



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes CITY COUNCIL

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

Wednesday, July 13, 2022

7:00 PM

Council Chamber

Presiding: R. Steve Tumlin, Mayor

*Present: Cheryl Richardson, Grif Chalfant, Johnny Walker, Andy Morris,
M. Carlyle Kent, Andre L. Sims and Joseph R. Goldstein*

Also Present:

William F. Bruton, Jr., City Manager

Douglas R. Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor R. Steve Tumlin called the meeting to order at 7:00 p.m.

INVOCATION:

Mayor Tumlin called upon Council member Richardson to give the invocation.

PLEDGE OF ALLEGIANCE:

Everyone was asked to remain standing for the Pledge of Allegiance.

PRESENTATIONS:

PROCLAMATIONS:

20220636 Parks and Recreation Month

Recognition of a Proclamation declaring July 2022 as "Parks and Recreation Month" in the City of Marietta and encouraging all citizens to enjoy what their community has to offer by taking part in their favorite sports, visiting the outdoors and spending time with friends and family. Presented by Council Member Johnny Walker

Presented

A motion was made by Council member Richardson, seconded by Council member Chalfant, to approve the consent agenda. The motion carried by the following vote:

Vote: 7 - 0 - 0 Approved

with the following exceptions:

Joseph R. Goldstein voting against agenda item 20220632 and abstaining on agenda item 20220561.

MINUTES:

* **20220648 Regular Meeting - June 8, 2022**

Review and approval of the June 8, 2022 regular meeting minutes.

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0 Approved

* **20220649 Executive Session Minutes**

Review and approval of the following executive session minutes:

September 2, 2021 Agenda Work Session
September 28, 2021 Special Called Agenda Work Session
November 8, 2021 Agenda Work Session
November 10, 2021 Agenda Review Session

This Matter was Approved on the Consent Agenda.

Vote: 7 - 0 - 0 Approved

MAYOR'S APPOINTMENTS: (for informational purposes only)

CITY COUNCIL APPOINTMENTS:

ORDINANCES:

20220386 Z2022-14 [REZONING] SILVIO S. GOMES

Z2022-14 [REZONING] SILVIO S. GOMES is requesting the rezoning of 0.25 acres located in Land Lot 1242, District 16, Parcel 0870 of the 2nd Section, Cobb County, Georgia, and being known as 126 Hamby Road from CRC (Community Retail Commercial) to R-4 (Single Family Residential - 4 units/acre). Ward 7A.

Planning Commission recommends Approval.

A motion was made by Mr. Duffley, seconded by Mr. Hunter, to recommend approval as submitted. The motion carried 7-0-0.

Public Hearing (all parties sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Rusty Roth, Development Services Director, presented information regarding the request for the rezoning for property located at 126 Hamby Road from CRC (Community Retail Commercial) to R-4 (Single Family Residential - 4 units/acre).

The applicant, Silvio Gomes, requested rezoning of the subject property to build a single-family home. Mr. Gomes submitted plans showing the proposed house is to be 1,605 square feet over two (2) levels, including a front-loading garage with access off Hamby Road.

Resident Don Barth expressed concern regarding the construction of a house in a commercial corridor.

Seeing no one else wishing to speak, the public hearing was closed.

A motion was made by Council member Goldstein, seconded by Council member Richardson, to deny the rezoning request.

Discussion was held by Council regarding the office and commercial use of other properties in the area.

An amendment to the motion was made Council member Goldstein, seconded by Council member Chalfant, to deny the rezoning request, including a waiver of the 6-month waiting period to reapply for rezoning. The motion carried by the following vote:

Vote: 6 – 1 – 0 Amendment Approved
Voting Against: M. Carlyle Kent

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

The motion was made by Council member Goldstein, seconded by Council member Richardson, to deny the rezoning request, including a waiver of the 6-month waiting period to reapply for rezoning. The motion carried by the following vote:

Vote: 7 – 0 – 0 Denied as Amended

20220543

Z2022-16 [REZONING] ANDREW & LISA BUTLER

Z2022-16 [REZONING] ANDREW & LISA BUTLER are requesting the rezoning of 0.449 acres located in Land Lot 1157, District 16, Parcel 0620 of the 2nd Section, Cobb County, Georgia, and being known as 194 Polk Street from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential - 4 units/acre) with a variance to increase the density to 4.5 units/acre. Ward 3A.

Planning Commission recommends Approval with Stipulations.

Mr. Anderson made a motion, seconded by Mr. Diffley, to recommend approval of the request as stipulated. The motion carried 7-0-0.

