

1. Agenda

Documents:

021418RM.PDF

2. Summary

Documents:

021418RM.PDF



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda 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, February 14, 2018

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

Council Member Reggie Copeland, Ward 5

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

PROCLAMATIONS:

20180176 PTA Founder's Day

Mayor Tumlin presents a proclamation honoring "PTA Founder's Day" of February 17 coinciding with historical marker designation for Birney Memorial on MMS campus formerly MHS campus. Recipients representing PTA's of Marietta City Schools, PTA Presidents of MMS, MARIETTA High, and Marietta PTA Council.

20180177 First Black woman to register and vote in Cobb County

Mayor Tumlin presenting a proclamation to the family of Mrs. Addie Grace Luster of Marietta honoring her "small first step" benefiting many in 1923.

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

SCHEDULED APPEARANCES:

Each speaker is allotted five (5) minutes.

20180169 Scheduled Appearance

Scheduled Appearance - Jenny Harty

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:*** 20180137 Regular Meeting - January 10, 2018**

Review and approval of the January 10, 2018 regular meeting minutes.

MAYOR'S APPOINTMENTS: (for informational purposes only)**CITY COUNCIL APPOINTMENTS:***** 20180076 Planning Commission Appointment - Ward 7**

Reappointment of Stephen Diffley to the Planning Commission for a 3-year term, expiring January 14, 2021.

*** 20180081 GMA Voting Delegates**

Appointment of Michelle Cooper Kelly as the voting delegate and Joseph R. Goldstein as the alternate voting delegate for the 2018 GMA Business Meeting being held during the GMA Annual Convention in June 2018.

*** 20180125 Marietta Welcome Center & Visitors Bureau Appointment**

Appointment of Joseph R. Goldstein, Council Representative, to the Marietta Welcome Center & Visitors Bureau for a two-year term.

ORDINANCES:

20170906 Z2017-31 [REZONING] PEOPLES FINANCIAL CORPORATION (BAMM REAL ESTATE LLC)

Z2017-31 [REZONING] PEOPLES FINANCIAL CORPORATION (BAMM REAL ESTATE LLC) is requesting the rezoning of approximately 1.04 acres located in Land Lot 1015, District 16, Parcel 0070, 2nd Section, Marietta, Cobb County, Georgia, and being known as 789 Church Street from OI (Office Institutional) to NRC (Neighborhood Retail Commercial). Ward 4B.

The Planning Commission recommends Approval as Stipulated.

Mr. Duffley made a motion, seconded by Ms. McCrae, to recommend approval with the prohibited uses given at the public hearing, the revised site plan dated 1/25/18 and the deletion of the variance to allow a drive-in fast food establishment. The motion carried 5 1 0. Mr. Poor opposed.

The following variance is incorporated as a condition of zoning:

- 1. Variance to increase the maximum impervious surface area from 70% to 80%. [§708.15 (H)]*

The following stipulations are incorporated as condition of zoning:

- 1. Automobile service stations*
- 2. Billiards, pool halls and video arcades*
- 3. Carwashes*
- 4. Convenience stores*
- 5. Places of assembly*

Public Hearing (all parties are sworn in)

* **20180027 Z2018-04 [REZONING] MARIETTA INVESTMENT PROPERTY HOLDINGS LLC**

Z2018-04 [REZONING] MARIETTA INVESTMENT PROPERTY HOLDINGS LLC is requesting the rezoning of 0.3 acres located in Land Lot 1014, District 16, Parcel 0560, 2nd Section, Marietta, Cobb County, Georgia, and being known as 113 White Street from R-2 (Single Family Residential) to OI (Office Institutional). Ward 4B.

The Planning Commission recommends Approval as Stipulated.

Mr. Anderson made a motion, seconded by Mr. Diffley, to recommend approval as stipulated. The motion carried 5 1 0. Mr. Poor opposed.

