



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes JUDICIAL/LEGISLATIVE COMMITTEE

Andy Morris, Chairman
Cheryl Richardson, Vice Chair
Joseph R. Goldstein

Tuesday, February 27, 2018

Council Chamber

Immediately Following Parks, Recreation and Tourism Committee

Presiding: Andy Morris

Present: Cheryl Richardson and Joseph R. Goldstein

Also Present:

R. Steve Tumlin, Mayor

Grif Chalfant, Council - Ward 2

Johnny Walker, Council - Ward 3

Reggie Copeland, Council - Ward 5

Michelle Cooper Kelly, Council - Ward 6

Bill Bruton, City Manager

Doug Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Chairman Morris called the meeting to order at 6:38 p.m.

MINUTES:

20180146 Regular Meeting - January 30, 2018

Review and approval of the January 30, 2018 regular meeting minutes.

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

Vote: 3 – 0 – 0

Approved

BUSINESS:

20180245 Legislative Update

An update of the 2018 Georgia Legislative Session.

Reported

20180235 Marvelle detached house elevations and entrance monument.

A request by Brock Built for a revised detail plan to review detached housing elevations and proposed lighthouse monument at entrance.

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

Vote: 3 – 0 – 0

Recommended for Approval – Consent Agenda

20180240 Update on Home2 Suites by Hilton (2168 Kingston Ct)

Update on the progress of renovating the hotel at 2168 Kingston Court.

Reported

20171176 The Park and Hide Initiative for preserving and enhancing Historical Downtown (Update on Dumpster Options and Deck Costs)

To begin due diligence to work “intergovernmentally” with DMDA with advice from Branding Project and Cobb Government to consider a revenue bond to finance and construct a parking deck with a “historical” accent with a component to begin “undergrounding” dumpsters and trash bins in downtown area in a to be determined location(s) in Glover Park area (within 2 blocks). Initial component to be City of Marietta to purchase for fair value the home of the City’s History Museum from the Landlord, DMDA with the condition that the DMDA apply proceeds of purchase towards the construction of a new deck and undergrounding trash receptacles with balance paid from said Revenue Bond. Purchase of Kennesaw House to be financed from the capital authorized expenditure portion of the Car Rental Tax.

Discussion was held. Additional information will be brought back to Committee.

Held in Committee

20180232 Amending Ordinance 10-4-070

Amending Ordinance 10-4-070(G) to include the Branding Project as a “City Sanctioned” organization.

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: 3 – 0 – 0

Recommended for Approval – Consent Agenda

20180233 Amending Ordinance 8-8-2-160 - Open Containers Prohibited--Exception

Amending Ordinance 8-8-2-160(C) to add the Branding Project as a “City Sanctioned” designated organization.

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: 3 – 0 – 0

Recommended for Approval – Consent Agenda

20180243 Marietta Safe Schools Ordinance

The Gun-Free School Zones Act (GFSZA) is an act of the U.S. Congress prohibiting any unauthorized individual from knowingly possessing a loaded or unsecured firearm at a place that the individual knows, or has reasonable cause to believe, is a school zone as defined by 18 U.S.C. § 921(a) (25). The law applies to public, private, and parochial elementary schools and high schools, and to non-private property within 1000 feet of them. It provides that the states and their political subdivisions may issue licenses that exempt the licensed individuals from the prohibition. Exceptions are local issued carrying permits.

Discussion was held. This matter was held in Committee for further discussion.

Held in Committee

20180257 Vehicle Immobilization Ordinance

Discussion to amend the Vehicle Immobilization (Booting) Ordinance (9-4-110) to include vehicles over 10,000 lbs.

Discussion was held. This matter was held in Committee for further discussion.

Held in Committee

20180269 Amendment of Code Section 1-14-2-010 (Ethics Ordinance)

1-14-2-010

K. “Family members” shall include all relatives and their spouses from the first through the fifth degree of kinship as defined in O.C.G.A §53-2-1 (including spouse, children, parents, siblings and their spouses, grandparents, and uncles and aunts and their spouses. Family shall include entities owned by greater than 5% of such Family member and a trust where Family member is trustee or personal representative or beneficiary of such Trust.

Motion to amend Code Section 1-14-2-010 Ethics Ordinance definition incorporating changes suggested by Council.

The motion was made by Council member Richardson, seconded by Council member Morris, that this matter be Referred to the Agenda Work Session. The motion carried by the following vote:

Vote: 2 – 1 – 0 **Referred to the Agenda Work Session**
Voting Against: Joseph R. Goldstein

20180270 Financial Disclosure Ordinance-1-14-2-060

Discussion of the Financial Disclosure Ordinance 1-14-2-060.

Motion to amend the Code Section 1-14-2-060 Financial Disclosure Ordinance incorporating changes suggested by Council.

The motion was made by Council member Richardson, seconded by Council member Morris, that this matter be Referred to the Agenda Work Session. The motion carried by the following vote:

Vote: 2 – 1 – 0 **Referred to the Agenda Work Session**
Voting Against: Joseph R. Goldstein

20180271 Amendment of Rules and Enactment of Ordinances and Charter Amendments (1-40-040)

Amended to read as follows for Code Section 1-40-040 section L:
L. Amendment of Rules and enactment of Ordinances and Charter Amendments.

1. To Amend Rules. These rules may be amended, or new rules adopted by a majority vote of all members of the council. Any such alterations or amendments shall be submitted in writing at a regular meeting and shall be placed on the calendar under the order of new business for the following regular meeting. This requirement shall be waived only by unanimous consent, with a recorded vote of all members of the council.
2. Enactment of Ordinances and Charter Amendments. Upon passage of an Ordinance or a Charter Amendment by required majority vote, such Ordinance or Charter shall automatically be tabled for the purposes of review of construction and to verify no conflicts with other Sections or Parts of our City Charter by the City Attorney. Once reviewed by City Attorney then forward to the next J/L committee for final review to be moved forward to following City Council Meeting for final consideration. This requirement may be waived for urgent reasons when waived by unanimous consent subject to veto.

Motion to approve ordinance amendment to Article 1-4-040 entitled “Rules and Enactment of Ordinances and Charter Amendments” including authorization for the Mayor and City Clerk to execute same.

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

Vote: 2 – 1 – 0 Recommended for Approval – Non Consent Agenda
Voting Against: Joseph R. Goldstein

ADJOURNMENT:

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____