion carried by the following vote:**

**Vote: 7 – 0 – 0**

**Approved**

20251049

**Z2026-01[REZONING] ANDREW & JESSICA McENTYRE**

Z2026-01[REZONING] ANDREW & JESSICA McENTYRE are requesting the rezoning of 0.291 acres located in Land Lot 1291, District 16, Parcel 0140 of the 2nd Section, Cobb County, Georgia, and being known as a 63 Trammell Street from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential - 4 units/acre) with an increase in density to 6.9 units/acre. Ward 3A.

*Planning Commission recommends Approval*

*A motion was made by Mr. McClure, seconded by Mr. Diffley, to recommend approval of the request as stipulated. The motion was carried with a vote of 7-0-0.*

*Should Council approve the request the following variances are incorporated.*

*For 63 Trammell Street:*

- 1) Variance to decrease the minimum lot width from 75 ft. to 50 ft. [§708.04 (H)]*
- 2) Variance to decrease the minimum lot size from 7,500 sq. ft. to 6,300 sq. ft. [§708.04 (H)]*
- 3) Variance to reduce the side setbacks from 10 ft. to 5 ft. [§708.04 (H)]*

*For Reynolds Street Lot:*

- 1) Variance to decrease the minimum lot width from 75 ft. to 49 ft. [§708.04 (H)]*
- 2) Variance to decrease the minimum lot size from 7,500 sq. ft. to 6,300 sq. ft. [§708.04 (H)]*
- 3) Variance to reduce the side setbacks from 10 ft. 5 ft. [§708.04 (H)]*

*Public Hearing (all parties sworn in)*

*City Attorney Daniel White opened the public hearing and called forward those wishing to speak.*

*Daniel Cummings, Acting Development Services Director, presented information regarding the rezoning request for property at 63 Trammell Street from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential - 4 units/acre) with an increase in density to 6.9 units/acre.*

*The applicant, Andrew McEntyre, requested rezoning for the subject property to subdivide the property into two lots. The existing home faces Trammell Street, while the new lot would front and have access from Reynolds Street. The owners plan to sell the new lot.*

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

*Discussion was held by Council.*

*A motion was made by Council member Gaddis, seconded by Council member Waters, to approve the rezoning request for property at 63 Trammell Street from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential – 4 units/acre) with an increased density of 6.9 units/acre, with the following variances are incorporated as conditions of zoning:*

For 63 Trammell Street:

*Variance to decrease the minimum lot width from 75 ft. to 50 ft.*

*Variance to decrease the minimum lot size from 7,500 sq. ft. to 6,300 sq. ft.*

*Variance to reduce the side setbacks from 10 ft. to 5 ft.*

For Reynolds Street Lot:

*Variance to decrease the minimum lot width from 75 ft. to 49 ft.*

*Variance to decrease the minimum lot size from 7,500 sq. ft. to 6,300 sq. ft.*

*Variance to reduce the side setbacks from 10 ft. 5 ft.*

*An amendment to the motion was made by Council member Richardson, seconded by Council member Goldstein, to remove the variance to reduce the side setbacks on the Reynolds Street Lot. The motion carried by the following vote:*

*Vote: 7 – 0 – 0                      Amendment Approved*

*Mayor Tumlin called for a vote on the original motion as amended.*

*The motion was made by Council member Gaddis, seconded by Council member Waters, to approve the rezoning request for property at 63 Trammell Street from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential - 4 units/acre) with an increased density of 6.9 units/acre, with the following variances are incorporated as conditions of zoning:*

For 63 Trammell Street:

*Variance to decrease the minimum lot width from 75 ft. to 50 ft.*

*Variance to decrease the minimum lot size from 7,500 sq. ft. to 6,300 sq. ft.*

*Variance to reduce the side setbacks from 10 ft. to 5 ft.*

For Reynolds Street Lot:

*Variance to decrease the minimum lot width from 75 ft. to 49 ft.*

*Variance to decrease the minimum lot size from 7,500 sq. ft. to 6,300 sq. ft.*

**The motion carried by the following vote:**

**Vote: 7 – 0 – 0                      Approved as Amended**

**20251050**

**Z2026-02 [REZONING] AVIS MOBILITY VENTURES, LLC. (FVR GEORGIA, LLC.)**

Z2026-02 [REZONING] AVIS MOBILITY VENTURES, LLC. (FVR GEORGIA, LLC.) are requesting the rezoning of 0.417 acres located in Land Lots 641 & 656 of the 17th District, Parcel 0050 of the 2nd Section, Cobb County, Georgia, and being known as 1401 Cobb Parkway South from CRC (Community Retail Commercial) to LI (Light Industrial). Ward 7A.