The following variances are incorporated as conditions of zoning:

- 1. Variance to reduce the 30' buffer requirement on the Northern property line to 10' [§708.23 (I)].*
- 2. Variance to reduce the 30' buffer requirement on the Western property line to 25' or existing pavement [§708.23 (I)].*

The following stipulation is incorporated as condition of zoning:

- 1. The applicant, working with Marietta Public Works, shall bring the property in to compliance with storm water regulations.*

Public Hearing (all parties are sworn in)

20180029 Z2018-06 [REZONING] CLAY CORNETTE

Z2018-06 [REZONING] CLAY CORNETTE is requesting the rezoning of approximately 0.2 acres located in Land Lot 1216, District 16, Parcel 0450, 2nd Section, Marietta, Cobb County, Georgia, and being known as 386 Lawrence Street from OIT (Office Institution Transitional) to R-4 (Single Family Residential - 4 units/acre). Ward 5A.

The Planning Commission recommends Approval as Stipulated.

Mr. Difley made a motion, seconded by Mr. Poor, to recommend approval as stipulated, with the variances recommended by staff and tying these variances to the current structure. The motion carried 5-1 0. Mr. Anderson opposed.

The following variances are incorporated as conditions of zoning:

- 1. Variance to reduce the front yard setback from 25 feet to 21 feet. [§708.04 (H)]*
- 2. Variance to reduce the side setback along the east property line from 10 feet to 4 feet. [§708.04 (H)]*
- 3. Variance to increase the impervious surface from 50% to its existing conditions shown on survey. [§708.04 (H)]*
- 4. Variance to reduce the minimum lot width from 75 feet to 57 feet. [§708.04 (H)]*

The following stipulation is incorporated as condition of zoning:

- 1. These variances are only to accommodate the current structure.*

Public Hearing (all parties are sworn in)

* **20180030** **Z2018-07 [REZONING] EDJ HOMES LLC**

Z2018-07 [REZONING] EDJ HOMES LLC is requesting the rezoning of approximately 0.17 acres located in Land Lot 1147, District 16, Parcel 0570, 2nd Section, Marietta, Cobb County, Georgia, and being known as 395 Campbell Hill Street from NRC (Neighborhood Retail Commercial) to R-4 (Single Family Residential - 4 units/acre). Ward 4B.

The Planning Commission recommends Approval as Stipulated.

Ms. McCrae made a motion, seconded by Mr. Poor, to recommend approval excluding variances #5 and #6; variance to allow a carport closer to Sessions Street than the principal structure, variance to reduce the side setback for a carport from 10' to 2' and variance to allow gravel as an acceptable parking surface. The motion carried 6 0 0.

The following variances are incorporated as conditions of zoning:

- 1. Variance to reduce the front yard setback for the existing structure from 25' to 10.' [§708.04 (H.)]*
- 2. Variance to reduce the side yard setback along the northern side of the existing structure from 10' to 6.' [§708.04 (H.)]*
- 3. Variance to reduce the side yard setback along the southern side of the existing structure from 10' to 5.' [§708.04 (H.)]*
- 4. Variance to reduce the rear yard setback for the existing structure from 30' to 4.' [§708.04 (H.)]*

Public Hearing (all parties are sworn in)

* **20180040** **Z2018-08 [REZONING] CAL ATLANTIC GROUP INC (CLINT WALTERS)**

Z2018-08 [REZONING] CAL ATLANTIC GROUP INC (CLINT WALTERS) is requesting the rezoning of 0.47 acres located in Land Lot 217, District 17, Parcel 0880, 2nd Section, Marietta, Cobb County, Georgia, and being known as 102 Hedges Street from R-4 (Single Family Residential - 4 units/acre) to PRD-SF (Planned Residential Development - Single Family). Ward 1A.

The Planning Commission recommends Approval.

Mr. Davis made a motion, seconded by Mr. Poor, to recommend approval. The motion carried 6 0 0.

Public Hearing (all parties are sworn in)

* **20180041** **Z2018-09 [REZONING] FRANKLIN PLAZA ASSOCIATES LLC (IKEA PROPERTY, INC)**

Z2018-09 [REZONING] FRANKLIN PLAZA ASSOCIATES LLC (IKEA PROPERTY, INC) is requesting the rezoning of 6.6 acres located in Land Lots 716 & 725, District 17, Parcel 0050, 2nd Section, Marietta, Cobb County, Georgia, and being known as 1033 Franklin Gateway from CRC (Community Retail Commercial) to PCD (Planned Commercial Development). Ward 7A.

The Planning Commission recommends Approval.

Mr. Diffley made a motion, seconded by Mr. Poor, to recommend approval of rezoning 6.6 acres as submitted. The motion carried 6 0 0.

