



# 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*  
*G. A. (Andy) Morris, Ward 4*  
*Reggie Copeland, Ward 5*  
*Michelle Cooper Kelly, Ward 6*  
*Joseph R. Goldstein, Ward 7*

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Wednesday, February 14, 2018

7:00 PM

Council Chamber

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**Presiding:** R. Steve Tumlin, Mayor

**Present:** Cheryl Richardson, Grif Chalfant, Johnny Walker, G. A. (Andy) Morris, Reggie Copeland, Michelle Cooper Kelly 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 7:10 p.m.*

### INVOCATION:

*Mayor Tumlin called upon Council member Reggie Copeland to give the invocation.*

### PLEDGE OF ALLEGIANCE:

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

### PRESENTATIONS:

### PROCLAMATIONS:

**20180176 PTA Founder's Day**

Mayor Tumlin presents a proclamation honoring "PTA Founder's Day" of February 17 coinciding with historical marker designation for Birney Memorial on MMS campus formerly MHS campus. Recipients representing PTA's of Marietta City Schools, PTA Presidents of MMS, MARIETTA High, and Marietta PTA Council.

**Presented**

**20180177 First Black woman to register and vote in Cobb County**

Mayor Tumlin presenting a proclamation to the family of Mrs. Addie Grace Luster of Marietta honoring her "small first step" benefiting many in 1923.

**Presented**

**ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:****SCHEDULED APPEARANCES:****20180169 Scheduled Appearance**

Scheduled Appearance - Jenny Harty

**Present**

**CONSENT AGENDA:**

**Consent agenda items are marked by an asterisk (\*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).**

*Mayor Pro tem Johnny Walker briefly explained the consent agenda process.*

*A motion was made by Council member Goldstein, seconded by Council member Kelly, to make a substitute motion for agenda item 20180224, which would be added to the consent agenda and shall read, "Motion to approve Purchase Agreement by and between the City, as the Seller, and Drive Shack Marietta LLC, as the Purchaser, for the sale of approximately 17.18 acres of land on Franklin Gateway for the purchase price of \$9.5M including authorization for the Mayor and City Clerk to execute same." The motion carried by the following vote:*

*Vote: 7 – 0 – 0*

*Approved*

*City Attorney Doug Haynie noted the following changes to the consent agenda:*

*-under Ordinances: Agenda item 20180029 was added to the consent agenda.*

*-under Judicial/Legislative: Agenda item 20180107 was removed from the agenda.*

*-under Judicial/Legislative: Agenda item 20180094 remains on the consent agenda as amended.*

*-under Parks and Rec: Agenda item 20180100 remains on the consent agenda and amended to show the Art in the Park and New Year's Eve event will be City sponsored to permit businesses with a valid permit under 10-4-070 (F) to engage in alcohol sales.*

*-under Parks and Rec: Agenda item 20180204 remains on the consent agenda and amended as follows for Friday, October 12, 2018:*

*-Mill St. Eastbound at 5:30 pm from the RR Tracks to the Square until Sunday, October 14 at 9 pm*

*-Powder Springs St from the Square to Anderson St at 5:3 pm until Sunday, October 14 at 9 pm*

*-Whitlock from the RR tracks to the Square at 5:30 pm until Sunday, October 14 at 9 pm*

*-Church St from Polk St to the Square at 5:30 pm until 7:30 pm then reopening until Saturday morning*

*-under Other Business: Agenda item 20180224 was added to the consent agenda.*

*-under Other Business: Agenda item 20180086 should show Joseph Goldstein abstaining*

*Mr. Haynie then opened the public hearing for those items on the consent agenda requiring a public hearing. Seeing no one wishing to speak, the public hearing was closed.*

**A motion was made by Council member Walker, seconded by Council member Kelly, to approve the consent agenda as modified. The motion carried by the following vote:**

**Vote: 7 – 0 – 0                      Approved**

*with the following exceptions:*

*Council member Goldstein voting against agenda items 20180088, 20180089, 20180090, 20180091 and 20180094*

*Council member Goldstein abstaining on agenda item 20180086*

**MINUTES:**

- \* **20180137**      **Regular Meeting - January 10, 2018**
- Review and approval of the January 10, 2018 regular meeting minutes.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**