If Council approves the rezoning, the following stipulations and variances would be incorporated as conditions of zoning:

For the existing property at 194 Polk Street (built in 1940, to bring it up to code):

- *Variance to decrease major side yard setback from 25 ft. to 23 ft. [§708.04 (H)]*
- *Variance to decrease minimum lot width from 75 ft. to 70 ft. [§708.04 (H)]*

For the new (as yet unaddressed lot):

- *Variance to decrease minimum lot width from 75 ft. to 70 ft. [§708.04 (H)]*

Public Hearing (all parties sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Rusty Roth, Development Services Director, presented information regarding the request for the rezoning for property located at 194 Polk Street from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential - 4 units/acre) with a variance to increase the density to 4.5 units/acre.

The applicant, Andrew Butler, requested rezoning of the subject property to subdivide the property to create an additional lot for sale or for a new home for themselves.

Resident Arnold Hurd expressed concern about the subdivision of the subject property.

Seeing no one else wishing to speak, the public hearing was closed.

Discussion was held by Council.

Motion to approve the regarding the request for the rezoning for property located at 194 Polk Street from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential - 4 units/acre) with a variance to increase the density to 4.5 units/acre, with the following variances are incorporated as a condition of zoning:

1. *For the existing house at 194 Polk Street (built in 1940, to bring it up to code):*
 - a. *Variance to decrease major side yard setback from 25 ft. to 23 ft.*
 - b. *Variance to decrease minimum lot width from 75 ft. to 70 ft.*
2. *For the new lot:*
 - a. *Variance to decrease minimum lot width from 75 ft. to 70 ft.*

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

Vote: 7 – 0 – 0

Approved

20220553

Z2022-17 [REZONING] HENNESSY AUTOMOBILE COMPANIES, INC.

Z2022-17 [REZONING] HENNESSY AUTOMOBILE COMPANIES, INC., is requesting the rezoning of 13.25 acres located in Land Lots 804 & 852, District

17, Parcels 0180 & 0140 of the 2nd Section, Cobb County, Georgia, and being known as 2000 South Park Place and 2501 Windy Hill Road from OMR (Office Mid-Rise) in Cobb County and OI (Office Institutional) in the City to CRC (Community Retail Commercial) in the City of Marietta.

Planning Commission recommends Approval with Stipulations

Mr. Diffley made a motion, seconded by Mr. Smith to recommend approval of the rezoning request. The motion carried 7-0-0.

If Council approves the rezoning, the following stipulations would be incorporated as conditions of zoning:

- 1. Letter from Garvis L. Sams, Jr. of Sams, Larkin & Huff, LLP to Russell J. Roth, Director of Development Services for the City of Marietta, dated June 24th, 2022.*
- 2. Letter from Garvis L. Sams, Jr. of Sams, Larkin & Huff, LLP to Russell J. Roth, Director of Development Services for the City of Marietta, dated June 29th, 2022.*

Public Hearing (all parties sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Rusty Roth, Development Services Director, presented information regarding the request for the rezoning for property located at 2000 South Park Place and 2501 Windy Hill Road from OMR (Office Mid-Rise) in Cobb County and OI (Office Institutional) in the City to CRC (Community Retail Commercial).

Garvis Sams, Jr., with Sams Larkin Huff, LLP, and attorney for the applicant, requested the rezoning and annexation of the subject property. Mr. Sams stated that the intended use of this 13.25-acre development includes a newly constructed, two-story Porsche dealership fronting Windy Hill Road. The rear of the subject property, which contains a 100,000 square foot building currently owned and occupied by Wellstar Health Systems, will remain mostly as-is. However, it will be renovated and repurposed for use by the Hennessey Automobile Companies.

Seeing no one else wishing to speak, the public hearing was closed.

Discussion was held.

Motion to approve the regarding the request for the rezoning for property located at 2000 South Park Place and 2501 Windy Hill Road from OMR (Office Mid-Rise) in Cobb County and OI (Office Institutional) in the City to CRC (Community Retail Commercial), with the following stipulations are incorporated as a condition of zoning:

- 1. Letter from Garvis L. Sams, Jr. of Sams, Larkin & Huff, LLP to Russell J. Roth, Director of Development Services for the City of Marietta, dated June 24th, 2022, with the paragraph dealing with reversion on page 3 being removed.*
- 2. Letter from Garvis L. Sams, Jr. of Sams, Larkin & Huff, LLP to Russell J. Roth, Director of Development Services for the City of Marietta, dated June 29th, 2022.*

3. Letter from Garvis L. Sams, Jr. of Sams, Larkin & Huff, LLP to Russell J. Roth, Director of Development Services for the City of Marietta, dated July 11th, 2022. The drawings and architectural renderings in the packet delivered to Mayor and City Council on July 13th, 2022.