*Planning Commission recommends Approval*

*A motion was made by Mr. Smith, seconded by Mr. Diffley, to recommend approving CRC (Community Retail Commercial) with additional use. The motion was carried with a vote of 7-0-0.*

*The following variance would be incorporated as a condition of CRC (Community Retail Commercial) zoning, specific to the subject property:*

*1) The storage of passenger vehicles be reinstated as a legally nonconforming use subject to restrictions outlined in Section 706. An occupational license from the City will be required.*

*Public Hearing (all parties sworn in)*

*City Attorney Daniel White opened the public hearing and called forward those wishing to speak.*

*Daniel Cummings, Acting Development Services Director, presented information regarding the rezoning request for property at 1401 Cobb Parkway South from CRC (Community Retail Commercial) to LI (Light Industrial).*

*Russ Giglio, on behalf of Avis Mobility Ventures, LLC (doing business as Flexcar), requested rezoning of the subject property to allow the auto storage use of the subject property be formalized via this rezoning. The 0.417-acre (18,165 square feet) corner lot has been historically used to store overflow inventory from a larger neighboring property 1431 Cobb Parkway South, used for car sales.*

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

*Discussion was held.*

*Motion to approve the rezoning request for property at 1401 Cobb Parkway South from CRC (Community Retail Commercial) to CRC (Community Retail Commercial), with the following variances are incorporated as conditions of zoning:*

*1. The storage of operable passenger vehicles be reinstated as a legally nonconforming use subject to restrictions outlined in Section 706.*

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

**Vote: 7 – 0 – 0**

**Approved**

20251051

**Z2026-03 [REZONING] THE PALMS AT PACES FERRY, LLC.**

Z2026-03 [REZONING] THE PALMS AT PACES FERRY, LLC is requesting the rezoning of 2.335 acres located in Land Lots 858 & 859 of the 16th District, Parcels 180 (Cobb), 480, 030, and 470 of the 2nd Section, Cobb County, Georgia, and being known as 1583, 1567, 1605 and 1611 Bells Ferry Road from R-20 (Cobb County) and R-2 (Single Family Residential - 2 units/acre) to PRD-SF (Planned Residential Development - Single Family). Ward 5B.

*Planning Commission recommends Approval*

*A motion was made by Mr. Diffley, seconded by Ms. McCrae, to recommend approval of the request as submitted. The motion was carried with a vote of 7-0-0.*

*With Council's approval the following variances are incorporated as conditions of zoning:*

- 1) Variance to reduce the minimum tract size from 3 acres to 2.335 acres [§708.09 (H)]*
- 2) Variance to reduce the minimum recreation area from 17,424 sq. ft. to 10,600 sq. ft. [§708.09 (B.1.h)]*

*Public Hearing (all parties sworn in)*

*City Attorney Daniel White opened the public hearing and called forward those wishing to speak.*

*Daniel Cummings, Acting Development Services Director, presented information regarding the rezoning request for property at 1583, 1567, 1605 and 1611 Bells Ferry Road from R-20 (Cobb County) and R-2 (Single Family Residential - 2 units/acre) to PRD-SF (Planned Residential Development - Single Family).*

*Parks Huff, attorney for the applicant, requested rezoning for the subject property to develop 20 single-family townhome units across the five (5) parcels, which together total approximately 2.335 acres. Additionally, the applicant is requesting the annexation of the middle parcel, 1583 Bells Ferry Road, from Cobb County into the City of Marietta, along with its rezoning to PRD-SF.*

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

*Discussion was held.*

*Motion to approve the rezoning request for property located at 1583, 1567, 1605 and 1611 Bells Ferry Road from R-20 (Cobb County) and R-2 (Single Family Residential - 2 units/acre) to PRD-SF (Planned Residential Development - Single Family), with the following variances are incorporated as conditions of zoning:*

- 1. Variance to reduce the minimum tract size from 3 acres to 2.335 acres.*
- 2. Variance to reduce the minimum recreation area from 17,424 sq. ft. to 10,600 sq. ft.*

*The following stipulations are also incorporated as conditions of zoning:*

- 1. The units will be staggered.*

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

**Vote: 7 – 0 – 0**

**Approved as Amended**

**20251052**

**A2026-01 [ANNEXATION] THE PALMS AT PACES FERRY, LLC.**

A2026-01 [ANNEXATION] THE PALMS AT PACES FERRY, LLC. is requesting the annexation of property located in Land Lot 859, District 16, Parcel 0180 of the 2nd Section, Cobb County, Georgia, and being known as 1583 Bells Ferry Road, consisting of approximately 0.72 acres, plus any associated right-of-way. Ward 5B.

*Planning Commission recommends Approval*

*A motion was made by Mr. Diffley, seconded by Ms. McCrae, to recommend approving the annexation request in conjunction with PRD-SF zoning. The motion was carried with a vote of 7-0-0.*

*Public Hearing (all parties sworn in)*

*Parks Huff, attorney for the applicant, requested that his presentation from the rezoning be incorporated for the annexation.*

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

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

**Vote: 7 – 0 – 0**

**Approved**

**20251053**

**CA2026-01 [CODE AMENDMENT]**

CA2026-01 [CODE AMENDMENT] In conjunction with the requested annexation and rezoning of property located in Land Lots 858 & 859, District 16, Parcels 0180, 480, 030, and 470 of the 2nd Section, Cobb County, Georgia, and being known as 1583, 1567, 1605, and 1611 Bells Ferry Road, the City of Marietta proposes to designate the Future Land Use of said property as MDR (Medium Density Residential). Ward 5B.