**MAYOR’S APPOINTMENTS: (for informational purposes only)****CITY COUNCIL APPOINTMENTS:**

- \* **20180076**      **Planning Commission Appointment - Ward 7**
- Reappointment of Stephen Diffley to the Planning Commission for a 3-year term, expiring January 14, 2021.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**
- \* **20180081**      **GMA Voting Delegates**
- Appointment of Michelle Cooper Kelly as the voting delegate and Joseph R. Goldstein as the alternate voting delegate for the 2018 GMA Business Meeting being held during the GMA Annual Convention in June 2018.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**
- \* **20180125**      **Marietta Welcome Center & Visitors Bureau Appointment**
- Appointment of Joseph R. Goldstein, Council Representative, to the Marietta Welcome Center & Visitors Bureau for a two-year term.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**

**ORDINANCES:**

20170906

**Z2017-31 [REZONING] PEOPLES FINANCIAL CORPORATION (BAMM REAL ESTATE LLC)****Ord. 8012**

Z2017-31 [REZONING] PEOPLES FINANCIAL CORPORATION (BAMM REAL ESTATE LLC) is requesting the rezoning of approximately 1.04 acres located in Land Lot 1015, District 16, Parcel 0070, 2nd Section, Marietta, Cobb County, Georgia, and being known as 789 Church Street from OI (Office Institutional) to NRC (Neighborhood Retail Commercial). Ward 4B.

*City Attorney Doug Haynie opened the public hearing and explained the rules of order. Mr. Haynie then swore in those wishing to speak.*

*Rusty Roth, Development Services Director, presented information regarding the request to rezone property at 789 Church Street from OI (Office Institutional) to NRC (Neighborhood Retail Commercial).*

*Kathy Zickert, attorney for the applicant, requested the rezoning to construct a mixed-use development that would include retail and restaurant space. Mrs. Zickert explained that the zoning request of NRC, versus CRC, would limit the property to more appropriate uses for the area.*

*The variance to increase the maximum impervious surface area from 70% to 80% is to allow for more than the minimum of parking spaces, which would be necessary to accommodate the proposed restaurants.*

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

*Discussion was held by Council regarding the building elevations and renderings presented. Mrs. Zickert stated that the applicant would be willing to bring back historic renderings.*

*A motion was made by Council member Richardson, seconded by Council member Goldstein, to approve the rezoning request for property located at known as 789 Church Street from OI (Office Institutional) to NRC (Neighborhood Retail Commercial), with the following variance is incorporated as a condition of zoning:*

*Variance to increase the maximum impervious surface area from 70% to 80%.  
[§708.15 (H)]*

*The following stipulations are incorporated as condition of zoning:*

- 1. Automobile service stations*
- 2. Billiards, pool halls and video arcades*
- 3. Carwashes*
- 4. Convenience stores*
- 5. Places of assembly*

**The motion carried by the following vote:**

**Vote: 5 – 2 – 0**

**Approved**

Voting Against: Johnny Walker and Andy Morris

- \* **20180027**      **Z2018-04 [REZONING] MARIETTA INVESTMENT PROPERTY HOLDINGS LLC**  
[Ord. 8007](#)
- Z2018-04 [REZONING] MARIETTA INVESTMENT PROPERTY HOLDINGS LLC is requesting the rezoning of 0.3 acres located in Land Lot 1014, District 16, Parcel 0560, 2nd Section, Marietta, Cobb County, Georgia, and being known as 113 White Street from R-2 (Single Family Residential) to OI (Office Institutional). Ward 4B.
- Public Hearing held during the consent agenda.*
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**
- \* **20180029**      **Z2018-06 [REZONING] CLAY CORNETTE**  
[Ord. 8008](#)
- Z2018-06 [REZONING] CLAY CORNETTE is requesting the rezoning of approximately 0.2 acres located in Land Lot 1216, District 16, Parcel 0450, 2nd Section, Marietta, Cobb County, Georgia, and being known as 386 Lawrence Street from OIT (Office Institution Transitional) to R-4 (Single Family Residential - 4 units/acre). Ward 5A.
- Public Hearing held during the consent agenda.*
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**
- \* **20180030**      **Z2018-07 [REZONING] EDJ HOMES LLC**  
[Ord. 8009](#)
- Z2018-07 [REZONING] EDJ HOMES LLC is requesting the rezoning of approximately 0.17 acres located in Land Lot 1147, District 16, Parcel 0570, 2nd Section, Marietta, Cobb County, Georgia, and being known as 395 Campbell Hill Street from NRC (Neighborhood Retail Commercial) to R-4 (Single Family Residential - 4 units/acre). Ward 4B.
- Public Hearing held during the consent agenda.*
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**
- \* **20180040**      **Z2018-08 [REZONING] CAL ATLANTIC GROUP INC (CLINT WALTERS)**  
[Ord. 8010](#)
- Z2018-08 [REZONING] CAL ATLANTIC GROUP INC (CLINT WALTERS) is requesting the rezoning of 0.47 acres located in Land Lot 217, District 17, Parcel

