



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, February 10, 2020

5:15 PM

Council Chamber

Presiding: R. Steve Tumlin, Mayor

Present: Cheryl Richardson, Grif Chalfant, Johnny Walker, Andy Morris, Reggie Copeland and Joseph R. Goldstein

Absent: Michelle Cooper Kelly

Also Present:

William F. Bruton, Jr. City Manager

Douglas R. Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor Tumlin called the meeting to order at 5:25 p.m.

MINUTES:

20200094 **Agenda Work Session - January 6, 2020**

Review and approval of the January 6, 2020 meeting minutes.

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

Vote: 6 – 0 – 0

Approved

BUSINESS:

20200113 **BLW Report**

Council Member Andy Morris gives the Board of Lights and Water (BLW) report for the meeting held on Monday, February 10, 2020.

Reported

20200106 Marietta Civil Service Board - Post 5

Consideration of a recommendation by the Civil Service Board to reappoint Philip Hynninen to the Marietta Civil Service Board (Post 5), for a one-year term expiring January 31, 2021.

Motion to reappoint Philip Hynninen to the Marietta Civil Service Board (Post 5), for a one-year term expiring January 31, 2021.

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

Vote: 6 – 0 – 0 Recommended for Approval – Consent Agenda

20200118 1101 Powder Springs Street

Motion to approve the Second Amendment to Purchase and Sale Agreement for the property at 1101 Powder Springs Street.

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

Vote: 6 – 0 – 0 Recommended for Approval – Consent Agenda

20200129 Demolition of Property on Franklin Gateway

Consideration for the demolition of the building located at 550 Franklin Gateway, known as the Marietta Flea Market.

Motion to award the demolition of 550 Franklin Gateway, to include the parking lot, to Southern Environmental Services Inc. for \$297,830.00.

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: 6 – 0 – 0 Recommended for Approval – Consent Agenda

20191153 Smoking in Outdoor Cafes

Motion to approve the amendments to Chapter 8-39, Outdoor Cafes, to restrict smoking in encroachment areas.

Council member Goldstein disclosed that members of his family and entities owned by himself and family members within the proposed no smoking district.

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: 6 – 0 – 0 Recommended for Approval – Consent Agenda

20200132 No Smoking District

Motion to approve the amendment to Chapter 10-4-210, Smoking prohibited, for the establishment of the downtown No Smoking District.

Council member Goldstein disclosed that members of his family and entities owned by himself and family members within the proposed no smoking district.

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

Vote: 6 – 0 – 0 Recommended for Approval – Consent Agenda

20200130 Resolution Opposing House Bill 302 and Senate Bill 172

Discussion to approve the Resolution to voice their support of Locally Established Building Design Standards for Residential Dwellings.

Motion to approve the Resolution to voice their support of Locally Established Building Design Standards for Residential Dwellings.

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

Vote: 6 – 0 – 0 Recommended for Approval – Consent Agenda

20200124 Ordinance Amendment related to Assistant Prosecuting Attorneys

Motion approving an Ordinance amending Marietta Municipal Code Section 1-12-040 to remove paragraph G in its entirety.

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

Vote: 6 – 0 – 0 Recommended for Approval – Consent Agenda

20200035 2020 Appointed Officials Review

Motion approving an ordinance to set salaries of the following appointed officials payable in installments per city administrative procedures retroactive to January 1, 2020:

- Administrative Assistant to the Mayor: \$53,560 per year, and amendment of the associated employment agreement.
- City Clerk: \$80,017.60 per year.
- City Manager: \$228,259.20 per year, and amendment of the associated employment agreement.
- BLW General Manager: \$143,208.00 per year.
- Municipal Court Judge: \$72,883.20 per year, and the associated employment agreement.
- Prosecuting Attorney: \$69,305.60 per year, and the associated employment agreement.

Additionally, the compensation of the position of Associate Judge shall be set at \$250.00 per session effective upon passage and not retroactive. The compensation of the position of Assistant Prosecuting Attorney shall be set at \$225.00 per session effective upon passage and not retroactive.