Public Hearing (all parties are sworn in)

RESOLUTIONS:

CITY ATTORNEY'S REPORT:

CITY MANAGER'S REPORT:

MAYOR'S REPORT:

COMMITTEE REPORTS:

1. Economic/Community Development: Johnny Walker, Chairperson

* **20180077** **Military Zone Job Tax Credit**

Motion to authorize to send a letter to the Department of Community Affairs to designate Census Tract 304.14 in Marietta as a Military Zone.

2. Finance/Investment: Joseph R. Goldstein, Chairperson

* **20180082** **2018 GMA Annual Convention**

Motion to approve the travel and training expenses for the Mayor and Council members who wish to attend the Georgia Municipal Association (GMA) 2018 Annual Convention in Savannah, GA, June 22 - 26, 2018.

* **20180083 National League of Cities (NLC)**

Motion approving travel and training for Mayor and Council members who wish to attend the National League of Cities (NLC) Congressional City Conference in Washington, DC, March 11-14, 2018.

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

* **20180107 Detailed Plan: IKEA - 1019 & 1033 Franklin Gateway**

Motion to approve the detailed plan, to include the detailed site plan, tree protection and landscape plan, signage plans, and building elevations, for the proposed IKEA at 1019 & 1033 Franklin Gateway. Approval of these plans will also consist of the following variances:

1. Variance to increase the allowable height of incidental signs visible from the public right of way from 3 feet to 13'2". [§714.03 (C)]
2. Variance to increase the allowable size of incidental signs visible from the public right of way from 6 square feet to 55 square feet. [§714.03 (C)]
3. Variance to allow advertising text on any incidental sign. [§714.03 (C)]
4. Variance to increase the allowable height of internal incidental signs from 8 feet to 10'4". [§714.03 (C)]
5. Variance to increase the allowable size of internal incidental signs from 40 square feet to 86 square feet. [§714.03 (C)]
6. Variance to reduce the required parking stall dimensions from 9'x20' to 9'x18.' [§716.08 (C.4)]
7. Variance to allow curb cuts greater than 30 feet in width. [§716.02 (B)]
8. Variance to allow gravel as an acceptable driving surface for access to the billboard and pump station only. [§716.08 (A.) & (B.)]
9. Variance to reduce the tree density from 17 units per acre to 15 units per acre. [§712.08 (D.4)]
10. Variance to waive the requirement that a planter island be provided for every 12 parking spaces. [§712.08 (G.1.a)]
11. Variance to waive the requirement that planter islands contain trees. [§712.08 (G.1.b)]
12. Variance to waive the four-sided architectural requirement. [§708.19 (A.), (J.1.h.), and (J.4.e)]
13. Variance to allow the submittal of an exemption plat in lieu of a final plat. [§708.19 (J.4)]
14. The following billboard variances shall be limited to on-site advertising for IKEA:
 - a. Variance to waive the requirement that a billboard shall be regulated as a principal use. [§714.04 (G.1)]
 - b. Variance to allow a billboard contain three 11'6"x50' faces with an internal angle greater than 45°.

[§714.04 (G.4)]

c. Variance to increase the allowable height for a billboard from 70 feet to 128 feet as measured from

adjacent grade of the nearest I-75 southbound lane, as identified on attached Billboard Exhibit.

Overall height of billboard from base of pylon is 138 feet. [§714.04 (G.6)]

d. Variance to allow a billboard on a parcel with other signage. [§714.04 (G.9)]

* **20180088** **Historic Preservation Commission**

Consideration of an ordinance amending the Marietta City Code Section 7-8-9-030 by adding item (G), which shall read as follows: The Marietta Historic Board of Review and the Historic Preservation Committee shall be served and advised by a common Attorney as engaged by the City with concurrent advisement from said two Boards. Current serving Marietta City attorney shall not be eligible to represent concurrently the two Boards.

Council member Joseph R. Goldstein opposed

* **20180089** **Historic Board of Review**

Consideration of an ordinance amending the Marietta City Code Section 7-8-8-080 by adding item (I), which shall read as follows: The Marietta Historic Board of Review and the Historic Preservation Committee shall be served and advised by a common Attorney as engaged by the City with concurrent advisement from said two Boards. Current serving Marietta City attorney shall not be eligible to represent concurrently the two Boards.