0880, 2nd Section, Marietta, Cobb County, Georgia, and being known as 102 Hedges Street from R-4 (Single Family Residential - 4 units/acre) to PRD-SF (Planned Residential Development - Single Family). Ward 1A.

*Public Hearing held during the consent agenda.*

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

- \*     **20180041                      Z2018-09 [REZONING] FRANKLIN PLAZA ASSOCIATES LLC (IKEA PROPERTY, INC)**  
[Ord. 8011](#)

Z2018-09 [REZONING] FRANKLIN PLAZA ASSOCIATES LLC (IKEA PROPERTY, INC) is requesting the rezoning of 6.6 acres located in Land Lots 716 & 725, District 17, Parcel 0050, 2nd Section, Marietta, Cobb County, Georgia, and being known as 1033 Franklin Gateway from CRC (Community Retail Commercial) to PCD (Planned Commercial Development). Ward 7A.

*Public Hearing held during the consent agenda.*

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

**RESOLUTIONS:**

**CITY ATTORNEY'S REPORT:**

**CITY MANAGER'S REPORT:**

**MAYOR'S REPORT:**

**COMMITTEE REPORTS:**

**1. Economic/Community Development: Johnny Walker, Chairperson**

- \*     **20180077                      Military Zone Job Tax Credit**

Motion to authorize to send a letter to the Department of Community Affairs to designate Census Tract 304.14 in Marietta as a Military Zone.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

\* **20180082**      **2018 GMA Annual Convention**

Motion to approve the travel and training expenses for the Mayor and Council members who wish to attend the Georgia Municipal Association (GMA) 2018 Annual Convention in Savannah, GA, June 22 - 26, 2018.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0**                      **Approved**

**2. Finance/Investment: Joseph R. Goldstein, Chairperson**

\* **20180083**      **National League of Cities (NLC)**

Motion approving travel and training for Mayor and Council members who wish to attend the National League of Cities (NLC) Congressional City Conference in Washington, DC, March 11-14, 2018.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0**                      **Approved**

**3. Judicial/Legislative: G. A. (Andy) Morris, Chairperson**

**20180107**      **Detailed Plan: IKEA - 1019 & 1033 Franklin Gateway**

Motion to approve the detailed plan, to include the detailed site plan, tree protection and landscape plan, signage plans, and building elevations, for the proposed IKEA at 1019 & 1033 Franklin Gateway. Approval of these plans will also consist of the following variances:

1. Variance to increase the allowable height of incidental signs visible from the public right of way from 3 feet to 13'2". [§714.03 (C)]
2. Variance to increase the allowable size of incidental signs visible from the public right of way from 6 square feet to 55 square feet. [§714.03 (C)]
3. Variance to allow advertising text on any incidental sign. [§714.03 (C)]
4. Variance to increase the allowable height of internal incidental signs from 8 feet to 10'4". [§714.03(C)]
5. Variance to increase the allowable size of internal incidental signs from 40 square feet to 86 square feet. [§714.03 (C)]
6. Variance to reduce the required parking stall dimensions from 9'x20' to 9'x18'. [§716.08 (C.4)]
7. Variance to allow curb cuts greater than 30 feet in width. [§716.02 (B)]
8. Variance to allow gravel as an acceptable driving surface for access to the billboard and pump station only. [§716.08 (A.) & (B.)]
9. Variance to reduce the tree density from 17 units per acre to 15 units per acre. [§712.08 (D.4)]



