



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, April 9, 2018

5:15 PM

Council Chamber

Presiding: R. Steve Tumlin, Mayor

Present: Cheryl Richardson, Grif Chalfant, Johnny Walker, Andy Morris, Reggie Copeland, Michelle Cooper Kelly 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:

20180439

Agenda Work Session - March 8, 2018

Review and approval of the March 8, 2018 Agenda Work Session minutes.

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

Vote: 7 – 0 – 0

Approved

BUSINESS:

20180443

BLW Report

Council Member Michelle Cooper Kelly gives the Board of Lights and Water (BLW) report for the meeting held on Monday, April 9, 2018.

Reported

20180447 M2R Trailfest Event Update

Update on festivities for the commemorative opening of the city's Mountain to River Trail.

Reported

Prior to the discussion regarding Denmead Street, Council member Goldstein stepped down from the dais.

20180358 Denmead Street Parking Lot

Request from Marietta Square Market, LLC for consideration of temporary construction and access easement.

Council member Joseph R. Goldstein discloses that his father, Philip M. Goldstein, owns property on Denmead Street. Councilman Goldstein will not participate in the discussion or in the vote on the issue in his capacity as a City Councilman.

The motion was made by Council member Copeland, seconded by Council member Kelly, that this matter be Referred to the Public Works Committee. The motion carried by the following vote:

Vote: 6 – 0 – 0 Referred to the Public Works Committee
Absent for the vote: Joseph R. Goldstein

Council member Goldstein returned to the dais.

20180372 Memorandum of Agreement for Burnt Hickory Road Trail Grant Funds

Motion approving a Federal Lands Access Program Project Memorandum of Agreement between FHWA, NPS, GDOT, Cobb County, and City of Marietta for the implementation of the Kennesaw Mountain Pedestrian Improvements project.

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

Vote: 6 – 0 – 0 Recommended for Council Agenda Non Consent
Absent for the vote: Michelle Cooper Kelly

Prior to the discussion regarding Hansel Street, Council member Goldstein stepped down from the dais.

20180374 Hansel Street No Parking Reclassification

Request for change of designation of No Parking to Loading Zone on Hansel Street.

Council member Joseph R. Goldstein discloses that his father, Philip M. Goldstein, is the owner of and landlord for the property occupied by the House of Lu.

Motion authorizing the conversion of 22 feet of Hansel Street no parking zone to parking and 35 feet of no parking zone to 30-minute loading zone and the installation of an ADA ramp between the loading zone and remaining no parking zone. Motion further authorizes the installation of a No Through Trucks sign for the southbound direction of Root Street between Hansel Street and Dobbs Street.

The motion was made by Council member Kelly, 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**
Absent for the vote: Joseph R. Goldstein

Council member Goldstein returned to the dais.

20180448

Temporary Construction Easement for Drive Shack

Motion to approve Temporary Construction Easement from the City of Marietta to Drive Shack Marietta, LLC in order to accomplish installation of a retaining wall in conjunction with the Detailed Plan Approval to be issued by the City of Marietta to Drive Shack Marietta, LLC. This motion is contingent upon consent being granted by Atlanta United Football Club and consent being granted by the Development Authority of the City of Marietta to Drive Shack Marietta, LLC for such easement.

Staff was directed to incorporate following suggested change:

The executed documents created by this motion shall be held in escrow by the City Attorney until the closing and purchase of the of the property by Drive Shack Marietta LLC from the City of Marietta.

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

Vote: 5 – 0 – 0 **Recommended for Council Agenda Non Consent**
Absent for the vote: Cheryl Richardson and Andy Morris

20180445

Draft City Council Agenda

Review and approval of the Wednesday, April 11, 2018 DRAFT City Council Agenda.

-under Minutes: Agenda items 20180441 and 20180442 were added to the consent agenda.

-under Ordinances: Agenda item 20180238 was amended and a new proposed ordinance would be included in the addendum packet. This item remains on non-consent.

-under Judicial/Legislative: Agenda item 20180336 was amended and a new document would be included in the addendum packet. This item remains on consent.

