



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
Grif Chalfant, Ward 2
Johnny Walker, Ward 3
G. A. (Andy) Morris, Ward 4
Reggie Copeland, Ward 5
Michelle Cooper Kelly, Ward 6
Joseph R. Goldstein, Ward 7

Wednesday, August 11, 2021

7:00 PM

Council Chamber

Presiding: R. Steve Tumlin, Mayor

Present: Cheryl Richardson, Grif Chalfant, Johnny Walker, Andy Morris, Reggie Copeland, Michelle Cooper Kelly and Joseph R. Goldstein

Also Present:

Bill Bruton, City Manager

Doug Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor R. Steve Tumlin called the meeting to order at 7:00 p.m.

INVOCATION:

Mayor Tumlin called upon Council member Copeland to give the invocation.

PLEDGE OF ALLEGIANCE:

Everyone was asked to remain standing for the Pledge of Allegiance.

PRESENTATIONS:

20210559

Recognition of Marietta Police Officers

Recognition of the newest officers of the Marietta Police Department.

Austin Thomas

Dakota Monroe

Jacob Monroe

Anthony Castillo

William Donaldson

Presented

MAYOR'S APPOINTMENTS: (for informational purposes only)**CITY COUNCIL APPOINTMENTS:****20210716 Board of Lights and Water Appointment**

Consideration of an appointment to the Board of Lights and Water (non-resident member), to fill the expiring term of Brian Torras, expiring August 10, 2021.

Motion to appoint Brian Torras to the Board of Lights and Water (non-resident member), for a 4-year term expiring August 12, 2025.

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

Vote: 7 – 0 – 0

Approved

ORDINANCES:**20210571 Z2021-10 [REZONING] KAMRAN JALALI (JSB INVESTMENTS, LLC)**

Z2021-10 [REZONING] KAMRAN JALALI (JSB INVESTMENTS, LLC) are requesting the rezoning of 0.93 acres located in Land Lot 1162, District 16, Parcel 1060 of the 2nd Section, Cobb County, Georgia, and being known as 528 North Marietta Parkway from CRC (Community Retail Commercial) to RM-10 (Multi Family Residential - 10 units/acre). Ward 5A.

The Planning Commission recommends denial. Ms. McCrae made a motion, seconded by Mr. Diffley to recommend denial. The motion carried 5-0-0.

If Council approves the rezoning, the following variances would be incorporated as conditions of zoning:

The following variances are incorporated as conditions of zoning:

1. Variance to reduce the minimum tract size from 5 acres to 0.93 acres [§708.11 (H)].
2. Variance to reduce the required driveway length from 20 feet to 5 feet, as measured from back of curb [§708.11 (B.1.e)].

Public Hearing (all parties sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Rusty Roth, Development Services Director, presented information regarding the request for the rezoning for property located at 528 N Marietta Parkway from CRC to RM-10 in order to build eight (8) townhomes.

The applicant was not present to make a presentation.

Don Barth, who lives on Saint John Ave, spoke in opposition to the project.

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

Discussion was held by Council.

A motion was made by Council member Copeland, seconded by the Council member Kelly, that this matter be Tabled. The motion carried by the following vote:

Vote: 5 – 2 – 0 Tabled

Voting Against: Andy Morris and Joseph R. Goldstein
Mayor Tumlin vetoed the motion.

Further discussion was held.

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

Vote: 4 – 3 – 0 Denied

Voting Against: Cheryl Richardson, Reggie Copeland and Michelle Cooper Kelly

20210617

Z2021-11 [REZONING] 1680 SPRING, LLC

Z2021-11 [REZONING] 1680 SPRING, LLC is requesting the rezoning of 1.13 acres located in Land Lot 1147, District 16, Parcel 0470 of the 2nd Section, Cobb County, Georgia, and being known as 397 North Sessions Street from LI (Light Industrial) to LI (Light Industrial) with an additional use as a restaurant. Ward 4B.

The Planning Commission recommends approval. Mr. Diffley made a motion, seconded by Mr. Hunter to recommend approval as submitted. The motion carried 5-0-0. If Council approves the rezoning, the following variances would be incorporated as conditions of zoning:

The following variances are incorporated as conditions of zoning:

1. Variance to reduce the building setbacks to the as-built conditions identified on the exemption plat for Waterworks Neighbors, LLC. [§708.26 (H)]
2. Variance to eliminate the 50 ft buffer adjacent to a residential district. [§708.26 (I)]

Public Hearing (all parties sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Rusty Roth, Development Services Director, presented information regarding the request for the rezoning for property located at 397 North Sessions Street from LI (Light Industrial) to LI (Light Industrial) with an additional use as a restaurant.

The applicant is requesting to rezone the subject property to use one of the main buildings on the site as an eat-in restaurant and bakery, while using the other

warehouse building for roasting coffee. Light Industrial zoning does not allow restaurants or retail uses comprising more than 10% of the gross floor area. The applicant would also like to construct a deck off the north side of the restaurant building, as well as make improvements to the parking lot.

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

Discussion was held by Council.

A motion was made by Council member Morris, seconded by the Council member Walker, to approve the rezoning request for property located at 397 North Sessions Street from LI (Light Industrial) to LI (Light Industrial) with an additional use as a restaurant.

The following variances are incorporated as conditions of zoning:

- 1. Variance to reduce the building setbacks to the as-built conditions identified on the exemption plat for Waterworks Neighbors, LLC.*
- 2. Variance to eliminate the 50 ft buffer adjacent to a residential district.*

The motion carried by the following vote:

Vote: 7 – 0 – 0

Approved

RESOLUTIONS:

CITY ATTORNEY'S REPORT:

* **20210698** **Denial of Claim**

Denial of Claim for Walter Williams.