10. Variance to waive the requirement that a planter island be provided for every 12 parking spaces. [§712.08 (G.1.a)]
11. Variance to waive the requirement that planter islands contain trees. [§712.08 (G.1.b)]
12. Variance to waive the four-sided architectural requirement. [§708.19 (A.), (J.1.h.), and (J.4.e)]
13. Variance to allow the submittal of an exemption plat in lieu of a final plat. [§708.19 (J.4)]
14. The following billboard variances shall be limited to on-site advertising for IKEA:
  - a. Variance to waive the requirement that a billboard shall be regulated as a principal use. [§714.04 (G.1)]
  - b. Variance to allow a billboard contain three 11'6"x50' faces with an internal angle greater than 45°. [§714.04 (G.4)]
  - c. Variance to increase the allowable height for a billboard from 70 feet to 128 feet as measured from adjacent grade of the nearest I-75 southbound lane, as identified on attached Billboard Exhibit. Overall height of billboard from base of pylon is 138 feet. [§714.04 (G.6)]
  - d. Variance to allow a billboard on a parcel with other signage. [§714.04 (G.9)]

*City Attorney Doug Haynie opened the public hearing and explained the rules of order. Mr. Haynie then swore in those wishing to speak.*

*Rusty Roth, Development Services Director, presented information regarding the detailed plan for IKEA located at 1019 & 1033 Franklin Gateway. Mr. Roth summarized the variances requested by the applicant.*

*Kathy Zickert, attorney for the applicant, spoke regarding the variance requests, specifically the variance to reduce the tree density from 17 units per acre to 15 units per acre.*

*Michael Patel, who lives on Dallas Circle, spoke regarding this matter. He asked that the variance regarding the tree density not be granted or require that the applicant pay into the Tree Replacement Fund if all trees can't be planted.*

*Mrs. Zickert stated that the applicant would comply with the tree density requirements, which may be accomplished by planting at least seventy (70) additional trees and/or by contributing to the Tree Replacement Fund. The applicant also agreed to have some form of vegetation in all planter islands.*

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

*A motion was made by Council member Kelly, seconded by Council member Richardson, to approve the detailed plan, to include the detailed site plan, tree protection and landscape plan, signage plans, and building elevations, for the proposed IKEA at 1019 & 1033 Franklin Gateway. Approval of these plans*

*will also consist of the variances as requested, with the following changes:*

*Deletion of variance number 9.*

*~~9. Variance to reduce the tree density from 17 units per acre to 15 units per acre. [§712.08 (D.4)]~~*

*Amendment to variance number 11.*

*11. Variance to waive the requirement that planter islands contain trees with the stipulation that all islands will contain vegetation. [§712.08 (G.1.b)]*

*Addition of variance 15.*

*15. IKEA will comply with the tree density requirements, which may be accomplished by planting at least seventy (70) additional trees and/or by contributing to the Tree Replacement Fund.*

**The motion carried by the following vote:**

**Vote: 7 – 0 – 0**

**Approved as Amended**

\* **20180088**

**Historic Preservation Commission**

**[Ord. 8002](#)**

Consideration of an ordinance amending the Marietta City Code Section 7-8-9-030 by adding item (G), which shall read as follows: The Marietta Historic Board of Review and the Historic Preservation Committee shall be served and advised by a common Attorney as engaged by the City with concurrent advisement from said two Boards. Current serving Marietta City attorney shall not be eligible to represent concurrently the two Boards.

**This Matter was Approved on the Consent Agenda.**

**Vote: 6 – 1 – 0**

**Approved**

Voting Against: Joseph R. Goldstein

\* **20180089**

**Historic Board of Review**

**[Ord. 8003](#)**

Consideration of an ordinance amending the Marietta City Code Section 7-8-8-080 by adding item (I), which shall read as follows: The Marietta Historic Board of Review and the Historic Preservation Committee shall be served and advised by a common Attorney as engaged by the City with concurrent advisement from said two Boards. Current serving Marietta City attorney shall not be eligible to represent concurrently the two Boards.