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

Vote: 7 – 0 – 0

Approved as Amended

20220554

A2022-03 [ANNEXATION] HENNESSY AUTOMOBILE COMPANIES, INC.

A2022-03 [ANNEXATION] HENNESSY AUTOMOBILE COMPANIES, INC., is requesting the annexation of property located in Land Lots 804 & 852, District 17, Parcel 0180 of the 2nd Section, Cobb County, Georgia and being known as 2000 South Park Place, consisting of approximately 10.4 acres, and all applicable right-of-way. Ward 7A.

Planning Commission recommends Approval.

Mr. Diffley made a motion, seconded by Mr. McClure, to recommend approval as submitted. The motion carried 7-0-0.

Public Hearing (all parties sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Garvis Sams, Jr., with Sams Larkin Huff, LLP, and attorney for the applicant, requested that his presentation from the rezoning be incorporated for the annexation.

Seeing no one wishing to speak, the public hearing was closed.

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

Vote: 7 – 0 – 0

Approved

20220555

CA2022-08 [CODE AMENDMENT] HENNESSY AUTOMOBILE COMPANIES, INC.

CA2022-08 [CODE AMENDMENT] HENNESSY AUTOMOBILE COMPANIES, INC. In conjunction with the requested annexation of property located in located in Land Lots 804 & 852, District 17, Parcel 0180 of the 2nd Section, Cobb County, Georgia and being known as 2000 South Park Place, the City of Marietta proposes to designate the Future Land Use of said property as CAC (Community Activity Center). Ward 7A.

Planning Commission Recommends Approval.

Mr. Diffley made a motion, seconded by Mr. Hunter, to recommend approval as submitted. The motion carried 7-0-0.

Public Hearing (all parties sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Garvis Sams, Jr., with Sams Larkin Huff, LLP, and attorney for the applicant, requested that his presentation from the rezoning be incorporated for the code amendment.

Seeing no one wishing to speak, the public hearing was closed.

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

Vote: 7 – 0 – 0

Approved

* 20220561

Z2022-18 [REZONING] ANTHONY K. CECIL II & JAMES C. CAMPBELL

Z2022-18 [REZONING] ANTHONY K. CECIL II & JAMES C. CAMPBELL are requesting the rezoning of 0.29 acres located in Land Lot 1159, District 16, Parcel 0270 of the 2nd Section, Cobb County, Georgia, and being known as 192 Church Street from R-4(Single Family Residential - 4 units/acre) to CBD (Central Business District). Ward 3A.

Planning Commission recommends Approval.

Mr. McClure made a motion, seconded by Mr. Anderson, to recommend approval as written. The motion carried 7-0-0.

Public Hearing (all parties are sworn in)

Council Member Goldstein discloses that Cecil & Campbell Advisors, LLC leases space in a property owned by PMG 358 Roswell Street, LLC. Anthony K. Cecil II and James Campbell are the principals of Cecil & Campbell Advisors, LLC. Philip M. Goldstein owns PMG 358 Roswell Street, LLC. Philip M. Goldstein is the father of Council Member Goldstein.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 1

Tabled

Abstaining: Joseph R. Goldstein

20220312

CA2022-05 [CODE AMENDMENT] PROPOSAL TO AMEND THE COMPREHENSIVE DEVELOPMENT CODE

CA2022-05 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 712.09 Commercial Corridor Design Overlay District.

Planning Commission recommends Approval.

Mr. Diffley made a motion, seconded by Mr. Hunter, to recommend approval as written. The motion carried 7-0-0.

Public Hearing (all parties are sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Rusty Roth, Development Services Director, presented information regarding the proposed code amendment related to the Commercial Corridor Design Overlay District.

Seeing no one else wishing to speak, the public hearing was closed.

A 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

20220313

CA2022-06 [CODE AMENDMENT] PROPOSAL TO AMEND COMPREHENSIVE DEVELOPMENT CODE.

CA2022-06 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 708.15, Neighborhood Retail Commercial; Division 708.16, Community Retail Commercial; Division 708.17, Regional Retail Commercial; and Division 708.18, Central Business District regarding automobile sales, repairs, and other permitted uses.

Planning Commission recommends Approval.

Mr. McClure made a motion, seconded by Mr. Hunter, to recommend approval as written. The motion carried 7-0-0.