Council member Joseph R. Goldstein opposed

* **20180090** **Planning Commission**

Consideration of an ordinance amending the Marietta City Code Section 1-10-6-100 by adding item (F), which shall read as follows: The Attorney for the Board of Zoning Appeals and the Planning Commission shall be served and advised by a common Attorney as engaged by the City with concurrent advisement from said two Boards. Current serving Marietta City Attorney may be considered to represent concurrently one or both of said Boards.

Council member Joseph R. Goldstein opposed

* **20180091 Board of Zoning Appeals**

Consideration of an ordinance amending the Marietta City Code Section 720 by adding section 720.09 Attorney for Board, which shall read as follows: The Attorney for the Board of Zoning Appeals and the Planning Commission shall be served and advised by a common Attorney as engaged by the City with concurrent advisement from said two Boards. Current serving Marietta City Attorney may be considered to represent concurrently one or both of said Boards.

Council member Joseph R. Goldstein opposed

* **20180092 Deletion of Ad Hoc Commissions**

Amending the Ordinance deleting Marietta Code Sections 1-10-6-110, Marietta Redevelopment Task Force and 1-10-6-115, Height guidance for Historic Marietta Square Task Force.

* **20180103 Registry on the Square - Townhome Elevations**

Motion to approve the request by Traton Homes for the approval, as part of the detailed plan, of the elevations for the townhomes at 249 Cherokee Street. The homes in the community shall be traditional in nature and consistent with the attached elevations dated 01/05/18.

* **20180104 Marietta Fire Department - Waiver of Tree Fund Donation**

Motion to approve the request by Marietta Fire to waive the payment to the tree fund for the development of Marietta Fire Station #56 at 850 Sawyer Road.

* **20180094 Hands-Free Driving Ordinance**

Motion to implement a Hands-Free Driving Ordinance for the City of Marietta, with an effective date of April 1, 2018.

Council member Joseph R. Goldstein opposed

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

* **20180099 Special Event and Road Race Fee Changes**

Motion to approve the Security Enhancement Proposal and amendments to the guidelines and permitting for Special Events and Road Races.

* **20180100** **2018 Special Events and Associated Requests for Approval**

A motion authorizing the street closures and associated requests for alcohol sales and consumption when applicable, and the provision of city services for the following special events for calendar year 2018.

1. Glover Park Concert Series
2. Taste of Marietta
3. May-retta Daze Spring Arts and Crafts Festival
4. Juneteenth
5. Fourth in the Park
6. Art in the Park
7. Marietta StreetFest
8. HarvestFest
9. Marietta Reads
10. MUST Ministries Gobble Jog
11. New Year's Eve

* **20180185** **Resolution to amend the City Fee Chart to add the Security Enhancement fees and amend the Special Events and Road Race fees.**

Motion to amend the resolution to the City Fee Chart to add Security Enhancement fees for Special Events and to amend the fees for Special Events and Road Races.

* **20180095** **Marietta Historical Markers**

Motion to approve the installation of an interpretive marker with a descriptive narrative to recognize "Birney Memorial" at the Marietta Middle School on Winn Street.

*** 20180204 Chalktoberfest Street Closures**

A motion to approve Street Closures for Chalktoberfest 2018 as listed and waive City Code Section 10-4-070 (C) and (E) to provide for the consumption of beer and wine in Glover Park and the sale and consumption of beer and wine adjacent to Glover Park for the duration of the event. Further, to sponsor said event to permit businesses with a valid permit under 10-4-070 (F) to engage in alcohol sales.

To temporarily close:

Thursday, October 11, 2018

- North Park Square from 6 pm to 7 pm
- West Park Square from 7 pm to 8 pm
- South Park Square from 8 pm to 9 pm
- Powder Springs Street from 9 pm to 10 pm

Friday, October 12, 2018

- North Park Square from 2 pm until Sunday, October 14 at 9 pm
- West and South Park Square 5:30 pm until Sunday October 14 at 9 pm
- Mill St. Westbound at 5:30 pm from the RR Tracks to the Square until Sunday, October 14 at 9 pm

Saturday, October 13, 2018

- At 5 am until 9 pm Sunday, October 14: Atlanta St. (Anderson to the Square), East Park Square, Cherokee St. (Hansell to the Square), Roswell St. (Waddell to the Square), Lawrence St. Waddell to the Square, Church St. (Hansell to the Square)
- Mill St. between the RR tracks and the Square will remain closed after the Farmer's Market until 9 pm Sunday, October 14.