**This Matter was Approved on the Consent Agenda.**

**Vote: 6 – 1 – 0**

**Approved**

Voting Against: Joseph R. Goldstein

- \* **20180090**      **Planning Commission**
- [Ord. 8004](#)      Consideration of an ordinance amending the Marietta City Code Section 1-10-6-100 by adding item (F), which shall read as follows: The Attorney for the Board of Zoning Appeals and the Planning Commission shall be served and advised by a common Attorney as engaged by the City with concurrent advisement from said two Boards. Current serving Marietta City Attorney may be considered to represent concurrently one or both of said Boards.
- This Matter was Approved on the Consent Agenda.**
- Vote: 6 – 1 – 0**                      **Approved**  
Voting Against: Joseph R. Goldstein
- \* **20180091**      **Board of Zoning Appeals**
- [Ord. 8005](#)      Consideration of an ordinance amending the Marietta City Code Section 720 by adding section 720.09 Attorney for Board, which shall read as follows: The Attorney for the Board of Zoning Appeals and the Planning Commission shall be served and advised by a common Attorney as engaged by the City with concurrent advisement from said two Boards. Current serving Marietta City Attorney may be considered to represent concurrently one or both of said Boards.
- This Matter was Approved on the Consent Agenda.**
- Vote: 6 – 1 – 0**                      **Approved**  
Voting Against: Joseph R. Goldstein
- \* **20180092**      **Deletion of Ad Hoc Commissions**
- [Ord. 8006](#)      Amending the Ordinance deleting Marietta Code Sections 1-10-6-110, Marietta Redevelopment Task Force and 1-10-6-115, Height guidance for Historic Marietta Square Task Force.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**
- \* **20180103**      **Registry on the Square - Townhome Elevations**
- Motion to approve the request by Traton Homes for the approval, as part of the detailed plan, of the elevations for the townhomes at 249 Cherokee Street. The homes in the community shall be traditional in nature and consistent with the attached elevations dated 01/05/18.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**

\* **20180104**            **Marietta Fire Department - Waiver of Tree Fund Donation**

Motion to approve the request by Marietta Fire to waive the payment to the tree fund for the development of Marietta Fire Station #56 at 850 Sawyer Road.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0**                            **Approved**

\* **20180094**            **Hands-Free Driving Ordinance**

Motion to implement a Hands-Free Driving Ordinance for the City of Marietta, with an effective date of April 1, 2018.

**This Matter was Approved on the Consent Agenda.**

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

Voting Against: Joseph R. Goldstein

**4. Parks, Recreation and Tourism: Michelle Cooper Kelly, Chairperson**

\* **20180099**            **Special Event and Road Race Fee Changes**

Motion to approve the Security Enhancement Proposal and amendments to the guidelines and permitting for Special Events and Road Races.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0**                            **Approved**

\* **20180100**            **2018 Special Events and Associated Requests for Approval**

A motion authorizing the street closures and associated requests for alcohol sales and consumption when applicable, and the provision of city services for the following special events for calendar year 2018.

1. Glover Park Concert Series
2. Taste of Marietta
3. May-retta Daze Spring Arts and Crafts Festival
4. Juneteenth
5. Fourth in the Park
6. Art in the Park
7. Marietta StreetFest
8. HarvestFest
9. Marietta Reads
10. MUST Ministries Gobble Jog
11. New Year's Eve

*A motion authorizing the street closures and associated requests for alcohol sales and consumption when applicable, and the provision of city services for the following special events for calendar year 2018, with the following amendment: The Art in the Park and New Year's Eve event will be City sponsored to permit businesses with a valid permit under 10-4-070 (F) to engage in alcohol sales.*

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0**

**Approved as Amended**

- \* **20180185**      **Resolution to amend the City Fee Chart to add the Security Enhancement fees and amend the Special Events and Road Race fees.**

Motion to amend the resolution to the City Fee Chart to add Security Enhancement fees for Special Events and to amend the fees for Special Events and Road Races.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0**

