



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, February 6, 2023

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:

20230086 Agenda Work Session - January 9, 2023

Review and approval of the January 9, 2023 Agenda Work Session minutes.

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

Vote: 7 – 0 – 0 Approved

BUSINESS:

A motion was made by Council member Goldstein, seconded by Council member Kent, to suspend the rules of order to add a Denial of Claim to the agenda. The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved
(See agenda item 20230144)

20230144 Denial of Claim

Denial of Claim for Ernest Wagoner.

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

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

20230115 BLW Report

Council Member Andy Morris gives the Board of Lights and Water (BLW) report for the meeting held on Monday, February 6, 2023.

Reported

A motion was made by Council member Goldstein, seconded by Council member Richardson, to suspend the rules of order to add an opinion letter regarding MEAG Power Sale of excess reserve capacity and supplemental capacity to the agenda. The motion carried by the following vote:

*Vote: 7 – 0 – 0 Approved
(See agenda item 20230145)*

20230145 MEAG Power 2023 Sale of Excess Reserve and Supplemental Capacity/City of East Point

Motion to approve a recommendation by the Board of Lights and Water to approve the opinion letters regarding MEAG Power Sale of excess reserve capacity and supplemental capacity to the City of East Point on behalf of the City of Marietta.

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

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

A motion was made by Council member Goldstein, seconded by Council member Morris, to suspend the rules of order to add an agreement allowing the Municipal Electric Authority of Georgia (MEAG) Power to sell 2023 excess reserve capacity to the agenda. The motion carried by the following vote:

*Vote: 7 – 0 – 0 Approved
(See agenda item 20230146)*

20230146 MEAG Power 2023 Sale of Excess Reserve Capacity/City of East Point

Motion to approve a recommendation by the Board of Lights and Water to approve of the attached agreement allowing the Municipal Electric Authority of Georgia (MEAG) Power to sell 2023 excess reserve capacity, on our behalf, to the City of East Point, and to authorize the Mayor/ Chairman to execute this agreement for the specified amounts.

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

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

A motion was made by Council member Goldstein, seconded by Council member Sims, to suspend the rules of order to add an agreement allowing the Municipal Electric Authority of Georgia (MEAG) Power to sell of Supplemental Capacity to the agenda. The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

20230147 MEAG Power Sale of Supplemental Capacity/City of East Point

Motion to approve a recommendation by the Board of Lights and Water to approve the Sale of Supplemental Capacity to the City of East Point and to authorize the Mayor/ Chairman to execute this agreement for the specified amounts.

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

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

20230042 Final Plat - Fairgate Townhomes

Motion to approve the final plat for 718 Fairgate Road for the construction of six (6) townhomes (Z2021-03).

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

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

20230043 Code Amendment - Section 718.02 Administrative Variances

Motion to authorize staff to advertise an amendment to Section 718.02 Administrative Variances to reflect recent fee changes.

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

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

20230059 Fee Chart Ordinance Amendment

Motion to approve ordinance amendments associated with approved City Fee Chart revisions effective January 1, 2023. Serves to refresh fee amounts embedded throughout the City’s code sections.

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

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

20230064 West Dixie Park

Discussion of Funding Options for Renovations to West Dixie Park.

Motion to allocate up to \$100,000 from the 2009 Parks Bond for the immediate beautification of the West Dixie Park.

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

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

20221156 Ethics Appointments

Discussion of Ethics Committee Appointments.

Referred to the Personnel/Insurance Committee

20230030 Appointed Officials Compensation and Contracts

Discussion was held during executive session.

Discussed

20230118 Draft City Council Agenda

Review and approval of the February 8, 2023 DRAFT City Council Agenda.

A motion was made by Council member Goldstein, seconded by Council member Richardson, to suspend the rules of order to add an item to the agenda regarding a presentation of the Museum Professional of the Year. The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved
(See agenda item 20230143)

-under Minutes: Agenda items 20230090 and 20230093 were added to the agenda.

-under Parks and Recreation: Agenda item 20230044 remained on the consent agenda with Council member Goldstein abstaining.

-under Public Works: Agenda item 20230053 was added to the consent agenda to be tabled and referred to the Public Works Committee.

-under Other Business: Agenda item 20230091 was added to the consent agenda.

Discussed

20230143 Museum Professional of the Year

Presentation of the Museum Professional of the Year from the Georgia Association of Museums to Christa McCay, Marietta History Center’s Collections Manager.

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

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

Council member Goldstein stepped down from the dais prior to the vote to go into executive session.

20230119 Executive Session

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

A motion was made in open session by Council member Kent, seconded by Council member Richardson, to enter an Executive Session to discuss pending litigation, personnel matters, and real estate acquisition. The motion carried by the following vote:

Vote: 6 – 0 – 0 Approved
Absent for the vote: Joseph R. Goldstein

The Executive Session was held.

Council member Goldstein left the room during a portion of the discussion.

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

Vote: 6 – 0 – 0 Approved
Absent for the vote: Joseph R. Goldstein

Council member Goldstein returned to the dais.

During the executive session, a matter was brought up that Council Member Goldstein had a conflict of interest on. Council Member Goldstein disclosed the conflict (the full disclosure will be part of the executive session minutes), did not participate in the discussion and removed himself from the executive session during the discussion on the matter.

After the executive session, the following motions were made:

1.) A motion was made by Council member Richardson, seconded by Council member Chalfant, to suspend the rules of order to add an item to the agenda related to the Appointed Officials Compensation and Contracts. The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

A motion was made by Council member Richardson, seconded by Council member Chalfant, to move the following items forward to the Council agenda:
City Clerk Compensation and Contract
Administrative Assistant to the Mayor Compensation and Contract
Board of Lights & Water General Manager Compensation
City Manager Compensation and Contract
Municipal Court Prosecuting Attorney Compensation and Contract
Municipal Court Judge Compensation and Contract
The motion carried by the following vote:

Vote: 7 – 0 – 0 Recommended for Council Agenda Non-Consent

2.) A motion was made by Council member Chalfant, seconded by Council member Goldstein, to suspend the rules of order to add an item to the agenda related to property located at 991 Allgood Road. 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, to authorize acquisition of a portion of the property and easements at 991 Allgood Road from Edgar Darden Borders for the purpose of constructing the Allgood Road at Merritt Road Improvements Project in exchange for \$3,080.00 with the following stipulations. The motion carried by the following vote:

Vote: 7 – 0 – 0

Recommended for Approval – Consent Agenda

ADJOURNMENT:

The meeting was adjourned.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____