Sunday, October 14, 2018

- All Streets noted above remain closed until 9 pm

5. Personnel/Insurance: Cheryl Richardson, Chairperson

* **20180096** **2018 Appointed Official Review**

Motion to set salaries of the following appointed officials payable in installments per city administrative procedures retroactive to January 1, 2018:

1. Administrative Assistant to the Mayor: \$50,000 per year, set at 40 hours per week, and amendment of the associated employment agreement.
2. City Clerk: \$70,000 per year.
3. City Manager: \$213,075.20 per year, and amendment of the associated employment agreement.
4. BLW General Manager: \$133,660.80 per year.
5. Municipal Court Judge: \$70,065.75 per year.
6. Prosecuting Attorney: \$66,635.85 per year.

6. Public Safety Committee: Reggie Copeland, Chairperson

* **20180105** **Revisions to MPD Policies**

Motion to approve the revisions to the listed policies: A019 (Risk Analysis Board), A020 (Deadly & Non- Deadly Force), A076 (Personnel Early Warning System), A082 (Performance Evaluation), P027 (Narcans Program), T040 (Firearms Qualifications).

7. Public Works Committee: Grif Chalfant, Chairperson

* **20180110** **860 Pickens Industrial Dr. NE**

Motion approving variance from the underground utility ordinance to allow the overlashing of a fiber service line for approximately 40 feet, this motion does not grant a perpetual variance. Zayo must relocate underground at their expense if other utilities at the location are moved underground.

* **20180111** **North Woodland Drive Driver Speed Feedback Signs**

Motion authorizing the installation of two driver speed feedback signs on North Woodland Drive.

* **20180112** **Cameron Creek Traffic Calming**

Motion authorizing a speed table study to be performed at Cameron Creek.

* **20180114 Anderwood Ridge Speed Table Study**

Motion authorizing a speed table study to be performed on Anderwood Ridge.

* **20180126 Maple Avenue Traffic Calming**

Motion authorizing a speed table study along Maple Avenue.

OTHER BUSINESS:

* **20180214 Soaring Drive Speed Table Study**

Motion authorizing a speed table study on Soaring Drive.

* **20180219 Allgood Road at Cobb Parkway Intersection Improvement Project**

Motion authorizing acquisition of a portion of property and easements along the South Frontage Portion of Walker School property along Allgood Road for the purpose of construction the Right Turn Lane - Allgood Road at Cobb Parkway Intersection Improvement Project in exchange for \$150,000 and stipulations as listed below.

1. Walker School will relocate their existing fence along their playground by March 1, 2018.

* **20180217 Budget Amendment & Amended Welcome Center Contract**

Motion to approve Budget Amendment & amended Welcome Center Contract.

* **20180218 Amendment to the Lease with Marietta Leasehold, L.P.**

Motion to approve the Amendment to the lease between the City of Marietta and Marietta Leasehold, L.P.

* **20180166 North Square Building Elevations (Rear Loaded)**

Motion to approve exterior elevations for North Square townhomes located around Caldwell Circle (Units 70 - 90).

* **20180205 Temporary Access Easement for 849 Franklin Gateway**

Motion to approve the temporary access easement to Atlanta United F.C. Easement would allow vehicle storage and access of the rear of AUFC training facility to conduct a construction project.

20180224 Sale of Property

Motion regarding consideration of sale of 17 acres on Franklin Gateway.

*** 20180086 Disclosure Letter from Joseph R. Goldstein**

Disclosure Letter from Council Member Joseph R. Goldstein of Ward 7 dated January 2, 2018.

Motion to deny the disclosure letter from Council member Joseph R. Goldstein dated January 2, 2018.

*** 20180138 BLW Actions of February 12, 2018**

Review and approval of the February 12, 2018 actions and minutes of Marietta Board of Lights and Water.

*** 20180168 BLW Actions of February 1, 2018**

Review and approval of the February 1, 2018 actions and minutes of Marietta Board of Lights and Water.

UNSCHEDULED APPEARANCES:

Each speaker is allotted five (5) minutes.