**Approved**

- \* **20180095**      **Marietta Historical Markers**

Motion to approve the installation of an interpretive marker with a descriptive narrative to recognize “Birney Memorial” at the Marietta Middle School on Winn Street.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0**

**Approved**

- \* **20180204**      **Chalktoberfest Street Closures**

A motion to approve Street Closures for Chalktoberfest 2018 as listed and waive City Code Section 10-4-070 (C) and (E) to provide for the consumption of beer and wine in Glover Park and the sale and consumption of beer and wine adjacent to Glover Park for the duration of the event. Further, to sponsor said event to permit businesses with a valid permit under 10-4-070 (F) to engage in alcohol sales.

To temporarily close:

Thursday, October 11, 2018

- North Park Square from 6 pm to 7 pm
- West Park Square from 7 pm to 8 pm
- South Park Square from 8 pm to 9 pm
- Powder Springs Street from 9 pm to 10 pm

Friday, October 12, 2018

- North Park Square from 2 pm until Sunday, October 14 at 9 pm
- West and South Park Square 5:30 pm until Sunday October 14 at 9 pm
- Mill St. Westbound at 5:30 pm from the RR Tracks to the Square until Sunday, October 14 at 9 pm

Saturday, October 13, 2018

- At 5 am until 9 pm Sunday, October 14: Atlanta St. (Anderson to the Square), East Park Square, Cherokee St. (Hansell to the Square), Roswell St. (Waddell to the Square), Lawrence St. Waddell to the Square, Church St. (Hansell to the Square)
- Mill St. between the RR tracks and the Square will remain closed after the Farmer's Market until 9 pm Sunday, October 14.

Sunday, October 14, 2018

- All Streets noted above remain closed until 9 pm

*A motion to approve Street Closures for Chalktoberfest 2018 as listed and waive City Code Section 10-4-070 (C) and (E) to provide for the consumption of beer and wine in Glover Park and the sale and consumption of beer and wine adjacent to Glover Park for the duration of the event. Further, to sponsor said event to permit businesses with a valid permit under 10-4-070 (F) to engage in alcohol sales.*

*The following amendments were made for Friday, October 12, 2018:*

*-Mill St. Eastbound at 5:30 pm from the RR Tracks to the Square until Sunday, October 14 at 9 pm*

*-Powder Springs St from the Square to Anderson St at 5:3 pm until Sunday, October 14 at 9 pm*

*-Whitlock from the RR tracks to the Square at 5:30 pm until Sunday, October 14 at 9 pm*

*-Church St from Polk St to the Square at 5:30 pm until 7:30 pm then reopening until Saturday morning*

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0**

**Approved as Amended**

## **5. Personnel/Insurance: Cheryl Richardson, Chairperson**

### **\* 20180096 2018 Appointed Official Review**

Motion to set salaries of the following appointed officials payable in installments per city administrative procedures retroactive to January 1, 2018:

1. Administrative Assistant to the Mayor: \$50,000 per year, set at 40 hours per week, and amendment of the associated employment agreement.
2. City Clerk: \$70,000 per year.

3. City Manager: \$213,075.20 per year, and amendment of the associated employment agreement.
4. BLW General Manager: \$133,660.80 per year.
5. Municipal Court Judge: \$70,065.75 per year.
6. Prosecuting Attorney: \$66,635.85 per year.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

## **6. Public Safety Committee: Reggie Copeland, Chairperson**

**\*        20180105                      Revisions to MPD Policies**

Motion to approve the revisions to the listed policies: A019 (Risk Analysis Board), A020 (Deadly & Non- Deadly Force), A076 (Personnel Early Warning System), A082 (Performance Evaluation), P027 (Narcans Program), T040 (Firearms Qualifications).

