



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Summary CITY COUNCIL

R. Steve Tumlin, Mayor
Stuart Fleming, Ward 1
Grif Chalfant, Ward 2
Johnny Walker, Ward 3
G. A. (Andy) Morris, Ward 4
Anthony Coleman, Ward 5
Michelle Cooper Kelly, Ward 6
Philip M. Goldstein, Ward 7

Wednesday, March 9, 2016

7:00 PM

Council Chamber

20160200

Recognition of City of Marietta IMAGE Certification

Officials with U.S. Immigration and Customs Enforcement (ICE) will formally recognize the City of Marietta as having obtained IMAGE Certification. IMAGE, which stands for ICE Mutual Agreement between Government and Employers, required the city to enroll in the E-Verify program, establish a written hiring and employment eligibility verification policy that includes internal Form I-9 audits at least once per year, and submit to a Form I-9 inspection. The IMAGE program was created in 2006 as a joint government and private sector initiative designed to build cooperative relationships that strengthen hiring practices and encourage employer compliance. The goal of the IMAGE program is to curtail the employment of unauthorized workers through outreach, education, and partnership. Presenting a certificate will be Mr. Nick Annan, Special Agent in Charge of the Atlanta office of Homeland Security Investigations.

Presented

20160217

Scheduled Appearance - Larry Wills, 60 Oakmont Drive, Ward 3

Not Present

* **20160205**

Regular Meeting - February 10, 2016

Review and approval of the February 10, 2016 regular meeting minutes.

Approved and Finalized

* **20160206**

Marietta Historic Board of Review Appointment

Appointment of Rebecca Nash Paden to the Marietta Historic Board of Review (Ward 3), for a two year term expiring March 12, 2018.

Approved and Finalized

20160075 Z2016-03 [REZONING] MARIETTA MULCH INC

Z2016-03 [REZONING] MARIETTA MULCH INC is requesting the rezoning of property located in Land Lots 800, 801, 802 & 856, District 16, Parcel 0020, 2nd Section, Marietta, Cobb County, Georgia, and being known as 800 Williams Drive from LI (Light Industrial) to HI (Heavy Industrial). Ward 5B.

Withdrawn

20160076 Z2016-04 [SPECIAL LAND USE PERMIT] MARIETTA MULCH INC

Z2016-04 [SPECIAL LAND USE PERMIT] MARIETTA MULCH INC is requesting a Special Land Use Permit for the property located in Land Lots 800, 801, 802 & 856, District 16, Parcel 0020, 2nd Section, Marietta, Cobb County, Georgia, and being known as 800 Williams Drive in order to operate a vegetative recycling center and mulch manufacturing facility. Ward 5B.

Withdrawn

*** 20160147 GA Department of Early Care and Learning (DECAL) Summer Food Service Program (SFSP)**

Approval of a Resolution by the Housing and Community Development Division to sponsor the U.S. Department of Agriculture Summer Food Service Program.

Approved and Finalized

*** 20160136 Acceptance of Electronic Payment by Tax Division**

Ordinance amending Chapter 3-8-2-020 B (2) Due Date; Payment; Interest on Past Due Taxes.

Approved and Finalized

*** 20160152 Kraft Mark Homes LLLP - Request to revise zoning stipulations for Z2015-32**

Motion to approve the request by Kraft Mark Homes LLLP to amend the letter of stipulations for Z2015-32 from Garvis L. Sams, Jr. Sams, Larkin, Huff & Balli, to Russell J. Roth, AICP, Planning & Zoning Manager for the City of Marietta dated September 24, 2015:

1. Reduce the minimum lot width for L-1, L-2, L-11, and L-12 from 60' to 50' (amending items #2 and #11b.).
2. Reduce the major side setback for L-1 and L-12 from 25' to 15.'
3. Installation of acceleration and/or deceleration lanes subject to Cobb County Department of Transportation review and approval (amending item #9a.).

Approved and Finalized

- * **20160161** **Final Plat for Marietta Walk Phase 2**
- Motion approving the final plat for Marietta Walk Phase 2 located in Land Lots 217 and 1290, 16th and 17th District.
- Approved and Finalized**
- * **20160171** **Revised Detailed Plan for Marietta Walk Phase 1 - Lots 1, 8-10**
- Motion to approve the request by Century Communities to reduce the side setbacks for lots 1, 8, 9, and 10 in Marietta Walk Phase 1 from 6 feet to 5 feet.
- Approved and Finalized**
- * **20160173** **Marietta Museum of History's Collection**
- Motion approving the request from the Marietta Museum of History for the permanent removal of items from its collection.
- Approved and Finalized**
- 20160049** **Detailed Plan for Auto Village (1101 Powder Springs St)**
- Motion to approve the request by AV Powder Springs LLC for detailed plan approval for Auto Village at 1101 Powder Springs Street, zoned PCD (Planned Commercial Development). The approvals are subject to:
1. Zoning Conditions for Auto Village Shopping Center dated March 1, 2016.
 2. Site plan dated 01/05/2016 with an edit date of 3/1/2016.
 3. Building elevations dated 1/14/16.
- Denied**
- * **20160061** **2016 Special Events and Associated Requests for Approval**
- Motion to approve the events that have applied to be held in the Marietta Square, as approved by the Parks, Recreation and Tourism Committee. These events cover calendar year 2016 and include associated requests for street closures, alcohol (sale and/or consumption), and the need for City services.
- Approved and Finalized**
- * **20160167** **Conceptual Designs for Elizabeth Porter Park**
- A motion authorizing a \$6,000 expenditure from the 2009 Parks Bond Fund: Category D, Planning/Design/Administration/Contingencies for \$1,000 stipends for each of the six semi-finalist artists chosen by the Elizabeth Porter Historic Monument, Arts, and Mural Committee to provide conceptual plans for art projects at the future Elizabeth Porter Park.
- Approved and Finalized**

* **20160159** **Amending Retirement Plan approved by Ordinance 4022**

Approval of an Ordinance amending the language in Article VIII, Section 7 of Ordinance 4022 regarding disability benefits and the definition of a physician, and amending the language in Article X, Section 5 of Ordinance 4022 regarding membership and operation of the pension board.

