

1. Agenda

Documents:

010318SPECCC.PDF

2. Summary

Documents:

010318SM.PDF



205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061-0609

SPECIAL CALLED CITY COUNCIL MEETING

**Wednesday, January 3, 2018
6:00 PM
Council Chamber, City Hall**

Memo to: All Members of City Council
City Manager
City Attorney
City Clerk

From: R. Steve Tumlin, Mayor

R. Steve Tumlin, Mayor
R. Steve Tumlin, Mayor

as authorized Betsy Kelley

You are hereby notified of a special meeting of City Council as per City Code Section 2.9(b) for items listed in the following agenda:



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda

CITY COUNCIL SPECIAL MEETING

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, January 3, 2018

6:00 PM

Council Chamber

CALL TO ORDER:

BUSINESS:

20180001 Mayor Pro tem

Appointment of Johnny Walker as Mayor Pro tem for a term of one year expiring on January 9, 2019.

20180002 Presiding Officer

Appointment of Andy Morris as Presiding Officer for a term of one year expiring on January 9, 2019.

20180003 Economic/Community Development Committee

Appointment of Johnny Walker Chairman, Grif Chalfant as Vice Chair and Andy Morris to the Economic/Community Development Committee for a term of one year expiring on January 9, 2019.

20180004 Finance/Investments Committee

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20180005 Judicial/Legislative Committee

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20180006 Parks, Recreation & Tourism Committee

Appointment of Michelle Cooper Kelly Chairman, Andy Morris as Vice Chair and Reggie Copeland to the Parks, Recreation and Tourism Committee for a term of one year expiring on January 9, 2019.

20180007 Personnel/Insurance Committee

Appointment of Cheryl Richardson Chairman, Joseph R. Goldstein as Vice Chair and Grif Chalfant to the Personnel/Insurance Committee for a term of one year expiring on January 9, 2019.

20180008 Public Safety Committee

Appointment of Reggie Copeland Chairman, Johnny Walker as Vice Chair and Cheryl Richardson to the Public Safety Committee for a term of one year expiring on January 9, 2019.

20180009 Public Works Committee

Appointment of Grif Chalfant Chairman, Michelle Cooper Kelly as Vice Chair and Johnny Walker to the Public Works Committee for a term of one year expiring on January 9, 2019.

20180010 BLW Council Representative

Appointment of Michelle Cooper Kelly as the council representative on the Board of Lights and Water (BLW) for a term of one year expiring on December 31, 2018.

20180034 Appointment of Chief Judge

Nomination of Roger Rosen for Chief Judge of the Municipal Court with a term of two years through December 31, 2019 and with appropriate written memorialization pursuant to Georgia Code.

20180035 Appointment of Associate Judges

Nomination of Associate Judges for January 10, 2018 City Council Agenda appointments.

20180036 Appointment of Prosecuting Attorney and Associate Prosecuting Attorneys

Nomination of Prosecuting Attorney and 4 Associate Prosecuting Attorneys for terms ending 12/31/19 for January 10, 2018 City Council Agenda appointments.

20180037 Appointment of City Clerk

Nomination of Stephanie Guy as City Clerk.

20180038 Appointment of City Attorney

Nomination of Douglas Haynie as City Attorney.

20180033 Adoption of the 2018 Rules and Procedures of Council

Review and approval of a Resolution establishing the Rules and Procedures of City Council pursuant to Code Section 1-4-040(Y).

ADJOURNMENT:

**A RESOLUTION ESTABLISHING RULES, POLICIES AND PROCEDURES
FOR THE MAYOR AND CITY COUNCIL OF THE CITY OF MARIETTA**

WHEREAS, the City Council is desirous to formally adopt official rules, policies and procedures to guide various functions of the city and, where necessary, to establish procedures by which functions are performed; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Marietta that the following rules, policies and procedures shall be established:

ARTICLE I: Rules of Procedure for the Regular Meeting Agendas

A. Hearing procedures for advertised Public Hearings (non-zoning matters)

Persons wishing to address the City Council in duly advertised public hearings will be heard in the order in which they come forward upon announcement of the hearing without regard to whether the person is speaking in favor or against the matter. Each speaker is generally allotted a maximum of five minutes (unless a shorter or longer time is set by the City Council).

