



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

Tuesday, July 30, 2019

Council Chamber

Presiding: Andy Morris

Present: Cheryl Richardson and Joseph R. Goldstein

Also Present:

R. Steve Tumlin, Mayor

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 6:05 p.m.

MINUTES:

20190644 Regular Meeting - June 25, 2019

Review and approval of the June 25, 2019 meeting minutes.

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

Vote: 3 – 0 – 0

Approved

BUSINESS:

20180736 Amendment of 9-4-40 to Change Time Period for Payment or Contesting of Parking Violations and to Clarify Procedures for Contesting of Violation and Court Processes.

Motion to approve the amendment to the ordinance to modify the time period allowed for payment or contesting of parking violations from 5 (five) days to 10 (ten) days to allow ample time for receipt by mail before escalated fine assessment imposed. And, to include provisions for contesting parking violation

by filing written notice with the Clerk of Court and requirement of appearance in court for contested hearing. Proposed amendment clarifies various court processes.

Second Reading

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

Vote: 3 – 0 – 0

Recommended for Approval – Consent Agenda

20190544

Revisions to Section 7-4-2-110, Sanitary Conditions and Procedures

Motion to approve the proposed changes to Section 7-4-2-110 regarding enforcement of overgrown yards.

Second Reading

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

Vote: 2 – 1 – 0

Recommended for Approval – Consent Agenda

Voting Against: Joseph R. Goldstein

20190677

Final Plat - Oakton Sec. 10 Phase II

Request by Goodman Family Partnership, LP for approval of the final plat of Oakton Section 10, Phase II that would create 298, 304, & 308 St. Mary's Lane.

Motion to approve the final plat for Oakton Section 10, Phase II that would create 298, 304, & 308 St. Mary's Lane.

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

Vote: 3 – 0 – 0

Recommended for Approval – Consent Agenda

20190678

Revised Detailed Plan - 825 Powder Springs Street (BelAire Apts)

Request by BelAire Apartments to finish the basement of Building #600 into six (6) efficiency apartments. This would increase the total number of units on the property from 176 to 182.

Motion to approve the request by BelAire Apartments to finish the basement of Building #600 into six (6) efficiency apartments. This would increase the total number of units on the property from 176 to 182.

The motion was made by Council member Richardson, 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

20190679 Zoning Stipulation Amendment (Z2006-27) - 1435 Cunningham Road

Request by White Castle Consulting, LLC to replace the zoning stipulations (Z2006-27) applicable to 1435 Cunningham Road and approved in 2006 as part of a larger development site. This request would replace the previously approved stipulation letter for the Revised Stipulation Letter dated July 15, 2019 to Russell J. Roth, Director of the City of Marietta Development Services, from Garvis L. Sams, Jr. and Adam J. Rozen of Sams, Larkin, Huff, & Balli, LLP.

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

20190284 Mobile Retail Food Establishment Ordinance

Motion to authorize staff to advertise changes to Division 708, District Standards and Permitted Uses, and Division 724.02, Division of Terms, regarding Mobile Retail Food Establishments.

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

Vote: 2 – 1 – 0 Referred to the Agenda Work Session
Voting Against: Joseph R. Goldstein

20190640 Mobile Retail Food Establishment

Motion to approve changes to Article 8-12-27 of Business License Code to revise Mobile Retail Food Establishment permit process and requirements.

First Reading

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

Vote: 2 – 1 – 0 Referred to the Agenda Work Session
Voting Against: Joseph R. Goldstein

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

Motion to amend 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.

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

Vote: 3 – 0 – 0

Recommended for Approval – Consent Agenda

20190200 Repeal of Current Marietta City Ethics Codes

Motion to repeal Marietta City Code Section 1-14-2, et seq. and Marietta City Code Section 1-14-4, et seq.

Discussed

20190199 New Ethics Code

Review and consideration of new Ethics Code for the City of Marietta.

Motion to recommend holding a Special Called Work Session to discuss the Ethics Code.

The motion was made by Council member Richardson, seconded by Council member Goldstein, 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

ADJOURNMENT:

The meeting was adjourned at 7:59 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____