-under Judicial/Legislative: Agenda item 20180339 and 20180257 were added to the consent agenda. Agenda item 20180257 was amended and a new document would be included in the addendum packet.

-under Other Business: Agenda item 20180431 was removed from the agenda and referred to the Public Works Committee.

-under Other Business: Agenda item 20180429 was added to the consent agenda and amended to "Stay the enforcement."

-under Other Business: Agenda item 20180444 was added to the consent agenda.

Discussed

20180446

Executive Session

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

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

Vote: 7 – 0 – 0 Approved

The Executive Session was held.

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

Vote: 7 – 0 – 0 Approved

Following the executive session, the following motions were made.

A motion was made by Council member Chalfant, seconded by Council member Richardson authorizing acquisition of a portion of property and easements at 690 Powder Springs Street from William C. Hagemann Profit Sharing for the purpose of constructing the Powder Springs Streetscape - Sandtown Rd to S Marietta Parkway Project in exchange for \$5,562.00 and stipulations as listed:

- 1. Temporary easement will terminate two (2) years from the start of construction on this property.*
- 2. No tools, materials, or equipment will be stored overnight within the Temporary Easement area.*
- 3. William C. Hagemann is a licensed real estate broker acting as Trustee of the William C. Hagemann Profit Sharing Plan.*

The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

A motion was made by Council member Chalfant, seconded by Council member Kelly, to add an item to the Council consent agenda authorizing acquisition of a portion of property and easements at 680 Powder Springs Street from William C. Hagemann for the purpose of constructing the Powder Springs Streetscape - Sandtown Rd to S Marietta Parkway Project in exchange for \$3,322.52 and stipulations as listed below.

- 1. William C. Hagemann is a licensed real estate broker acting as principal.*

The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

A motion was made by Council member Chalfant, seconded by Council member Kelly, to add an item to the Council consent agenda authorizing acquisition of a portion of property and easements at 609 Powder Springs Street from Hickory Real Estate Holdings LLC for the purpose of constructing the Powder Springs Streetscape - Sandtown Rd to S Marietta Parkway Project in exchange for \$66,885.00. Compensation includes owner replacing sign in accordance with City Code.

The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

A motion was made by Council member Chalfant, seconded by Council member Richardson, to add an item to the Council consent agenda authorizing acquisition of easements at 42 Gramling Street from Philip Propp for the purpose of constructing the Powder Springs Streetscape - Sandtown Rd to S Marietta Parkway Project in exchange for \$2,000.00.

The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

A motion was made by Council member Chalfant, seconded by Council member Kelly, to add an item to the Council consent agenda authorizing acquisition of easements at 455 Manget Street from Lois Carol Teem for the purpose of constructing the Manget Street Improvements - Manget Street at Lakewood Drive Project in exchange for \$6,782.40.

The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

A motion was made by Council member Chalfant, seconded by Council member Richardson, to add an item to the Council consent agenda authorizing acquisition of easements at 334 Lakewood Drive from Earnings Bug LLC for the purpose of constructing the Manget Street Improvements - Manget Street at Lakewood Drive Project in exchange for \$1,401.60.

The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

A motion was made by Council member Chalfant, seconded by Council member Richardson, to add an item to the Council consent agenda authorizing acquisition of a driveway easement at 311 Lakewood Drive from Steve Mittleman & Andrew R. Naas for the purpose of constructing the Manget Street Improvements - Manget Street at Lakewood Drive Project in exchange for the following stipulation.

- 1. Tree located next to driveway will be removed, to include the stump, and surrounding area graded and sodded.*

The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

A motion was made by Council member Chalfant, seconded by Council member Richardson, to add an item to the Council consent agenda authorizing acquisition of an easement at 439 East Dixie Avenue from James B. Kendrick, John Wesley Kendrick and Benjamin James Kendrick for the purpose of constructing the KMCR Trail - Gap Section Project in exchange for \$2,594.00. The motion carried by the following vote:

Vote: 7 – 0 – 0 Approved

ADJOURNMENT:

The meeting was adjourned at 8:48 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____