Public Hearing (all parties are sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Rusty Roth, Development Services Director, presented information regarding the proposed code amendment related to automobile sales, repairs, and other permitted uses.

Seeing no one else wishing to speak, the public hearing was closed.

A 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

RESOLUTIONS:

CITY ATTORNEY'S REPORT:

* **20220634 Denial of Claim**

Denial of Claim for Cristi Jones.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved to Deny Claim**

* **20220635 Denial of Claim**

Denial of Claim for Evan Jones.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved to Deny Claim**

* **20220655 Denial of Claim**

Denial of Claim for Michael Graham.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved to Deny Claim**

CITY MANAGER'S REPORT:

MAYOR'S REPORT:

COMMITTEE REPORTS:

- 1. Economic/Community Development: Andre L. Sims, Chairperson**
- 2. Finance/Investment: Joseph R. Goldstein, Chairperson**
- 3. Judicial/Legislative: G. A. (Andy) Morris, Chairperson**

* **20220510** **Code Amendment - Historic Preservation Ordinance**

Motion to adopt a revision to Article 7-8-8 regarding changes to neighbor notification procedures and the exemption of new accessory structures that are not visible from the public roadway from requiring a Certificate of Appropriateness.

Second Reading

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

* **20220511** **Code Amendment - Removal and Storage of Vehicles**

Motion to approve a revision to Section 9-12-060 of the Marietta City Code, Notice to owner regarding removal of dismantled or junked vehicles from private property.

Second Reading

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

* **20220530** **Ordinance Amendment - Massage Therapy Businesses**

Motion to approve the proposed amendment to Article 8-12-6 regarding Massage Therapy Businesses.

Second Reading

Council member Goldstein disclosed that a member of his family and/or an entity owned by a member of his family leases property to a massage therapy business.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

* **20220632** **Gas Marketing**

Motion to approve the advertisement and the holding of two public hearings to amend Section 5.2 of the Charter of the City of Marietta relating to Gas Marketing.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 1 – 0 **Approved for Advertisement**

Voting Against: Joseph R. Goldstein

* **20220624** **Final Plat - 1040 Westborough Road**

Motion to approve the final plat for fourteen (14) townhomes at the corner of Westborough Road and Polk Street Extension, to be known as Croft Townhomes (Z2020-31).

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

4. Parks, Recreation and Tourism: Johnny Walker, Chairperson

5. Personnel/Insurance: Cheryl Richardson, Chairperson

6. Public Safety Committee: M. Carlyle Kent, Chairperson

7. Public Works Committee: Grif Chalfant, Chairperson

20220616 Stewart Avenue Stop Sign Request

Motion authorizing Public Works to convert the intersection of Stewart Avenue and Darien Way to a 3-way stop condition with pedestrian crosswalks with a total estimated cost of \$1,500.00.

Public Hearing

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Public Works Director Mark Rice summarized the options for the Stewart Avenue stop sign request.

Seeing no one wishing to speak, the public hearing was closed.

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

Vote: 7 – 0 – 0 Approved

* **20220617** **Longwood Drive Speed Study**

Motion authorizing Public Works to conduct the speed study of Longwood Drive from Powder Springs Road to Bellemeade Drive to determine if traffic calming devices are needed.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20220618** **Heathersett Drive Speed Study**

Motion authorizing Public Works to conduct the speed study of Heathersett Drive from Chestnut Hill Road to Fairgate Road to determine if traffic calming devices are needed.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20220619** **Allgood Road and Sawyer Road Utilities**

Motion authorizing a variance from the Underground Utilities Ordinance to allow the installation of fiber to be over lashed on existing fiber and requiring the removal of all duplicate utility poles where Comcast is “next to transfer” along Allgood Road and Sawyer Road from the utility pole at the corner of Sawyer Road and Allgood Road to the utility pole approximately 400 feet north on Allgood Road. This motion does not grant a perpetual variance. Comcast must relocate underground at their expense if other utilities at the location are moved underground.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20220620** **Cobb Parkway North Utilities**

Motion authorizing a variance from the Underground Utilities Ordinance to allow the installation of 6,763 feet of new fiber and over lash existing fiber and requiring the removal of all duplicate utility poles where Quanta Telecom Services is “next to transfer” along Cobb Parkway North from Bells Ferry Road to White Circle. This motion does not grant a perpetual variance. Quanta Telecom Services must relocate underground at their expense if other utilities at the location are moved underground.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20220621** **2022 Proposed SPLOST Intergovernmental Agreement for Joint Projects**