Approved and Finalized

* **20160160** **Amending Consolidated Retirement Plan approved by Ordinance 4532**

Approval of an Ordinance amending the language in Article V, Section 16 of Ordinance 4532 regarding disability benefits and the definition of a physician, and amending the language in Article X, Section 5 of Ordinance 4532 regarding membership and operation of the pension board.

Approved and Finalized

* **20160034** **Appointed Officials' Compensation**

Motion to approve amending compensation of certain appointed officials in the following ways:

Approval of a 3% increase for Judge Roger Rozen and Prosecuting Attorney Robert Donovan.

Approval of a 3% increase for City Clerk Stephanie Guy.

Approval of a 3% increase for BLW General Manager Ronald Mull.

Approval of a 3% increase for City Manager William Bruton, Jr. and the amendment of the existing Employment Agreement to include such increase and extension of the Agreement as attached.

Approval of a 3% increase for Administrative Assistant to the Mayor Elizabeth Kelley and the amendment of the existing Employment Agreement to include such increase and extension of the Agreement as attached.

Approved and Finalized

* **20160050** **Revisions to MPD policies**

Motion to approve revisions to Police Department policies A013 (Concurrent Jurisdiction), A030 (Code of Conduct), A033 (Inspections), A041 (Organizational Structure), A044 (Uniforms Equipment & Department Property), A054 (Assignments), S030 (Criminal Investigations), S046 (Asset Forfeiture), P031 (Career Development)

Approved and Finalized

* **20160157** **Revisions to MPD Policies**

Motion to approve revisions to Police Department policies A010 Written Directives, A048 Administrative Protocol, A052 Detention & Housing of Detainees, A072 Departmental Records, P015 Video/Audio Recording Equipment, and T030 Career Tracking.

Approved and Finalized

20160065 **Approval of design guidelines for the Church-Cherokee Streets Historic District**

Motion to approve and adopt the design guidelines for the Church-Cherokee Streets Historic District.

Council member Goldstein disclosed that he owns properties that are located in the proposed district; 473 Cherokee Street, Marietta, Georgia, 481 Cherokee Street, Marietta, Georgia, 489 Cherokee Street NE, Marietta, Georgia and 497 Cherokee Street NE, Marietta, Georgia.

The City Attorney's law firm has disclosed that one member of the firm resides within the proposed district.

Council member Fleming disclosed that he owns properties that are located in the proposed district; 564 Cherokee Street, Marietta, Georgia.

Public Hearing Required

Approved and Finalized

* **20160155** **SPLOST Intergovernmental Agreement**

Motion Authorizing IGA with Cobb County for replacement of Old 41 bridge over CSX Right of Way.

Approved and Finalized

* **20160176** **Street Widening at Kirkpatrick/Whitlock**

Motion authorizing extension of through lane along Kirkpatrick Ave. crossing Whitlock Ave.

Approved and Finalized

20160168 44 Mill Street (Chick-fil-A) - Certificate of Approval (New Construction)

Motion to approve the request for a drive-thru window awning at 44 Mill Street (Chick-fil-a).

Philip Goldstein and Mary Goldstein are owners of the property at 44 Mill Street (2130 Mill Street - County Tax Bill), Marietta, Ga.

Approved and Finalized

20160169 44 Mill Street (Chick-fil-A) - Certificate of Approval (Demo/New Construction)

Motion to approve the request for demolition of existing herb shop, unneeded interior retaining and screen walls, and construction of a new Chick-fil-A store. Initial submittal is for building only. Site and signage to follow at a later date.

Motion to approve the new Chick-fil-A store, initial submittal for building only; site and signage to follow at a later date. Demolition of existing herb shop, unneeded interior retaining and screen walls shall be contingent upon approval of the site plan.

Approved as Amended

20160221 Consortium for lighting Cobb County Portion of I-75

Motion to reach out to Cobb County, Cobb I-75 Cities with a nexus to I-75 and all applicable and interested parties to explore forming a Consortium to join with Ga DOT to collectively "light" all of I-75 within our County beyond the limited area within Marietta that is being discussed now. This item was requested by Mayor Tumlin.

Approved and Finalized

20160228 Salvation Army Lease Agreement

Motion to extend the deadline of previously approved motion (Legistar# 20150875) to July 1, 2016 to have an executed long term lease agreement between the Salvation Army and the City of Marietta, for the acquisition and improvement of land adjacent to the Salvation Army with the use of CDBG funds.

Approved and Finalized

20160229 Brown Avenue Right-of-Way

Motion to authorize advertisement for the sale or exchange of a portion(s) of the Brown Avenue right-of-way.

Motion to authorize advertisement for the sale or exchange of a portion(s) of the Brown Avenue right-of-way, with the following conditions:

- 1. The buyer shall provide a survey to the City of Marietta satisfactory to the Public Works Director.*

2. *The buyer shall pay cost of advertisement incurred by the City of Marietta.*
3. *The buyer shall pay fair market value for the property.*

Approved as Amended

* **20160204**

BLW Actions of March 7, 2016

Review and approval of the March 7, 2016 actions and minutes of Marietta Board of Lights and Water.

Approved and Finalized