ADJOURNMENT:



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Present

* **20180137 Regular Meeting - January 10, 2018**

Review and approval of the January 10, 2018 regular meeting minutes.

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Reappointment of Stephen Diffley to the Planning Commission for a 3-year term, expiring January 14, 2021.

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Appointment of Michelle Cooper Kelly as the voting delegate and Joseph R. Goldstein as the alternate voting delegate for the 2018 GMA Business Meeting being held during the GMA Annual Convention in June 2018.

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Appointment of Joseph R. Goldstein, Council Representative, to the Marietta Welcome Center & Visitors Bureau for a two-year term.

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Motion approving travel and training for Mayor and Council members who wish to attend the National League of Cities (NLC) Congressional City Conference in Washington, DC, March 11-14, 2018.

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 - c. Variance to increase the allowable height for a billboard from 70 feet to 128 feet as measured from adjacent grade of the nearest I-75 southbound lane, as identified on attached Billboard Exhibit. Overall height of billboard from base of pylon is 138 feet. [§714.04 (G.6)]
 - d. Variance to allow a billboard on a parcel with other signage. [§714.04 G.9)]

Motion to approve the detailed plan, to include the detailed site plan, tree protection and landscape plan, signage plans, and building elevations, for the proposed IKEA at 1019 & 1033 Franklin Gateway. Approval of these plans will also consist of the variances as requested, with the following changes:

Deletion of variance number 9.

~~9. Variance to reduce the tree density from 17 units per acre to 15 units per acre. [§712.08 (D.4)]~~

Amendment to variance number 11.

11. Variance to waive the requirement that planter islands contain trees with the stipulation that all islands will contain vegetation. [§712.08 (G.1.b)]

Addition of variance 15.

15. IKEA will comply with the tree density requirements, which may be accomplished by planting at least seventy (70) additional trees and/or by contributing to the Tree Replacement Fund.

Approved as Amended

* **20180088**

Historic Preservation Commission

Consideration of an ordinance amending the Marietta City Code Section 7-8-9-030 by adding item (G), which shall read as follows: The Marietta Historic Board of Review and the Historic Preservation Committee shall be served and advised by a common Attorney as engaged by the City with concurrent advisement from said two Boards. Current serving Marietta City attorney shall not be eligible to represent concurrently the two Boards.

Approved and Finalized

* **20180089** **Historic Board of Review**

Consideration of an ordinance amending the Marietta City Code Section 7-8-8-080 by adding item (I), which shall read as follows: The Marietta Historic Board of Review and the Historic Preservation Committee shall be served and advised by a common Attorney as engaged by the City with concurrent advisement from said two Boards. Current serving Marietta City attorney shall not be eligible to represent concurrently the two Boards.

Approved and Finalized

* **20180090** **Planning Commission**

Consideration of an ordinance amending the Marietta City Code Section 1-10-6-100 by adding item (F), which shall read as follows: The Attorney for the Board of Zoning Appeals and the Planning Commission shall be served and advised by a common Attorney as engaged by the City with concurrent advisement from said two Boards. Current serving Marietta City Attorney may be considered to represent concurrently one or both of said Boards.

Approved and Finalized

* **20180091** **Board of Zoning Appeals**

Consideration of an ordinance amending the Marietta City Code Section 720 by adding section 720.09 Attorney for Board, which shall read as follows: The Attorney for the Board of Zoning Appeals and the Planning Commission shall be served and advised by a common Attorney as engaged by the City with concurrent advisement from said two Boards. Current serving Marietta City Attorney may be considered to represent concurrently one or both of said Boards.

Approved and Finalized

* **20180092** **Deletion of Ad Hoc Commissions**

Amending the Ordinance deleting Marietta Code Sections 1-10-6-110, Marietta Redevelopment Task Force and 1-10-6-115, Height guidance for Historic Marietta Square Task Force.

Approved and Finalized

* **20180103** **Registry on the Square - Townhome Elevations**

Motion to approve the request by Traton Homes for the approval, as part of the detailed plan, of the elevations for the townhomes at 249 Cherokee Street. The homes in the community shall be traditional in nature and consistent with the attached elevations dated 01/05/18.

Approved and Finalized

* **20180104** **Marietta Fire Department - Waiver of Tree Fund Donation**

Motion to approve the request by Marietta Fire to waive the payment to the tree fund for the development of Marietta Fire Station #56 at 850 Sawyer Road.