*Planning Commission recommends Approval*

*A motion was made by Mr. Diffley, seconded by Ms. McCrae, to recommend approval of the code amendment in conjunction with the annexation of 1583 Bells Ferry Road. The motion was carried with a vote of 7-0-0.*

*Public Hearing (all parties sworn in)*

*Parks Huff, attorney for the applicant, requested that his presentation from the rezoning be incorporated for the code amendment.*

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

**The motion was made by Council member Kent, seconded by Council member Gaddis, that this matter be Approved. The motion carried by the following vote:**

**Vote: 7 – 0 – 0**

**Approved**

**RESOLUTIONS:**

**CITY ATTORNEY'S REPORT:**

**\*      20260072      Denial of Claim**

Denial of Claim for Morgan Danyelle Wells.

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

**Vote: 7 – 0 – 0**

**Approved to Deny Claim**

**\*      20260094      Denial of Claim**

Denial of Claim for Crete Carrier Corporation.

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

**Vote: 7 – 0 – 0**

**Approved to Deny Claim**

**\*      20260095      Denial of Claim**

Denial of Claim for Eric T. Omgba.

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

**Vote: 7 – 0 – 0**

**Approved to Deny Claim**

**\*      20260096      Denial of Claim**

Denial of Claim for Amadeo Manuel Reyes Barrios.

**This Matter was Approved to Deny 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: Andre Sims, Chairperson****2. Finance/Investment: M. Carlyle Kent, Chairperson****\* 20251092 Amendment to the FY2026 Parks Bond Fund**

Motion to approve the Budget amendment for the Parks, Recreation, and Facilities Department for a partial reimbursement payment from the Georgia Department of Natural Resources as part of the Land and Water Conservation Fund (LWCF) grant for Larry Ceminsky Park.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

**\* 20260081 Annual Comprehensive Financial Report FY2025**

Motion to receive and file the FY2025 Annual Comprehensive Financial Report.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

**3. Judicial/Legislative: Joseph R. Goldstein, Chairperson****4. Parks, Recreation and Tourism: Jason Waters, Chairperson****\* 20260006 Laurel Park Tennis Center Independent Contractor Agreement Renewal**

Motion approving the 2nd Modification to the Independent Contractor Agreement with Tennis Dynamics, LLC, extending the term for operations of the Laurel Park Tennis Center until December 31, 2029.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**



**5. Personnel/Insurance: Cheryl Richardson, Chairperson****6. Public Safety Committee: Byron "Tee" Anderson, Chairperson****7. Public Works Committee: Daniel Gaddis, Chairperson****\* 20251090 Adair Drive Utilities**

Motion authorizing a variance from the underground utilities ordinance by Comcast Communications for allowing for the installation of fiber optic cable to be over-lashed on existing fiber optic cable and requiring the removal of all duplicate utility poles where Comcast Communications is “next to transfer” along Adair Drive from the utility pole at 29 Adair Drive to the utility pole at 36 Adair Drive. This motion does not grant a perpetual variance. Comcast Communications must relocate underground at its expense if other utilities at the location are moved underground. Ward 4B

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

**\* 20251093 Delk Street Speed Study**

Motion authorizing Public Works to conduct the speed study of Delk Street from East Dixie Avenue to Hawkins Street to determine if traffic calming measures are needed. Ward 1A

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

**\* 20251094 Applications to the Atlanta Regional Commission’s (ARC) Transportation Improvement Program (TIP) and Livable Centers Initiative (LCI) Funding Solicitations**

Motion approving the resolutions in support of the City’s submittal of the Rottenwood Creek Trail Project, the North Marietta Parkway Streetscape Project, and the Roswell Road Corridor Study to ARC’s TIP and LCI funding solicitations, and commitment of 20 percent matching funds for each project, if awarded.

*Council Member Goldstein discloses that members of his family and/or entities owned by members of his family own the East Marietta Shopping Center that fronts Roswell Road.*

*Further; Council Member Goldstein discloses that he owns property at 31 Powers Ferry Manor that is within 2,000 feet of Roswell Road and that members of his family and/or entities owned by members of his family own properties that are within 2,000 feet of Roswell Road.*

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0**

**Approved**

**OTHER BUSINESS:**

**\*      20251079      BLW Actions of January 12, 2026**

Review and approval of the January 12, 2026 actions and minutes of Marietta Board of Lights and Water.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0**

**Approved**

**UNSCHEDULED APPEARANCES:**

*Chad Peck, who resides on Scott Drive, addressed the City Council.*

**ADJOURNMENT:**

*The meeting was adjourned at 9:30 p.m.*

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

\_\_\_\_\_  
**R. Steve Tumlin, Mayor**

**Attest:** \_\_\_\_\_  
**Stephanie Guy, City Clerk**