



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes 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, May 7, 2018

5:15 PM

Council Chamber

Presiding: R. Steve Tumlin, Mayor
Present: Cheryl Richardson, Grif Chalfant, Johnny Walker, Andy Morris,
Reggie Copeland, Michelle Cooper Kelly and Joseph R. Goldstein

Also Present:
Bill Bruton, City Manager
Doug Haynie, City Attorney
Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor Tumlin called the meeting to order at 5:15 p.m.

MINUTES:

20180528 **Agenda Work Session - April 9, 2018**

Review and approval of the April 9, 2018 Agenda Work Session minutes.

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

Vote: 7 – 0 – 0

Approved as Amended

BUSINESS:

20180538 **BLW Report**

Council Member Michelle Cooper Kelly gives the Board of Lights and Water (BLW) report for the meeting held on Monday, May 7, 2018.

Report

Following the BLW report, the following two motions were added to the Council agenda:

Motion to approve travel expenses for Council members who wish to attend the 2018 MEAG Power Annual Meeting July 9-11, 2018 in Amelia Island, Florida. This motion includes the City Attorney. (See agenda item 20180566)

Motion to approve the recommendation from the Board of Lights and Water to appointment Michelle Cooper Kelly as the voting delegate and Ron Mull as the alternate delegate for the 2018 Municipal Electric Authority of Georgia (MEAG) Election Committee. (See agenda item 20180565)

20180479 Detailed Plan - Allgood Lawanna

Request by Traton Homes for detailed plan approval of the 59 unit townhome development at 1214, 1244, 1250 Allgood Road; 1052 & 1062 Lawanna Drive; and 1355 Lincoya Drive.

Motion to approve the attached detailed plan, including the site plan, landscape plan, and building elevations, for the 59 unit townhome development at 1214, 1244, 1250 Allgood Road; 1052 & 1062 Lawanna Drive; and 1355 Lincoya Drive, dated April 30, 2018 and signed by the applicant.

The motion was made by Council member Kelly, seconded by Council member Chalfant, that this matter be Recommended for Approval Consent Agenda. The motion carried by the following vote:

Vote: 7 – 0 – 0 Recommended for Approval – Consent Agenda

20180486 Envision LCI Award Contract

Motion approving the contract from the Atlanta Regional Commission (ARC) accepting grant funds to conduct a major plan update of the Envision LCI.

The motion was made by Council member Kelly, seconded by Council member Chalfant, that this matter be Recommended for Approval Consent Agenda. The motion carried by the following vote:

Vote: 7 – 0 – 0 Recommended for Approval – Consent Agenda

Prior to the discussion regarding Side Walk Enhancements, Council member Goldstein stepped down from the dais.

20180536 Side Walk Enhancements in Historic Square

To request applicable City Staff to bring forward a proposal to extend Side Walk Enhancements in Historic Square area for 1.) South Park Square from Powder Springs to Atlanta St. with Construction goal for January 2019 and 2.) Southernly

side of Roswell St. from Atlanta Street to Waddell Street with construction goal for January 2019 and 3.) Denmead Street from Mill Street to current “Dead End” with construction as soon as possible. Said funds provided to be from budget allocation from Rental Motor Vehicle Tax pursuant to 8-38-040(a) of City Code including both “unspent and unencumbered” RMVT funds through 6/2018 (ocga 48-13-93 (a) (2)) and 6/2019 collections.

Council member Goldstein disclosed that his family members and/or entities his family members own or have an interest in, own property in the Central Business District (CBD).

Council member Goldstein disclosed that his father, Philip Goldstein, owns property on Denmead Street.

Discussion was held regarding side walk enhancements around the Historic Square and other improvements. Staff was directed to bring back various options for review.

Discussed

Council member Goldstein returned to the dais.

20180547

Trolley Service in the Historic Marietta Square Area

Motion to explore the City of Marietta contracting with a “Trolley Company” to furnish tourism type transportation for Thursday, Friday, and Saturday night for the Historic Marietta Square area utilizing the possible free parking/in kind contributed parking of the City of Marietta at both City Hall and Carehere, Marietta Housing Authority, and Marietta Conference Center with stops servicing Denmead St., the historic square, Atlanta St., Powder Springs St. to Waverly Way, Whitlock to railroad tracks, etc. Not to exceed \$100,000 yearly and to seek funding from sponsors such as the Car Rental Tax, DMDA, Branding Group, and Merchants and Restaurants.

Discussion was held regarding trolley service around the Historic Square area. Staff was asked to bring back additional information.

Discussed

20180545

Election of District 3 West Officers for 2018-2019

Motion to approve the slate of officers for the GMA’s District 3 West Officers for the 2018-2019 year and authorizing to submit the attached ballot.

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

Vote: 7 – 0 – 0

Recommended for Council Agenda Non Consent

20180564 Stay of “Hands Free Ordinance”

Motion to approve Resolution to Stay Ordinance No. 8014 adopted by the City Council on February 14, 2018 until July 1, 2018 including authorization for the Mayor and City Clerk to execute same.