B. Public Participation in Council meetings

The City Council welcomes visitors to Council meetings and is eager to hear any person or persons desiring to appear before the council on comments that pertain to the City of Marietta Government and operations over which the Council has jurisdiction.

C. Definitions:

Chair – is the Mayor, Mayor Pro-Tem, Presiding Officer, Committee Chair or other appropriate person that is chairing the meeting at the time.

D. Protocol. Mayor or appropriate Presiding Officer shall state the Rules of Procedures in summary form at the beginning of the Agenda Item and the City Attorney shall monitor the time limits. For Agenda items that have no public hearing, the Chair shall encourage interested Citizens to address their point of view as to such items during the unscheduled appearance portions of the meeting.

E. For Citizens appearing before the council with comments in either the Schedule and Unscheduled portions wishing to present written documentation of whatever nature, shall present such to the City Clerk for distribution to the Council and Staff.

ARTICLE II: Rules of Procedure to address the Council

A. Persons wishing to address the Council shall do so during the Scheduled or Unscheduled Appearances portion near the beginning and conclusion of the agenda, specifically, immediately before the Consent Agenda and immediately before Mayor and Councils' Comment.

1. Speakers are allowed to address the City Council at each Regular Meeting of the Council under Scheduled Appearances. Speakers under Scheduled Appearances shall sign-up

with the City Manager's Office until 10:00 a.m. on the day the draft agendas are first sent to the City Council for the Council Meeting, whichever first occurs. Each speaker will be allotted a maximum of five (5) minutes for their presentation for a cumulative total of twenty (20) minutes

2. **Unscheduled Appearance:** Speakers (are allowed to address the City Council at each Regular Meeting of the Council for a maximum combined time of 30 minutes per designated Unscheduled Appearance Agenda Items for the designated Unscheduled Appearance and any speakers not reached during that time will have an opportunity to speak at the later unscheduled appearance at the end of the meeting. Speakers under Unscheduled Appearances shall sign up with City Attorney on a first-come basis upon the Chair's announcement of the opening of this public session and those not sign up shall follow the signed-up citizens if time allows. No prior reservations will be taken for the slots for Unscheduled Appearances. Each speaker will be allotted a maximum of five (5) minutes for their presentation for a cumulative time of twenty minutes each speaker shall come forward to the podium to speak when called upon by the City Attorney.
 3. An extension to the public comment session, and/or an extension of the five (5) minute limit per person, may be granted by a majority vote of the Council members present or upon no opposition being indicated by council members when asked by the presiding elected official.
 4. If appropriate, a written response to each speaker will be provided by the appropriate City staff, usually within thirty (30) days or they may be directed to the appropriate City official to be addressed. The City Council has the option to respond verbally at the completion of each speaker's presentation.
 5. After each individual speaker's remarks have concluded, the Chair may, but shall not be required to, briefly respond, either personally or through another member of the City Council, but not in the form of creating a debate. In addition, when a request for special action or a grievance has been heard, the matter will be referred to the City Manager (or his/her designee) who will prepare a response to the matter.
- B. All persons shall address the council in the following manner:
1. State his /her name and state address if desired (address is required only on the sign-in list and may be omitted if the speaker does not wish to receive a written response).
 2. If requested by the council, the speaker may be required to state:
 - a. Whether you speak for yourself or another person;
 - b. Whether you represent an organization or policy established by an organization or governing body;
 - c. Whether you are being compensated by the person(s) for whom you speak; and
 - d. Whether you or any member of your immediate family have a personal interest in the pending matter.
- C. All remarks shall be made to the council as a body and addressed through the Chair. Remarks shall not be made to a particular council member.
- D. Questions from the Mayor or council members and/or the City manager may be asked for clarification. Chair shall recognize Council Members for questions or comments they may wish to ask or make. However, no person shall be permitted to enter into any discussion or have personal dialogues, either directly or through a member of the council, without permission of the council.
- E. No person shall be allowed to make impertinent, derogatory, offensive or slanderous remarks while addressing the Council.

