



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

Wednesday, December 12, 2007

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

Councilman Griffin "Grif" Chalfant, Ward 2

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

20071412 Swearing-in of police officers

Swearing in of Lt. Jess Zerbe and Officer Charles Simonds into the Marietta Police Department.

20071318 CREATE Award Presentation

Recognition of the city of Marietta winning the Atlanta Regional Commission CREATE Award for:

- *Community Involvement/ Building
- *Regional Prosperity/ Economic Development
- *Educational Excellence
- *Air Quality &
- *Transportation
- *Environmental Sustainability

The CREATE Award recognizes Marietta for its efforts to achieve key regional goals in the Community Building and Involvement category working to improve the Franklin Road community.

Accepting the award on behalf of the city are Daneea Badio, Site Coordinator for the Franklin Road Weed and Seed Program, Angela Smith, Chair of Franklin Rd Weed and Seed Steering Committee, Daniel Flynn, Marietta Police Chief, Lt. Danny Messimer, Marietta Police Department, Shannon Barrett, Asst. to the City Manager and Bill Bruton, City Manager & Fiscal Agent for Weed and Seed.

PROCLAMATIONS:

ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:

Griggs Street Groundbreaking Ceremony

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:

- * **20071362 Regular Meeting - November 19, 2007**
Review and approval of the November 19, 2007 regular meeting minutes.
- * **20071378 Special Meeting - November 29, 2007**
Review and approval of the November 29, 2007 special meeting minutes.

MAYOR'S APPOINTMENTS:**CITY COUNCIL APPOINTMENTS:****ORDINANCES:**

- 20070587 Z2007-11 Lost Mountain Enterprises, Inc. 397 and 401 Roselane; 281, 271, 261, 251 White Street from R-2 (Single Family Residential) to OI (Office Institutional)**

Z2007-11 [REZONING] LOST MOUNTAIN ENTERPRISES, INC. requests rezoning for property located in Land Lots 1003 and 1014, District 16, Parcels 1010, 1200, 0250, 0260, 0270 and 0280 and being known as 397 and 401 Roselane Street and 281, 271, 261 and 251 White Street from R-2 (Single Family Residential) to OI (Office Institutional). Ward 4.

*Planning Commission recommends approval with stipulations,
Vote 5-0-0*

Stipulations: Letter of stipulations from J. Kevin Moore to Mr. Roth dated 12/4/07.

Public Hearing (all parties are sworn in)

- * **20071090 CA2007-28 Amendment to the Comprehensive Development Code regarding Home Occupation Permits**

CA2007-28 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta, Section 712.04, Home Occupations.

Planning Commission recommends approval.

Vote: 5-0-0

No stipulations

Public Hearing (all parties are sworn in)

- * **20071379 Code Enforcement - 1425 Cunningham Road**

An Ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 1425 Cunningham Road.

Owner: Joseph Milk

Certified mail receipt not received as of November 29, 2007.

Taxes paid: Yes
PUBLIC HEARING REQUIRED
Philip M. Goldstein abstaining

RESOLUTIONS:**CITY ATTORNEY'S REPORT:****CITY MANAGER'S REPORT:****MAYOR'S REPORT:****COMMITTEE REPORTS:****1. Economic/Community Development: Grif Chalfant, Chairperson**

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2. Finance/Investment: Annette Lewis, Chairperson*** 20071311 Marietta Fire Donations**

Approval of an ordinance appropriating the \$1,000 donation from the Sandtown International Farmers Market and the \$1,650 donation from the Legion Home of Marietta for public education programs.

3. Judicial/Legislative: Philip M. Goldstein, Chairperson*** 20070888 Precinct Boundary Changes - Ward 3 & 4**

Ordinance amending Section 1-6-080 regarding precinct polling places for Wards 3 and 4 for municipal elections to coincide with changes approved by Cobb County Board for State and County elections.

*** 20071197 MRC Officer Selection**

Motion to amend Section 8 of the Bylaws for the Marietta Redevelopment Corporation (MRC) to allow members to nominate the Chairman and Vice Chairman of the Board, with final approval by City Council. The amended Section (8) shall read as attached.

