



# City of Marietta Meeting Agenda

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## CITY COUNCIL

*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*

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Wednesday, April 16, 2008

7:00 PM

Council Chamber

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### CALL TO ORDER:

### INVOCATION:

*Councilman Jim King, Ward 6*

### PLEDGE OF ALLEGIANCE:

### PRESENTATIONS:

#### **20080368 Distinguished Service Award**

Presentation of a Distinguished Service Award to Angela Smith for her outstanding contribution to helping build a community, forge partnerships and create a model program while enriching the Franklin Road community.

#### **20080307 Swearing In**

Swearing in of new police officers for the Marietta Police Department

Justin Davis

Christopher Cannon

Eugene Mullis

### PROCLAMATIONS:

#### **20080348 Mrs. John Carney**

Proclamation honoring Mrs. John Carney for her generous donation for Lewis Park.

#### **20080364 April - National Donate Life Month**

Presentation of a Proclamation to Terri Medina, Life Link, proclaiming April 2008 as National Donate Life Month honoring all citizens who have given the gift of life, and focusing attention on the need for organ, tissue and blood donors; encouraging residents to designate their donation decision and share the decision to donate with family members.

#### **20080367 Building Safety Week**

Presentation of a Proclamation to Hal Cospers proclaiming the week of May 5-11, 2008 as Building Safety Week; encouraging all citizens to consider projects to

improve building safety at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments and federal agencies in protecting lives and property.

**20080365 National Public Works Week**

Presentation of a Proclamation to Dan Conn, Public Works Director, proclaiming the week of May 18-24, 2008 as National Public Works Week and calling upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.

**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).**

**MINUTES:**

- \* **20080343 Special Meeting - March 28, 2008**  
Review and approval of the March 28, 2008 special meeting minutes.
- \* **20080344 Regular Meeting - March 17, 2008**  
Review and approval of the March 17, 2008 regular meeting minutes.

**MAYOR'S APPOINTMENTS:**

**CITY COUNCIL APPOINTMENTS:**

- \* **20080254 Ethics Committee Appointment**  
Motion reappointing The Rev. James O. Speed to the Ethics Committee for a two year term expiring April 9, 2010.

**ORDINANCES:**

**20071496 Z2008-01 900 Burnt Hickory Road, a portion of 920 Burnt Hickory Road and a portion of 941 Polk Street 900 Burnt Hickory Associates, LLC**

Z2008-01 [REZONING] 900 BURNT HICKORY ASSOCIATES, LLC, requests rezoning for property located in Land Lot 12240, 16th District, Parcel 0410 and being known as 900 Burnt Hickory Road, from OI (Office Institutional with stipulations) to OI (Office Institutional); Land Lot 12240, 16th District, Parcel 0190 and being known as a portion of 920 Burnt Hickory Road, from R-1 (Single Family Residential/Agriculture 1 unit/acre) to OI (Office Institutional), and Land Lot 03230, District 20, Parcel 0450 and being known as a portion of 941 Polk Street from CRC (Community Retail Commercial) to OI (Office Institutional). Ward 4.

*Planning Commission recommends approval w/stipulations*    *Vote: 7 - 0 - 0*  
*Stipulations:*

1. Letter of Stipulations from Kevin Moore to Rusty Roth dated March 25, 2008.
2. Building materials will be of Hardiplank and stone.

*Public Hearing (all parties are sworn in )*

**20080291 CA2008-01 Proposal to amend the Comprehensive Development Code Section 714, Signs.**

CA2008-01 [CODE AMENDMENT] AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT CODE. Proposal to amend Section 714 of the Comprehensive Development Code of the City of Marietta relating to Signs.

*Van Pearlberg voting against.*

**RESOLUTIONS:**

**CITY ATTORNEY'S REPORT:**

\* **20080357 Denial of a claim**

Denial of the claim of David D. Russell.

**CITY MANAGER'S REPORT:**

**MAYOR'S REPORT:**

**COMMITTEE REPORTS:**

**1. Economic/Community Development: Grif Chalfant, Chairperson**

\* **20080308 Reallocation FY08 CDBG**

Approval of a Resolution reallocating \$25,200 from homeownership assistance to the Franklin Road Weed and Seed Project.

**2. Finance/Investment: Annette Lewis, Chairperson**

\* **20080318 National League of Cities (NLC)**

Motion approving travel and training expenses for Council member Philip M. Goldstein attending the National League of Cities (NLC) Information Technology and Communications (ITC) meeting in Aurora, CO, June 11-14, 2008.

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

**4. Parks, Recreation and Tourism: Holly Walquist, Chairperson**

\* **20080210 Wing & Rock Concert**

Motion to approve the "Wing & Rock" festival as a city-sanctioned event; and, to approve the closure of North and East Park Square May 31st from 8 a.m. to 10 p.m.

*Philip M. Goldstein voting against.*

**20080211 NAACP Juneteenth Request**

A motion authorizing city sponsorship of the Juneteenth Celebration Festival

sponsored by the Cobb County Branch of the NAACP on Saturday, June 21, 2008; and, authorizing the closures of East Park Square and North Park Square from 8:00 a.m to 8:00 p.m. to conduct the event.

The Cobb County Branch of the NAACP will cooperate with the Parks, Recreation and Facilities Department and the manager of the Marietta Farmer's Market in establishing the set-up and use of North Park Square.

Further, the Cobb County Branch of the NAACP are fully responsible for the trash cleanup and removal of all trash generated by the event from the confines of the Marietta Square and the Central Business District. Trash removal from these confines may be accomplished through private means, or the organizers may utilize a city trash truck and driver for the event at a rate of \$67.85 per hour. Cobb County Branch of the NAACP shall notify the Parks, Recreation and Facilities Department fourteen (14) days in advance if they intend to utilize the city sanitation vehicle.

If the Cobb County Branch of the NAACP fail to adequately clean the event area of trash and debris and remove said trash and debris from the Central Business District they will be billed for any city services required to accomplish the cleanup of the area.

\* **20080303 Lewis Park Playground Funding Request**

Approval of a budget amendment appropriating \$50,000 from the Whitaker Estate and accepting a citizen's contribution in the amount of \$50,000 for the purpose of expanding and improving the Lewis Park playground.

**5. Personnel/Insurance: Van Pearlberg, Chairperson**

\* **20080255 Marietta Redevelopment Corporation Appointments**

Motion reappointing Ray Buday, Ron Francis, Terry Lee, John Schupp and Clint Mays to the Marietta Redevelopment Corporation Board of Directors for two-year terms, effective April 17, 2008 and expiring April 10, 2010.

**6. Public Safety Committee: Anthony Coleman, Chairperson**

\* **20080299 Standard Operating Procedures for the Marietta Police Department**

Motion to approve revisions to the following Standard Operating Procedures for the Marietta Police Department:

A044 Uniforms, Equipment, & Department Property  
A060 Evidence & Property Maintenance

**7. Public Works Committee: Jim King, Chairperson**

\* **20080214 Life University**

Motion to approve the posted speed limit of 35 mph on Barclay Circle to be reduced to 25 mph.

*Van Pearlberg and Philip M. Goldstein voting against.*

**SCHEDULED APPEARANCES:****UNSCHEDULED APPEARANCES:****OTHER BUSINESS:**

- \* **20080362 GMA Annual Conference - June 21-24, 2008**  
Motion to approve travel and training expenses for the Mayor and Council members who wish to attend the Georgia Municipal Association (GMA) 2008 Annual Convention in Savannah, GA June 21-24, 2008.
- \* **20080363 GMA Voting Delegates for the 2008 Annual Convention**  
Motion appointing Holly Walquist as voting delegate and Philip M. Goldstein as alternate voting delegate for the 2008 Georgia Municipal Association (GMA) Business Session being held during the 2007 Annual Convention June 21-24, 2007.
- \* **20080398 Voting Delegates - MEAG Annual Business Meeting**  
A Motion to appoint Grif Chalfant as a voting delegate and Philip M. Goldstein as an alternate voting delegate for the MEAG annual business meeting to be held in Savannah June 23, 2008.
- \* **20080385 The Tower at Dorsey Manor, LP**  
Approval of a Resolution to be adopted by Council endorsing the application by The Tower at Dorsey Manor, LP to the Georgia Department of Community Affairs for low-income housing tax credits to renovate The Tower at Dorsey Manor, a senior citizen community at 212 Lemon Street, Marietta, Georgia; and for other purposes.
  
- 20080286 Confidentiality Agreement**  
Motion to approve the Agreement which allows council members to sign a Confidentiality Agreement by and between the Municipal Electric Authority of Georgia (MEAG) and the City of Marietta regarding proprietary information as defined in the "Contractor Confidentiality Agreement", by and among Westinghouse Electric Company LLC ("Westinghouse") Stone & Webster, Inc. (A Shaw Group Company) ("Stone & Webster"), Southern Nuclear Operating Company, Inc., Georgia Power Company ("GPC"), Oglethorpe Power Corporation (An Electric Membership Corporation) ("OPC"), the Municipal Electric Authority Of Georgia ("MEAG Power"), and the City Of Dalton, Georgia ("Dalton"), acting by and through its Board of Lights and Water, and Sinking Fund Commissioners (each of GPC, OPC, MEAG Power and Dalton being an "Owner").
  
- \* **20080342 BLW Actions of April 7, 2008**  
Review and approval of the April 7, 2008 actions and minutes of the Marietta Board of Lights and Water Works (BLW).

**ADJOURNMENT:**