Approved and Finalized

* **20180094** **Hands-Free Driving Ordinance**

Motion to implement a Hands-Free Driving Ordinance for the City of Marietta, with an effective date of April 1, 2018.

Approved as Amended

* **20180099** **Special Event and Road Race Fee Changes**

Motion to approve the Security Enhancement Proposal and amendments to the guidelines and permitting for Special Events and Road Races.

Approved and Finalized

* **20180100** **2018 Special Events and Associated Requests for Approval**

A motion authorizing the street closures and associated requests for alcohol sales and consumption when applicable, and the provision of city services for the following special events for calendar year 2018.

1. Glover Park Concert Series
2. Taste of Marietta
3. May-retta Daze Spring Arts and Crafts Festival
4. Juneteenth
5. Fourth in the Park
6. Art in the Park
7. Marietta StreetFest
8. HarvestFest
9. Marietta Reads
10. MUST Ministries Gobble Jog
11. New Year’s Eve

A motion authorizing the street closures and associated requests for alcohol sales and consumption when applicable, and the provision of city services for the following special events for calendar year 2018, with the following amendment:

The Art in the Park and New Year's Eve event will be City Sponsored

Approved as Amended

* **20180185** **Resolution to amend the City Fee Chart to add the Security Enhancement fees and amend the Special Events and Road Race fees.**

Motion to amend the resolution to the City Fee Chart to add Security Enhancement fees for Special Events and to amend the fees for Special Events and Road Races.

Approved and Finalized

* **20180095** **Marietta Historical Markers**

Motion to approve the installation of an interpretive marker with a descriptive narrative to recognize “Birney Memorial” at the Marietta Middle School on Winn Street.

Approved and Finalized

* **20180204** **Chalktoberfest Street Closures**

A motion to approve Street Closures for Chalktoberfest 2018 as listed and waive City Code Section 10-4-070 (C) and (E) to provide for the consumption of beer and wine in Glover Park and the sale and consumption of beer and wine adjacent to Glover Park for the duration of the event. Further, to sponsor said event to permit businesses with a valid permit under 10-4-070 (F) to engage in alcohol sales.

To temporarily close:

Thursday, October 11, 2018

- North Park Square from 6 pm to 7 pm
- West Park Square from 7 pm to 8 pm
- South Park Square from 8 pm to 9 pm
- Powder Springs Street from 9 pm to 10 pm

Friday, October 12, 2018

- North Park Square from 2 pm until Sunday, October 14 at 9 pm
- West and South Park Square 5:30 pm until Sunday October 14 at 9 pm
- Mill St. Westbound at 5:30 pm from the RR Tracks to the Square until Sunday, October 14 at 9 pm

Saturday, October 13, 2018

- At 5 am until 9 pm Sunday, October 14: Atlanta St. (Anderson to the Square), East Park Square, Cherokee St. (Hansell to the Square), Roswell St. (Waddell to the Square), Lawrence St. Waddell to the Square, Church St. (Hansell to the Square)
- Mill St. between the RR tracks and the Square will remain closed after the Farmer's Market until 9 pm Sunday, October 14.

Sunday, October 14, 2018

- All Streets noted above remain closed until 9 pm

Motion to approve Street Closures for Chalktoberfest 2018 as listed and waive City Code Section 10-4-070 (C) and (E) to provide for the consumption of beer and wine in Glover Park and the sale and consumption of beer and wine adjacent to Glover Park for the duration of the event. Further, to sponsor said event to permit businesses with a valid permit under 10-4-070 (F) to engage in alcohol sales.

The following amendments were made to Friday, October 12, 2018:

Friday, October 12, 2018

-North Park Square from 2 pm until Sunday, October 14 at 9 pm

-West and South Park Square 5:30 pm until Sunday October 14 at 9 pm

-Mill St. Eastbound at 5:30 pm from the RR Tracks to the Square until Sunday, October 14 at 9 pm

-Powder Springs St from the Square to Anderson St at 5:3 pm until Sunday, October 14 at 9 pm

-Whitlock from the RR tracks to the Square at 5:30 pm until Sunday, October 14 at 9 pm

-Church St from Polk St to the Square at 5:30 pm until 7:30 pm then reopening until Saturday morning

Approved as Amended

* **20180096** **2018 Appointed Official Review**

Motion to set salaries of the following appointed officials payable in installments per city administrative procedures retroactive to January 1, 2018:

1. Administrative Assistant to the Mayor: \$50,000 per year, set at 40 hours per week, and amendment of the associated employment agreement.
2. City Clerk: \$70,000 per year.
3. City Manager: \$213,075.20 per year, and amendment of the associated employment agreement.
4. BLW General Manager: \$133,660.80 per year.
5. Municipal Court Judge: \$70,065.75 per year.
6. Prosecuting Attorney: \$66,635.85 per year.