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

Vote: 6 – 0 – 0 Recommended for Approval – Consent Agenda

20200127 SPLOST Special Called Meeting

Discussion on having a Special Called Meeting for SPLOST 2022 items for Council. Having 30 minutes of public comment, discussion by Council and final vote. (Meeting to be supported by any visuals and graphs in lobby).

There was general agreement to have a Special Called Meeting on February 25, 2020, for the SPLOST 2022. There will be visuals and graphs in the lobby prior to public comment and City vote.

Discussed

20190773 2022 Proposed SPLOST

Consideration of projects for the anticipated 2022 SPLOST.

Motion to approve the Draft for the anticipated 2022 SPLOST for the projects for the City, which will be moved forward to the Special Called meeting on February 25, 2020.

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

Vote: 5 – 0 – 0 **Recommended for Approval – Consent Agenda**
Absent for the vote: Reggie Copeland

20200114 Draft City Council Agenda

Review and approval of the February 12, 2020 DRAFT City Council Agenda.

-under Minutes- Agenda items 20200096 and 20200097 were added to the consent agenda

-under City Council Appointments: Agenda item 20200050 should show Council member Goldstein abstaining

-under Public Works: Agenda item 20200116 was added to the consent agenda

-under Other Business: Agenda item 20200131 was removed from the agenda

-under Other Business: Agenda item 20200123 was added to the consent agenda

Discussed

20200115 Executive Session

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

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

Vote: 4 – 1 – 0 **Approved**
Voting Against: Joseph M. Goldstein
Absent for the vote: Reggie Copeland

The Executive Session was held.

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

Vote: 4 – 0 – 0 **Approved**
Absent for the vote: Andy Morris and Reggie Copeland

A motion was made by Council member Chalfant, seconded by Council member Richardson, to suspend the rules of order to add an item to the council consent agenda authorizing the Mayor to execute the Sale Closing Statement with the State of Georgia through the State Properties Commission. The motion carried by the following vote:

*Vote: 5 – 0 – 0 Recommended for Approval - Consent Agenda
Absent for the vote: Reggie Copeland*

A motion was made by Council member Chalfant, seconded by Council member Walker, to suspend the rules of order to add an item to the council consent agenda authorizing acquisition of the easements at 555 Bouldercrest Dr from Joseph Paolozzi and Kathryn Fellows for the purpose of constructing the Bouldercrest Dr Sidewalk Enhancements in exchange for \$4,319.00, as stipulated. The motion carried by the following vote:

*Vote: 5 – 0 – 0 Recommended for Approval - Consent Agenda
Absent for the vote: Reggie Copeland*

A motion was made by Council member Chalfant, seconded by Council member Walker, to suspend the rules of order to add an item to the council consent agenda authorizing acquisition of the easements at 563 Bouldercrest Dr Juliana Mello Hardy for the purpose of constructing the Bouldercrest Dr Sidewalk Enhancements in exchange for \$3,631.00, as stipulated. The motion carried by the following vote:

*Vote: 5 – 0 – 0 Recommended for Approval - Consent Agenda
Absent for the vote: Reggie Copeland*

A motion was made by Council member Chalfant, seconded by Council member Walker, to suspend the rules of order to add an item to the council consent agenda authorizing acquisition of the easements at 547 Bouldercrest Dr from Samuel Walter Henderson and Lane B. Henderson for the purpose of constructing the Bouldercrest Dr Sidewalk Enhancements in exchange for \$2,089.00. The motion carried by the following vote:

*Vote: 5 – 0 – 0 Recommended for Approval - Consent Agenda
Absent for the vote: Reggie Copeland*

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 council consent agenda authorizing acquisition of the easements at 711 Walnut Dr from Mark S. and Diane W. Adams for the purpose of constructing the Bouldercrest Dr Sidewalk Enhancements in exchange for \$3,217.00, as stipulated. The motion carried by the following vote:

*Vote: 5 – 0 – 0 Recommended for Approval - Consent Agenda
Absent for the vote: Reggie Copeland*

ADJOURNMENT:

The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____