



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes JUDICIAL LEGISLATIVE COMMITTEE

*Andy Morris, Chairman*  
*Cheryl Richardson, Vice Chair*  
*Joseph R. Goldstein*

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Thursday, January 31, 2019

5:15 PM

Council Chamber

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### Immediately Following Parks, Recreation and Tourism Committee

**Presiding:** Andy Morris

**Present:** Cheryl Richardson and Joseph R. Goldstein

**Also Present:**

*Grif Chalfant, Council - Ward 2*

*Johnny Walker, Council - Ward 3*

*Reggie Copeland, Council - Ward 5*

*Michelle Cooper Kelly, Council - Ward 6*

*Bill Bruton, City Manager*

*Doug Haynie, City Attorney*

*Stephanie Guy, City Clerk*

### CALL TO ORDER:

*Chairman Morris called the meeting to order at 6:11 p.m.*

### MINUTES:

**20181417 Regular Meeting - December 18, 2018**

Review and approval of the December 18, 2018 meeting minutes.

**A motion was made by Council member Goldstein, seconded by Council member Richardson, that this matter be Approved. The motion carried by the following vote:**

**Vote: 3 – 0 – 0**

**Approved**

### BUSINESS:

**20190034 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.

**The motion was made by Council member Richardson, seconded by Council member Goldstein, that this matter be Recommended for Approval Non**

**Consent Agenda. The motion carried by the following vote:**

**Vote: 3 – 0 – 0            Recommended for Approval Non-Consent Agenda**

**20190068            Georgia’s 2019 Tax Refund Intercept Program Participation**

Motion to approve Memorandum of Understanding between the Judicial Council’s Administrative Office of the Courts of Georgia and the City of Marietta Municipal Court related to continued participation in Georgia’s Tax Refund Intercept Program for 2019.

**The motion was made by Council member Goldstein, seconded by Council member Richardson, that this matter be Recommended for Approval Non-Consent Agenda. The motion carried by the following vote:**

**Vote: 3 – 0 – 0            Recommended for Approval Non-Consent Agenda**

**20190042            Shareable Dockless Devices**

Discussion regarding the growing presence of sharable devices, particularly dockless scooters, within cities nationwide.

*Motion to approve an ordinance to prohibit shareable dockless devices.*

**The motion was made by Council member Goldstein, seconded by Council member Richardson, that this matter be Referred to the Agenda Work Session. The motion carried by the following vote:**

**Vote: 3 – 0 – 0            Referred to the Agenda Work Session**

**20181295            Code Amendment - Noise Ordinance**

Discussion of potential amendments to §10-6, Noise, to reflect changes in Fireworks Regulations.

**The motion was made by Council member Goldstein, seconded by Council member Richardson, that this matter be Held in Committee. The motion carried by the following vote:**

**Vote: 3 – 0 – 0            Held in Committee**

**20190047            Final Plat - Oakton Section 10, Phase 1**

Request by Goodman Family Partnership, LP for approval of the final plat for Phase 1 of Oakton Section 10, which would approve the creation of 611 Kennesaw Avenue for lot development.

*Motion to approve the final plat for Phase 1 of Oakton Section 10, which would approve the creation of 611 Kennesaw Avenue for lot development.*

**The motion was made by Council member Richardson, seconded by Council member Goldstein, that this matter be Recommended for Approval Non-Consent Agenda. The motion carried by the following vote:**

**Vote: 3 – 0 – 0                      Recommended for Approval Non-Consent Agenda**

**20190048                      Revised Detailed Plan - The Gallery Apartments**

Request by Oak Residential Partners to rebuild Building 20 (10 apartment units) at 773 Wylie Road, which was demolished in 2012 following a fire.

*Motion to approve the request by Oak Residential Partners to rebuild Building 20 (10 apartment units) at 773 Wylie Road, which was demolished in 2012 following a fire.*

**The motion was made by Council member Richardson, seconded by Council member Goldstein, that this matter be Recommended for Approval Non-Consent Agenda. The motion carried by the following vote:**

**Vote: 3 – 0 – 0                      Recommended for Approval Non-Consent Agenda**

**20190091                      City Code amendment concerning Ethics Committee Appointments**

Proposal of motion amending Section 1-14-4-010 of City Code related to Ethics Committee appointments to comply with Delay v. Sutton, 304 Ga. 338 (2018). The case requires council appointment of all committee members.

First Reading

**A motion was made by Council member Richardson, seconded by Council member Morris, that this matter be Tabled. The motion carried by the following vote:**

**Vote: 3 – 0 – 0                      Tabled**

**20190066                      Charter amendment concerning Fire and Police Civil Service System**

Proposal of motion amending the City Charter, Section 4.13, et seq., related to the Fire and Police Civil Service System to comply with Delay v. Sutton, 304 Ga. 338 (2018) and other administrative updates. The case requires council appointment of all board members. The Civil Service Board respectfully forwards recommended changes pending approval of the City Attorney.

Changes requested by Civil Service Board with a 5-0 vote

First Reading

Public Hearing

**The motion was made by Council member Richardson, seconded by Council member Goldstein, that this matter be Recommended for Approval Non-Consent Agenda. The motion carried by the following vote:**

**Vote: 3 – 0 – 0                      Recommended for Approval Non-Consent Agenda**

**20190085**

**City Code amendment concerning Civil Service Board elections**

Proposal of motion amending Chapter 1-6-2 of City Code related to Civil Service Board elections to comply with Delay v. Sutton, 304 Ga. 338 (2018) and other administrative updates. The case requires council appointment of all board members. This change is made in conjunction with the proposed amendment to the City Charter as recommended by the Civil Service Board.

First Reading

*Staff was directed to incorporate suggested changes.*

**A motion was made by Council member Goldstein, seconded by Council member Morris, that this matter be Recommended for Approval Non-Consent Agenda. The motion carried by the following vote:**

**Vote: 3 – 0 – 0                      Recommended for Approval Non-Consent Agenda**

**20190067**

**Pension Plan Amendments**

Proposal of a motion amending the defined benefit pension plans to comply with Delay v. Sutton, 304 Ga. 338 (2018) related to council appointment of Pension Board members.

First Reading

*Motion to approve subject to review by the City Attorney and staff.*

**The motion was made by Council member Goldstein, seconded by Council member Richardson, that this matter be Recommended for Approval Non-Consent Agenda. The motion carried by the following vote:**

**Vote: 3 – 0 – 0                      Recommended for Approval Non-Consent Agenda**

**ADJOURNMENT:**

*The meeting was adjourned at 7:02 p.m.*

**Respectfully submitted,**

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**Stephanie Guy, City Clerk**

**Approved:** \_\_\_\_\_