This Matter was Approved 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: Johnny Walker, Chairperson**
- 2. Finance/Investment: Joseph R. Goldstein, Chairperson**

- * **20210652** **FY 2022 Elected Officials Travel Funding**
- Motion to direct staff to allocate the expenses for 2021 Georgia Municipal Association (GMA) Annual Conference to the FY 2021 budget.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

3. Judicial/Legislative: G. A. (Andy) Morris, Chairperson

- * **20210658** **Final Plat - Inglenook Walk**
- Motion to approve the final plat for an eight (8) unit townhome development zoned PRD-SF at 127, 135, & 141 South Avenue (Z2019-16).

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

- * **20210665** **Request to Advertise Rezoning**
- Motion to authorize staff to advertise the rezoning of 591, 599, 609, & 617 Frasier Street to R-4 (Single Family Residential - 4 units/acre).

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved for Advertisement**

- * **20210660** **Final Plat - White Oaks Ph. 1**
- Motion to approve the final plat for White Oaks Phase 1 (881 & 887 Powder Springs Street) at the corner of Powder Springs Street and Booth Road (Z2020-15).

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

- 20210664** **Solar Renewable Energy Initiative Project**
- Motion to approve the Solar Renewable Energy Initiative Project Contract proposed by MEAG.

Discussion was held.

A motion was made by Council member Morris, seconded by Council member Chalfant, that this matter be Approved.

An amendment to the motion was made by Council member Goldstein, seconded by Council member Walker, to approve an amendment to approve the MEAG Solar Power Purchase Contract, for a subscription of 4 megawatts. The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

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

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

Vote: 7 – 0 – 0 Approved

4. Parks, Recreation and Tourism: Michelle Cooper Kelly, Chairperson

* **20210633 Recognition for Ron Ransom**

Motion to name the playground at Laurel Park the Ron Ransom Playground in recognition of former Parks and Recreation Director Ron Ransom.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

5. Personnel/Insurance: Cheryl Richardson, Chairperson

6. Public Safety Committee: Reggie Copeland, Chairperson

* **20210655 Cobb County Hazard Mitigation Plan**

Motion to approve a resolution adopting the Cobb County Hazard Mitigation Plan prepared by the Cobb County Emergency Management Agency.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

7. Public Works Committee: Grif Chalfant, Chairperson

* **20210574 Waddell Street Pedestrian Safety**

Motion authorizing the installation of brick medians, striping, and signage on Waddell Street at the mid-block crossing at the Courthouse. The Cobb County Sheriff's Office has agreed to fund \$10,000 for this project to enhance Pedestrian Safety.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20210648 Aviation Road Speed Study Results**

Motion authorizing Public Works to proceed with a Public Information Meeting for traffic calming on Aviation Road.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20210649 Charles Avenue Speed Study Results**

Motion authorizing Public Works to proceed with a Public Information Meeting for traffic calming on Charles Avenue.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20210651 Longstreet Drive Speed Limit Reduction**

Motion to lower and post the speed limit to 25 MPH on Longstreet Drive in accordance with the Manual on Uniform Traffic Control Devices (MUTCD).

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

20210653 Tom Read Drive Traffic Calming

Motion authorizing Public Works to install four (4) speed tables: one (1) on Tom Read Drive; one (1) on Mary Lane; and two (2) on Seminole Place.

Public Hearing Required

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak. Seeing no one else wishing to speak, the public hearing was closed.

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

Vote: 7 – 0 – 0 Approved

20210654 Roosevelt Circle Traffic Calming

Motion authorizing Public Works to install four (4) speed tables: two (2) on Roosevelt Circle; one (1) on McIntosh Avenue; and one (1) on McArthur Drive.

Public Hearing Required

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak. Seeing no one else wishing to speak, the public hearing was closed.

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

Vote: 7 – 0 – 0 Approved

OTHER BUSINESS:**20210695 City of Marietta/BLW Property & Casualty Insurance/Miscellaneous Coverage**

Motion to approve the City of Marietta/BLW's property & casualty and other miscellaneous coverage, premiums, and companies utilized for the policy period of August 17, 2021, to August 17, 2022.

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

Vote: 7 – 0 – 0 Approved

*** 20210711 985 Cobb Pkwy S**

Motion authorizing acceptance of the driveway easement at 985 Cobb Pkwy S from Compass Point Designs, LLC for the purpose of constructing the Rottenwood Creek Trail Phase I Project.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20210715** **1031 Wylie Road**

Motion authorizing acquisition of easements at 1031 Wylie Road from Sun Camp America, Inc for the purpose of constructing the Rottenwood Creek Trail Phase I Project in exchange for \$2,400.00.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

* **20210673** **BLW Actions of August 9, 2021**

Review and approval of the August 9, 2021 actions and minutes of Marietta Board of Lights and Water.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

Council member Goldstein voting against BLW agenda item 20210685, MEAG Solar Initiative/ RECA.

Prior to adjourning, a motion was made by Council member Richardson, seconded by Council member Kelly, to suspend the rules of order to add an item to the agenda to approve an amendment to the Purchase and Sale Agreement related to property at 942 Roswell Street. The motion carried by the following vote:

Vote: 7 – 0 – 0 *Approved*
(See agenda item 202100752)

20210752 **942 Roswell St**

Motion to approve the amendment to the Purchase and Sale Agreement related to property at 942 Roswell Street.

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

Vote: 7 – 0 – 0 **Approved**

UNSCHEDULED APPEARANCES:

ADJOURNMENT:

The meeting was adjourned at 7:52 p.m.

Date Approved: _____

R. Steve Tumlin, Mayor

Attest: _____
Stephanie Guy, City Clerk