



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
Andy Morris, Ward 4
M. Carlyle Kent, Ward 5
Andre L. Sims, Ward 6
Joseph R. Goldstein, Ward 7

Monday, April 11, 2022

5:15 PM

Council Chamber

Presiding: R. Steve Tumlin, Mayor

Present: Cheryl Richardson, Grif Chalfant, Johnny Walker, Andy Morris, Andre L. Sims, M. Carlyle Kent 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:

20220325

Agenda Work Session - March 7, 2022

Review and approval of the March 7, 2022 Agenda Work Session minutes.

The 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: 7 – 0 – 0

Approved

BUSINESS:

20220371

BLW Report

Council Member Andy Morris gives the Board of Lights and Water (BLW) report for the meeting held on Monday, April 11, 2022.

Reported

20220317

Pay Study Report Presentation

Presentation of the Pay Study results by Evergreen Solutions.

City Manager Bill Bruton and representatives from Evergreen Solutions presented a summary of the results of the pay study.

Discussion was held by Council.

Motion to approve the recommendations presented in the compensation review conducted by Evergreen Solutions and including the additional compensation recommendations presented by the City Manager and staff. Such changes to be effective May 1, 2022.

Further approving payments for partial reimbursement of qualified expenses incurred by eligible employees of the City of Marietta/BLW due to COVID-19 pandemic.

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

20220320

State Road Repaving

Motion to draft a letter to the Georgia Department of Transportation regarding the repaving of State Roads in Marietta.

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

20220087

Sanitary Conditions and Procedures

Motion to approve the revised ordinance to Sect. 7-4-2-110 - Sanitary Conditions and Procedures.

In depth discussion was held regarding the proposed revisions to ordinance to the Sanitary Conditions and Procedures ordinance.

An amendment to the motion was made by Council member Goldstein, seconded by Council member Richardson, to approve the proposed revisions, with the following amendments:

1. The notice of violation shall be sent to the owner of said property on the records of the Cobb County Tax Assessor, unless the city receives actual notice that another person owns said property, that owner shall be responsible for said violation.

2. *The penalty of imprisoned shall be removed from the ordinance, listed in paragraph M and N under 7-4-2-110, Sanitary conditions and procedures.*

The motion failed by the following vote:

Vote: 1 – 6 – 0

Failed

Voting Against: Cheryl Richardson, Grif Chalfant, Johnny Walker, Andy Morris, Andre Sims and M. Carlyle Kent

An amendment to the motion was made by Council member Goldstein, seconded by Council member Richardson, to approve the proposed revisions, with the following amendment:

1. *The penalty of imprisoned listed in paragraph M and N shall be removed from the ordinance.*

The motion failed by the following vote:

Vote: 1 – 6 – 0

Failed

Voting Against: Cheryl Richardson, Grif Chalfant, Johnny Walker, Andy Morris, Andre Sims and M. Carlyle Kent

The original motion already appears on the Council agenda for a second reading.

This matter already appears on the Council agenda.

The meeting was recessed at 7:15 p.m., and reconvened at 7:20 p.m.

20220058

Code Enforcement Noise Ordinance

Discussion of the Code Enforcement Noise Ordinance.

In depth discussion was held regarding the proposed revisions to ordinance to the Code Enforcement Noise ordinance

A motion was made by Council member Kent, seconded by Council member Richardson, that this matter be forwarded to the Council agenda, as presented.

An amendment to the motion was made by Council member Goldstein, seconded by Council member Walker, to approve the proposed revisions, with the following amendment:

1. *The penalty of imprisoned shall be removed from the ordinance, listed in paragraph 10-6-100(A) - Enforcement procedures.*

The motion failed by the following vote:

Vote: 3 – 4 – 0

Failed

Voting Against: Cheryl Richardson, Grif Chalfant, Andy Morris and Andre Sims

Mayor Tumlin called for a vote on the original motion.

The motion was made by Council member Kent, seconded by Council member Richardson, that this matter be forwarded to the Council agenda, as presented.

The motion carried by the following vote:

Vote: 4 – 3 – 0 Approved
Voting Against: Cheryl Richardson, Johnny Walker, and Joseph R. Goldstein

Mayor Tumlin vetoed the motion. (The official veto is on file in the City Clerk's Office.)

City Attorney Doug Haynie explained the veto process, stating that it would take five (5) votes to override a veto. No motion was made to override the veto.

Referred to the Judicial/Legislative Committee

20220321

Attached Townhome Moratorium

Motion to approve a moratorium on attached townhome developments within the city.

Discussion was held.

A motion was made by Council member Walker, seconded by Council member Chalfant, to approve a moratorium on the application and processing by the staff of the City of new residential zoning applications, re-zonings, and annexations for attached residential housing developments.

An amendment to the motion was made by Council member Richardson, seconded by Council member Chalfant, to approve the moratorium until the City completes its review and update to its Zoning Ordinance or until December 31, 2022, whichever first occurs. The motion carried by the following vote:

Vote: 4 – 3 – 0 Approved
Andy Morris, M. Carlyle Kent and Joseph R. Goldstein

Mayor Tumlin called for a vote on the original motion, as amended.

The motion was made by Council member Walker, seconded by Council member Chalfant, to approve a moratorium on the application and processing by the staff of the City of new residential zoning applications, re-zonings, and annexations for attached residential housing developments until the City completes its review and update to its Zoning Ordinance or until December 31, 2022, whichever first occurs. The motion carried by the following vote:

Vote: 4 – 3 – 0 Recommended for Council Agenda Non-Consent
Andy Morris, M. Carlyle Kent and Joseph R. Goldstein

20220322

Youth Council

Motion for a discussion on moving forward with the idea of a Marietta Youth Council.

In depth discussion was held.

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

Vote: 6 – 0 – 1

Recommended for Council Agenda Non-Consent

Abstaining: Andy Morris

20220385

Legislative Update

An update of the 2022 Georgia Legislative Session.

Presented

20220372

Draft City Council Agenda

Review and approval of the Wednesday, April 13, 2022, DRAFT City Council Agenda.

-under Presentations: A presentation was added by Council member Morris.

-under Unscheduled Appearances: Kiarra Wilbanks was removed from the agenda and Donald Barth was added.

-under Minutes: Agenda items 20220327 and 20220328 were added to the consent agenda.

-under Ordinances Agenda items 20220230 and 20220231 were removed from the agenda.

-under City Attorney: Agenda items 20220340, 20220354, 20220375 and 20220376 were added to the consent agenda.

-under Judicial/Legislative Agenda item 20220233 was removed from the agenda.

-under Judicial/Legislative: Agenda item 20220166 was removed from consent.

-under Judicial/Legislative Agenda item 20220300 was added to the consent agenda

-under Public Works: Agenda item 20220305 was added to the consent agenda.

-under Other Business: Agenda item 20220379 was added to the consent agenda.

Discussed

20220373

Executive Session

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

Not Held

ADJOURNMENT:

The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____