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City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda

CITY COUNCIL AGENDA WORK SESSION

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

Monday, November 11, 2019

5:15 PM

Council Chamber

CALL TO ORDER:

MINUTES:

20190948 **Agenda Work Session - October 7, 2019**

Review and approval of the October 7, 2019 meeting minutes.

BUSINESS:

20191024 **BLW Report**

Council Member Michelle Cooper Kelly gives the Board of Lights and Water (BLW) report for the meeting held on Monday, November 11, 2019.

20190035 **Ethics Committee - Council Appointment**

Consideration of an appointment to the Ethics Committee for a two (2) year term.

20191021 **Historic Preservation Commission Appointment Ward 3**

Reappointment of Chris Campbell to the Historic Preservation Commission (Ward 3), for a three (3) year term expiring November 13, 2022.

20190979 Revocable Easement Agreement between the City of Marietta and Wellstar Health System, Inc.

Motion to approve Revocable Easement Agreement between the City of Marietta and Wellstar Health System, Inc. and related entities related to Variance 2019-31.

20190980 1101 Powder Springs Street

Motion to approve the First Amendment to Purchase and Sale Agreement for the property at 1101 Powder Springs Street.

20190985 Party Houses

Motion to authorize the advertisement and holding of required public hearings to amend certain sections of the Comprehensive Development Code for the City of Marietta related to Party Houses.

20190976 Ga. Smoke-Free Act of 2005

- For all public properties, sidewalks and otherwise, the Ga. Smoke-Free Act of 2005 (OCGA 31-12A et al) shall govern for leasehold interest/license of restaurant and bars, particularly for 31-12(a)-6 (9) (a), minors not prohibitive. (This begs the question when a sidewalk is an extension of a bar or restaurant, should not the smoke-free act govern)
- Using Smyrna's upcoming 1/1/20 Ordinance of prohibiting under 21 smoking purchases, Marietta to consider similar ordinance.

Requested by Mayor Tumlin

20190902 2020 City Council Meeting Dates

Review and approval of the 2020 proposed meeting dates for City Council & Committee Meetings.

20190947 Small Cell Ordinance

Motion to approve the City of Marietta Small Cell Ordinance as amended.

20190773 2022 Proposed SPLOST

Consideration of projects for the anticipated 2022 SPLOST.

20191012 Revised Detailed Plan - Frasier Street Townhomes Elevations

Motion to approve the attached townhome elevations for Frasier Street Townhomes, to be known as Grammercy Park.

Requested by Council Member Cheryl Richardson

20191035 138 Rigby Street

Discussion of inquiry from the attorney for Cynthia L. Hull-Shelton regarding payoff figure from 2009 lien regarding the sale of 138 Rigby Street.

20191025 Draft City Council Agenda

Review and approval of the Wednesday, November 13, 2019 DRAFT City Council Agenda.

20191026 Executive Session

Executive Session to discuss legal, personnel, and/or real estate matters.

ADJOURNMENT:



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Meeting Summary CITY COUNCIL AGENDA WORK SESSION

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Monday, November 11, 2019

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Council Chamber

20190948 Agenda Work Session - October 7, 2019

Review and approval of the October 7, 2019 meeting minutes.

Approved and Finalized

20191024 BLW Report

Council Member Michelle Cooper Kelly gives the Board of Lights and Water (BLW) report for the meeting held on Monday, November 11, 2019.

20190035 Ethics Committee - Council Appointment

Consideration of an appointment to the Ethics Committee for a two (2) year term.

Referred to the Personnel/ Insurance Committee

20191021 Historic Preservation Commission Appointment Ward 3

Appointment of Chris Campbell to the Historic Preservation Commission (Ward 3), for a three (3) year term expiring November 13, 2022.

Recommended for Approval - Consent Agenda

20190979 Revocable Easement Agreement between the City of Marietta and Wellstar Health System, Inc.

Motion to approve Revocable Easement Agreement between the City of Marietta and Wellstar Health System, Inc. and related entities related to Variance 2019-31.

Recommended for Council Agenda Non Consent

20190980 1101 Powder Springs Street

Motion to approve the First Amendment to Purchase and Sale Agreement for the property at 1101 Powder Springs Street.

Recommended for Council Agenda Non Consent

20190985 Party Houses

Motion to authorize the advertisement and holding of required public hearings to amend certain sections of the Comprehensive Development Code for the City of Marietta related to Party Houses.

Council member Richardson abstaining

Recommended for Approval - Consent Agenda

20190976 Ga. Smoke-Free Act of 2005

- For all public properties, sidewalks and otherwise, the Ga. Smoke-Free Act of 2005 (OCGA 31-12A et al) shall govern for leasehold interest/license of restaurant and bars, particularly for 31-12(a)-6 (9) (a), minors not prohibitive. (This begs the question when a sidewalk is an extension of a bar or restaurant, should not the smoke-free act govern)
- Using Smyrna's upcoming 1/1/20 Ordinance of prohibiting under 21 smoking purchases, Marietta to consider similar ordinance.

Discussed

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Recommended for Approval - Consent Agenda

20190947 Small Cell Ordinance

Motion to approve the City of Marietta Small Cell Ordinance as amended.

Recommended for Council Agenda Non Consent

20190773 2022 Proposed SPLOST

Consideration of projects for the anticipated 2022 SPLOST.

Referred to the Public Works Committee

20191012 Revised Detailed Plan - Frasier Street Townhomes Elevations

Motion to approve the attached townhome elevations for Frasier Street Townhomes, to be known as Grammercy Park.

Recommended for Approval - Consent Agenda

20191035 138 Rigby Street

Discussion of inquiry from the attorney for Cynthia L. Hull-Shelton regarding payoff figure from 2009 lien regarding the sale of 138 Rigby Street.

Motion to approve the total payoff to the City of Marietta for existing lien on 138 Rigby Street be \$23,245.61. However, if the property is not sold within 90 days after the final order, the principal and all back interest will be due and payable.

Recommended for Council Agenda Non Consent

20191025 Draft City Council Agenda

Review and approval of the Wednesday, November 13, 2019 DRAFT City Council Agenda.

-under Scheduled Appearances: A presentation by George Bentley was added to the agenda.

-under Minutes: Agenda items 20190951 and 20190952 were added to the consent agenda.

-under City Attorney: Agenda item 20190943 was added to the consent agenda.

-under Parks, Recreation and Tourism: Agenda item 20190998 was removed from the consent agenda.

Discussed

20191026 Executive Session

Executive Session to discuss legal, personnel, and/or real estate matters.

Held

After the executive session, the following motions were added to the council consent agenda:

Motion authorizing condemnation for acquisition of a portion of property and easements at 540 Powder Springs Street from Club Office Park Condominium Association for the purpose of constructing the Powder Springs Streetscape - Sandtown Rd to S Marietta Parkway Project.

Motion authorizing condemnation for acquisition of a portion of property and easements at 47 Gramling Street from Ivo Horak for the purpose of constructing the Powder Springs Streetscape - Sandtown Rd to S Marietta Parkway Project.