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

## **7. Public Works Committee: Grif Chalfant, Chairperson**

**\*        20180110                      860 Pickens Industrial Dr. NE**

Motion approving variance from the underground utility ordinance to allow the overlashing of a fiber service line for approximately 40 feet, this motion does not grant a perpetual variance. Zayo 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**

**\*        20180111                      North Woodland Drive Driver Speed Feedback Signs**

Motion authorizing the installation of two driver speed feedback signs on North Woodland Drive.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0                      Approved**

- \* **20180112**      **Cameron Creek Traffic Calming**
- Motion authorizing a speed table study to be performed at Cameron Creek.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**

- \* **20180114**      **Anderwood Ridge Speed Table Study**
- Motion authorizing a speed table study to be performed on Anderwood Ridge.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**

- \* **20180126**      **Maple Avenue Traffic Calming**
- Motion authorizing a speed table study along Maple Avenue.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**

**OTHER BUSINESS:**

- \* **20180214**      **Soaring Drive Speed Table Study**
- Motion authorizing a speed table study on Soaring Drive.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**

- \* **20180219**      **Allgood Road at Cobb Parkway Intersection Improvement Project**
- Motion authorizing acquisition of a portion of property and easements along the South Frontage Portion of Walker School property along Allgood Road for the purpose of construction the Right Turn Lane - Allgood Road at Cobb Parkway Intersection Improvement Project in exchange for \$150,000 and stipulations as listed below.
1. Walker School will relocate their existing fence along their playground by March 1, 2018.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                      **Approved**



- \*     **20180217**     **Budget Amendment & Amended Welcome Center Contract**
- [Ord. 8013](#)     Motion to approve Budget Amendment & amended Welcome Center Contract.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                   **Approved**
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- \*     **20180218**     **Amendment to the Lease with Marietta Leasehold, L.P.**
- Motion to approve the Amendment to the lease between the City of Marietta and Marietta Leasehold, L.P.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                   **Approved**
- 
- \*     **20180166**     **North Square Building Elevations (Rear Loaded)**
- Motion to approve exterior elevations for North Square townhomes located around Caldwell Circle (Units 70 - 90).
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                   **Approved**
- 
- \*     **20180205**     **Temporary Access Easement for 849 Franklin Gateway**
- Motion to approve the temporary access easement to Atlanta United F.C. Easement would allow vehicle storage and access of the rear of AUFC training facility to conduct a construction project.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                   **Approved**
- 
- \*     **20180224**     **Sale of Property**
- Motion regarding consideration of sale of 17 acres on Franklin Gateway.
- Motion to approve Purchase Agreement by and between the City, as the Seller, and Drive Shack Marietta LLC, as the Purchaser, for the sale of approximately 17.18 acres of land on Franklin Gateway for the purchase price of \$9.5M including authorization for the Mayor and City Clerk to execute same.*
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0**                   **Approved as Amended**

\*      **20180086**                      **Disclosure Letter from Joseph R. Goldstein**

Disclosure Letter from Council Member Joseph R. Goldstein of Ward 7 dated January 2, 2018.

Motion to deny the disclosure letter from Council member Joseph R. Goldstein dated January 2, 2018.

**This Matter was Approved to Deny on the Consent Agenda.**

**Vote: 6 – 0 – 1**                      **Approved to Deny**  
Abstaining: Joseph R. Goldstein

\*      **20180138**                      **BLW Actions of February 12, 2018**

Review and approval of the February 12, 2018 actions and minutes of Marietta Board of Lights and Water.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0**                      **Approved**

\*      **20180168**                      **BLW Actions of February 1, 2018**

Review and approval of the February 1, 2018 actions and minutes of Marietta Board of Lights and Water.

**This Matter was Approved on the Consent Agenda.**

**Vote: 7 – 0 – 0**                      **Approved**

**UNSCHEDULED APPEARANCES:**

**Executive Session**

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

**A motion was made in open session by Council member Morris, seconded by Council member Kelly, to enter an Executive Session to discuss real estate sale/lease/purchase. The motion carried by the following vote:**

**Vote: 6 – 1 – 0**                      **Approved**  
Voting Against: Joseph R. Goldstein

*The Executive Session was held.*

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

**Vote: 6 – 0 – 0                      Approved**  
Absent for the vote: Reggie Copeland

**ADJOURNMENT:**

*The meeting was adjourned at 8:25 p.m.*

**Date Approved: March 14, 2018**

\_\_\_\_\_  
**R. Steve Tumlin, Mayor Tumlin**

**Attest:** \_\_\_\_\_  
**Stephanie Guy, City Clerk**