Motion to approve the Intergovernmental Agreement for the use and distribution of proceeds from the 2022 Special Purpose Local Option Sales Tax for Joint Projects, with the understanding that the total distribution to the City will be \$3,000,000 for the projects listed in Exhibit A.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20220518** **Public Works to Implement Changes to the Current Residential Sanitation Services in the City of Marietta**

Motion authorizing Public Works to proceed with the conversion of the current bi-weekly residential sanitation service to weekly curb side service with City of Marietta issued roll carts of various sizes; adjust the associated fees for each size of roll cart provided; purchase of the required roll carts and the necessary changes to the City of Marietta Sanitation Rules and Guidelines and the Solid Waste Ordinance to accommodate this change including allowances for individuals with mobility issues to receive back door service. This motion includes amending Chapter 5-8 (Solid Waste Collection and Disposal) of the city code.

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 Ordinance at this City Council meeting without the necessity of placing this matter on the following regular City Council meeting.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved as Amended**

* **20220644** **Residential Recycling Collection Program in the City of Marietta**

Motion authorizing Public Works to proceed with keeping the Residential Recycling Collection Program, as is, and converting it to once-a-week pick up along with the sanitation collection schedule (Option D). Public Works will re-evaluate this program with the Mayor & Council in one (1) year.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved as Amended**

OTHER BUSINESS:

* **20220663** **ARPA Funds for Roll Carts**

Motion to approve a budget amendment from the FY23 budget to utilize ARPA funds in the amount of \$650,000 for acquisition of roll carts.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

* **20220664** **1045 Cobb Parkway North**

Motion authorizing Public Works and the City Attorney to accept the received bid for \$182,001.00 from Glory Haus Inc., Ms. Molly Holm, for parcel number 16100200010 located behind 1045 Cobb Parkway North, and for the City

Attorney to proceed with the closing of the sale of the parcel, subject to the Mayor & Council approving the final sale contract.

Motion authorizing Public Works and the City Attorney to accept the received bid for \$182,001.00 from Glory Haus Inc., Ms. Molly Holm, for parcel number 16100200010 located behind 1045 Cobb Parkway North, and for the City Attorney to proceed with the closing of the sale of the parcel, based upon the final sale contract presented July 13, 2022.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved as Amended

* **20220665 Quitclaim Deed for 942 Roswell Street**

Motion to approve Quitclaim Deed between Emily Matthews and Brennan Matthews, as Grantors, and City of Marietta, as Grantee, for the frontage of property known as 942 Roswell Street, Marietta, Georgia per the description in the Quitclaim Deed.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20220666 Assumption of Obligations and Assignment of Right of First Refusal for 942 Roswell Street**

Motion to approve Assumption of Obligations and Assignment of Right of First Refusal between Emily Matthews and Brennan Matthews as Assignor, BESF, LLC, as Assignee, and the City of Marietta for property known as 942 Roswell Street, Marietta, Georgia.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20220667 Quitclaim Deed for 942 Roswell Street**

Motion to approve quitclaim deed between Emily Matthews and Brennan Matthews as Grantors, and BESF, LLC as Grantee, for property known as 942 Roswell Street, Marietta, Georgia.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20220500** **750 Polk Street**

Motion to authorize the acquisition of property known as 750 Polk Street in Marietta Georgia for the agreed amount of \$3,500.00, plus stipulations, from Hans U. Rechsteiner and Lynn R. Rechsteiner, subject to the final approval of the documentation from the Director of Public Works and the City Attorney for the City of Marietta. The stipulations are as follows:

1. The utility pole will be relocated to the parcel that is currently owned by the City of Marietta and will not be located on the subject property.
2. The wall will look like the new wall that the City of Marietta recently completed for the sidewalk at Burnt Hickory and Polk Street with the stone façade and capstone.
3. The City of Marietta will not be installing any buffers.
4. The City of Marietta will be removing a tree that will be in the line of construction of the new wall.
5. The driveway of the subject property will not be changed in any way with this project.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0

Approved

UNSCHEDULED APPEARANCES:

Those addressing the City Council during unscheduled appearances were:

Rosser Southerland, resident who lives on Alexander Circle

M. McDonald, former employee with the Marietta Fire Department

Donald Barth, resident who lives on St. John Avenue

Scott Dobbins, former employee with the Marietta Fire Department

Another former employee with the Marietta Fire Department

ADJOURNMENT:

The meeting was adjourned at 8:17 p.m.

Date Approved: August 10, 2022

R. Steve Tumlin, Mayor

Attest: _____
Stephanie Guy, City Clerk