A motion was made by Council member Kelly, seconded by Council member Copeland, that this matter be Recommended for Approval Consent Agenda. The motion carried by the following vote:

Vote: 6 – 1 – 0 Recommended for Approval – Consent Agenda
Voting Against: Joseph R. Goldstein

20180563 Rescind “Hands Free Ordinance”

Considering of Ordinance to rescind Ordinance No. 8014 commonly known as the “Hands Free Ordinance”.

Motion to approve the Ordinance to rescind Ordinance No. 8014 commonly known as the “Hands Free Ordinance”.

Included in this Ordinance is the required waiver set forth in 1-4-040 (L) whereby the City Council gives its unanimous consent to authorize the adoption of this Resolution at this City Council meeting without the necessity of placing this matter on the following regular City Council meeting. (This waiver requires the unanimous consent of the City Council).

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

Vote: 7 – 0 – 0 Recommended for Approval – Consent Agenda

20180541 Draft City Council Agenda

Review and approval of the May 9, 2018 DRAFT City Council Agenda.

-under Minutes: Agenda items 20180530, 20180531 and 20180532 were added to the consent agenda.

-under Council Appointments: Agenda item 20180493 was added to the consent agenda.

-under Judicial/Legislative: Agenda item 20180257 was removed from the agenda.

-under Parks and Rec.: Agenda item 20180334 was removed from the consent agenda and amended.

-under Other Business: Agenda item 20180533 was added to the consent agenda.

-under Other Business: Agenda item 20180535 was amended to add other entities such as CareHere, the Housing Authority and Conference Center.

Discussed

20180542

Executive Session

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

A motion was made in open session by Council member Chalfant, seconded by Council member Walker, to enter an Executive Session to discuss legal matters and real estate sale/lease/purchase. The motion carried by the following vote:

Vote: 6 – 0 – 0 Approved

Absent for the vote: Michelle Cooper Kelly

The Executive Session was held.

A motion was made in open session by Council member Goldstein seconded by Council member Chalfant, to exit the Executive Session. The motion carried by the following vote:

Vote: 6 – 0 – 0 Approved

Absent for the vote: Michelle Cooper Kelly

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

A motion was made by Council member Chalfant, seconded by Council member Richardson authorizing acquisition of a portion of property and easements at 686 Powder Springs Street from Realty Income Corporation for the purpose of constructing the Powder Springs Streetscape - Sandtown Rd. to S. Marietta Parkway Project in exchange for \$12,600.00 and the stipulations as listed below:

- 1. 1. The driveway and temporary construction easements shall terminate upon the earlier of (a) one year from the start of construction on the property; or (b) completion of construction on the property.*
- 2. Owner reserves the right to comment upon and negotiate the City's proposed conveyance documents.*
- 3. The City's Work shall be conducted in compliance with applicable laws and in conformity with engineering standards. The road work shall not impede pedestrian or vehicular access to/from the Property without prior coordination with the property owner and/or tenant or impair the visibility or otherwise impact any freestanding signage situated on the Property.*
- 4. City, at its sole cost and expense, shall restore the Property to the condition as it existed prior to City's entry onto the Property and performance of the City's Work. Provided that Grantor gives Grantee notice within fifteen (15) days after the termination or expiration of the easement(s) specifying any deficiencies related to the performance of city work, city's obligation to restore the property shall survive*

termination or expiration of the easement(s) and Grantee shall be given a reasonable time thereafter to correct the city's performance of the work. The city reserves the right to comment upon any deficiencies.

5. Grantor makes no representations or warranties of any kind, either express or implied, with respect to the Property or condition thereof.

6. City accepts the Property as is, where is, with all faults.

7. Current plans indicate that the sign on the property will not be impacted. However, should the sign be impacted, Owner will provide a commercially reasonable quote for the City of Marietta to replace the sign in accordance with City Code requirements and City will pay the same to Owner, along with any reasonable additional costs actually expended upon completion of the sign repair or replacement work.

The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

A motion was made by Council member Chalfant, seconded by Council member Walker authorizing acquisition of a portion of property and easements at 68 S. Fairground Street from Terrell Michael Brand & Lenice Yvonne Brand Heaton for the purpose of constructing the Fairground St - South Marietta Parkway to Roswell Street (Fairground B) Project in exchange for \$500.00.

The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

A motion was made by Council member Chalfant, seconded by Council member Richardson authorizing acquisition of a portion of property and easements at 313 Manget Street from 313 Manget, LLC for the purpose of constructing the Manget Street Improvements - Manget Street at Lakewood Drive Project in exchange for \$6,310.20 and the stipulations listed below:

- 1. Resod front yard with existing type of grass.*
- 2. Resurface driveway from curb to rear corner of house*

The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

ADJOURNMENT:

The meeting was adjourned at 7:35 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____