- F. Scheduled and Unscheduled Appearances are a time for a member(s) of the public to provide their comments. Scheduled and Unscheduled Appearances and hearings are not meant to be a question and answer format, and such shall not be allowed to occur by the presiding elected official.
- G. The Chair of a Council/Committee meeting may additionally allow a member of the public to speak from time to time on a specific issue at the discretion of the Chair with general non-vote consensus of Governing Body. Such special appearances shall follow the general rules of these Article II provisions.

ARTICLE III: Meeting rules for the City Council; Zoning Hearing Meetings; Zoning Agenda Items

A. Regular Agenda

1. Representatives/applicants, as a group, and representatives/opponents, as a group, shall be given a maximum of fifteen (15) minutes for each side to present its case, unless, by general consensus, more time is allotted by the City Council.
2. Both the applicant and opposition shall have equal amounts of time, up to fifteen (15) minutes, to present their case and if time is extended for one side, time shall equally be extended for the other side.
3. Those speaking in opposition, up to three people, shall have five (5) minutes each not to exceed the total (15) minutes. If four or more people wish to speak in opposition to the request, the time limit of fifteen (15) minutes shall be equally divided. Council may extend the time.
4. In order to accommodate all those that wish to speak, it is encouraged that groups which are present choose a spokesperson to present their views. In no case, however, shall any group be allowed more than the allotted time no matter how many speakers represent the group unless extended by a majority vote of the Council members present.
5. The City Attorney shall be responsible for keeping time.
6. The person addressing Council may be required to state the following information.
 - a. Whether you speak for yourself or another person;
 - b. Whether you represent an organization or policy established by an organization or governing body;
 - c. Whether you are being compensated by the person(s) for whom you speak; and
 - d. Whether you or any member of your immediate family have a personal interest in the pending matter.
7. As each case is called, all witnesses for the applicant and opponents shall first be sworn in prior to making their presentations.
8. No further public input will be allowed except responses to questions asked by the Council members.
9. The Applicant shall go first and may reserve any remaining time to conclude after the opposition has had their turn. The time for rebuttal by the applicant shall be included in the fifteen (15) minutes time limit.
10. Questions and answers to those questions from Council members shall not count against the time of the side that is asked questions.
11. At the public hearing, the applicant or any other party may appear on his own behalf or be represented by agent or attorney.
12. No applause shall be allowed either for or against an issue.
13. No request for a show of hands for or against an issue shall be allowed.

14. All speakers shall be accorded due respect by other citizens in attendance at the meeting.

B. Consent Agenda

1. On any public hearing for an item which is on the consent agenda, a person may speak on such item with the matter remaining on the consent agenda. However, upon the request of any elected official, such item may be removed from the consent agenda and heard as a non-consent item in the Order of Business as scheduled.
2. If an item is on the consent agenda, it is presumed that it will pass as per the motion listed on the consent agenda.
3. If an item is on the consent agenda and someone wishes to speak against the passage of the item, the item shall be pulled from the consent agenda and heard as a non-consent item in the Order of Business as scheduled.

C. Other

1. These meeting rules shall be published, printed and made available at each City Council meeting.
2. The five minute time limit provision for Citizens to speak at Scheduled and Unscheduled presentations shall be noted in the Agenda.
3. In all hearings and/or appearances before the Marietta City Council, same shall be conducted in an orderly manner; and there shall be no applause during such appearance/hearing; and no comment or participation while another person is addressing the Marietta City Council; and there shall be no show of hands or other public participation during such hearing/appearance.
4. These rules may be amended or new rules adopted by a majority vote of all members of the Council. Any such amendments or new rules must go out with the monthly Council package and amendments or new rules may only be made at the regular monthly Council Meeting.



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