Approved and Finalized

* **20180105** **Revisions to MPD Policies**

Motion to approve the revisions to the listed policies: A019 (Risk Analysis Board), A020 (Deadly & Non- Deadly Force), A076 (Personnel Early Warning System), A082 (Performance Evaluation), P027 (Narcans Program), T040 (Firearms Qualifications).

Approved and Finalized

* **20180110** **860 Pickens Industrial Dr. NE**

Motion approving variance from the underground utility ordinance to allow the overlashing of a fiber service line for approximately 40 feet, this motion does not grant a perpetual variance. Zayo must relocate underground at their expense if other utilities at the location are moved underground.

Approved and Finalized

* **20180111** **North Woodland Drive Driver Speed Feedback Signs**

Motion authorizing the installation of two driver speed feedback signs on North Woodland Drive.

Approved and Finalized

* **20180112** **Cameron Creek Traffic Calming**

Motion authorizing a speed table study to be performed at Cameron Creek.

Approved and Finalized

* **20180114** **Anderwood Ridge Speed Table Study**

Motion authorizing a speed table study to be performed on Anderwood Ridge.

Approved and Finalized

* **20180126** **Maple Avenue Traffic Calming**

Motion authorizing a speed table study along Maple Avenue.

Approved and Finalized

* **20180214** **Soaring Drive Speed Table Study**

Motion authorizing a speed table study on Soaring Drive.

Approved and Finalized

* **20180219** **Allgood Road at Cobb Parkway Intersection Improvement Project**

Motion authorizing acquisition of a portion of property and easements along the South Frontage Portion of Walker School property along Allgood Road for the purpose of construction the Right Turn Lane - Allgood Road at Cobb Parkway Intersection Improvement Project in exchange for \$150,000 and stipulations as listed below.

1. Walker School will relocate their existing fence along their playground by March 1, 2018.

Approved and Finalized

* **20180217** **Budget Amendment & Amended Welcome Center Contract**

Motion to approve Budget Amendment & amended Welcome Center Contract.

Approved and Finalized

* **20180218** **Amendment to the Lease with Marietta Leasehold, L.P.**

Motion to approve the Amendment to the lease between the City of Marietta and Marietta Leasehold, L.P.

Approved and Finalized

* **20180166** **North Square Building Elevations (Rear Loaded)**

Motion to approve exterior elevations for North Square townhomes located around Caldwell Circle (Units 70 - 90).

Approved and Finalized

* **20180205** **Temporary Access Easement for 849 Franklin Gateway**

Motion to approve the temporary access easement to Atlanta United F.C. Easement would allow vehicle storage and access of the rear of AUFC training facility to conduct a construction project.

Approved and Finalized

20180224 Sale of Property

Motion regarding consideration of sale of 17 acres on Franklin Gateway.

Motion to approve Purchase Agreement by and between the City of Marietta, Georgia, as the Seller, and Drive Shack Marietta LLC, as the Purchaser, for the sale of approximately 17.18 acres of land on Franklin Gateway for the purchase price of \$9.5M including authorization for the Mayor and City Clerk to execute same.

Approved as Amended

*** 20180086 Disclosure Letter from Joseph R. Goldstein**

Disclosure Letter from Council Member Joseph R. Goldstein of Ward 7 dated January 2, 2018.

Motion to deny the disclosure letter from Council member Joseph R. Goldstein dated January 2, 2018.

Approved

*** 20180138 BLW Actions of February 12, 2018**

Review and approval of the February 12, 2018 actions and minutes of Marietta Board of Lights and Water.

Approved and Finalized

*** 20180168 BLW Actions of February 1, 2018**

Review and approval of the February 1, 2018 actions and minutes of Marietta Board of Lights and Water.

Approved and Finalized