20071350 Marietta Conference Center and Resort

Motion to approve the Lease between the City of Marietta, Georgia, as agent of for the Downtown Marietta Development Authority, as Landlord, and Marietta Leasehold, L.P., as Tenant, dated the 1st day of January, 2008 for the Marietta Conference Center and Resort. This motion also approves the execution of the Novation Agreement by the City of Marietta and the Guarantee of Franchise License Agreement by the City of Marietta as part of this transaction. This motion also includes the ability of the City Manager and City Attorney to make minor changes to the documents, which changes are subject to later ratification by the Marietta City Council.

Agreement overview and comment prior to the vote

*** 20071327 2008 Legislative Agenda**

Motion to approve the 2008 Legislative package.

- * **20071353 Marietta-Cobb New Markets Fund, Inc**
Motion to approve the Bylaws, Articles of Incorporation and Consent for Marietta-Cobb New Markets Fund, Inc.
- 4. Parks, Recreation and Tourism: Holly Walquist, Chairperson**
- 5. Personnel/Insurance: Van Pearlberg, Chairperson**
- * **20071242 Planning Commission Appointment - Ward 6**
Reappointment of R. W. (Bob) Kinney to the Planning Commission (Ward 6) for a 3-year term effective December 14, 2007, expiring December 31, 2010.
- * **20071324 Marietta Museum of History Board of Directors**
Appointment of Amanda Canup and Irvan Alan "Van" Pearlberg to the Marietta Museum of History Board of Directors for a 3-year terms expiring on December 31, 2010.
- 20071346 Marietta Redevelopment Corporation Appointment**
Motion to approve the appointment of _____ to the Marietta Redevelopment Corporation to fill the unexpired term of Scott Condra, expiring April 10, 2009.
- 6. Public Safety Committee: Anthony Coleman, Chairperson**
- 20070735 Electronic Control Devices**
Motion to authorize the purchase of Electronic Control Devices by the Marietta Police Department.
- 7. Public Works Committee: Jim King, Chairperson**
- * **20060945 Floodplain Management/Flood Damage Prevention Ordinance**
Motion to approve the model Floodplain Management/Flood Damage Prevention Ordinance as revised and to authorize staff to apply for grants to fund the required study.
Council member Goldstein voting against.
- * **20071233 Trolley Proposal**
Motion to authorize the City Manager to place Trolley Tour signs on existing loading zone sign posts within the Downtown area.
- * **20071386 Purchase of Property**
Motion to authorize the purchase of property located at 506 Roswell Road from Marietta Square II, Office Center Associates, Inc. for the amount of \$11,800.
- * **20071343 Memorandum of Agreement**
Motion to approve a Second Amendment to the May 14, 2004 Memorandum of Agreement by and between the CITY OF MARIETTA, and WELLSTAR HEALTH SYSTEM, INC.

SCHEDULED APPEARANCES:

UNSCHEDULED APPEARANCES:**OTHER BUSINESS:**

- * **20071356** **2008 Mayors' Day Conference**
- Motion to approve travel and training expenses for the Mayor and Council members who wish to attend the Georgia Municipal Association (GMA) Annual Mayors' Day Conference, January 26-28, 2008 in Atlanta, Georgia.
- 20071427** **Marietta Development Authority**
- Motion to approve the appointment of _____ to the Marietta Development Authority (Post 1) for a two-year term beginning January 9, 2008 and expiring January 9, 2010.
- * **20071416** **Clarke Library**
- Motion to authorize the City Manager to execute a lease of the Clarke Library property located at 156 Church Street to Accord Services Inc., for a term of 3 years at an initial rate of _____ dollars per month.
- * **20071314** **BLW Actions of December 10, 2007**
- Review and approval of the December 10, 2007 actions and minutes of the Marietta Board of Lights and Water Works (BLW).
Council members Goldstein and Walquist voting against item 20071178 of the BLW actions of December 10, 2007.

ADJOURNMENT: