



# 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*

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Tuesday, June 26, 2018

Council Chamber

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### 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 5:52 p.m.*

### MINUTES:

#### 20180751 Regular Meeting - May 30, 2018

Review and approval of the May 30, 2018 meeting minutes.

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

**Vote: 3 – 0 – 0**

**Approved**

### BUSINESS:

#### 20180734 Amendment to 1-12-150 - Appearance before the court of person served with charges; failure to appear; penalty.

To clarify ordinance to include language regarding offense jurisdiction and penalty.

*Motion to approve the ordinance to include language regarding offense jurisdiction and penalty.*

**The motion was made by Council member Goldstein, seconded by Council member Richardson, 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**

**20180736**

**Amendment of 9-4-40 F.1 to change time period for payment or contesting of parking violations and to clarify procedures for contesting of violation.**

Modification of the time period allowed for payment or contesting of parking violations from 5 (five) days to 10 (ten) days to allow ample time for receipt by mail before escalated fine assessment imposed. And, to include provisions for contesting parking violation by filing written notice with the Clerk of Court and requirement of appearance in court for contested hearing.

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

**Vote: 3 – 0 – 0**

**Referred to the Agenda Work Session**

**20180712**

**Model Home Ordinance**

Discussion about proposed updates to Section 726, Subdivision Regulations, including new regulations allowing model home permits.

*Motion to authorize the advertisement of proposed updates to Section 726, Subdivision Regulations, including new regulations allowing model home permits.*

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

**Vote: 3 – 0 – 0**

**Recommended for Approval - Non Consent Agenda**

**20180713**

**Billboard for Home2 Suites - 2168 Kingston Court**

Request by Krishan Patel to keep and use the abandoned billboard for Home2 Suites at 2168 Kingston Court. City Council approved a variance (V2012-11) on August 8, 2012 allowing the sign to remain for one year, until August 8, 2013. The sign is approximately 70 feet in height and 450 square feet (9'x50') in area.

*Discussion was held regarding the billboard located at 2168 Kingston Court. There was general agreement to take no action.*

*Discussion was also held regarding a request to revise the zoning stipulations related to the number of non-extended stay rooms in the hotel.*

*A motion was made to revise the zoning stipulations for 2168 Kingston Court. Marietta Hotel Investments LLC (Z2009-14), so as to amend paragraph No.3 of the stipulation letter from Garvis Sams of Sams, Larkin, Huff & Balli dated April 5, 2017 as stated:*

*“3. Utilizing the existing structure (which once housed a Holiday Inn Hotel) and after expending over One-Half Million Dollars in remediation and abatement costs, the Home2 Suites by Hilton shall contain a maximum number of 148 rooms. Twenty-six (26) of those rooms shall be “regular” non-extended stay rooms.”*

*And amended so as to delete the last sentence of the paragraph, as follows:*

*“3. Utilizing the existing structure (which once housed a Holiday Inn Hotel) and after expending over One-Half Million Dollars in remediation and abatement costs, the Home2 Suites by Hilton shall contain a maximum number of 148 rooms. ~~Twenty six (26) of those rooms shall be “regular” non-extended stay rooms.~~”*

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

**Vote: 3 – 0 – 0**

**Recommended for Approval - Non Consent Agenda**

**20180735**

**Revision to the Detailed Plan - Manget Ph. 3**

Motion to approve the revised detailed plan for Manget Phase 3, as requested by Brock Built Homes, to relocate two parking spaces from Wild Olive Crest to Manget Street in front of Lots 97 and 98.

*Discussion was held regarding the request to revise the detailed plan for Manget Phase 3, as requested by Brock Built Homes, to relocate two parking spaces from Wild Olive Crest to Manget Street in front of Lots 97 and 98.*

*There was general agreement to take no action.*

**No Action Taken**

**20180737**

**Final Plat - Hedges Park**

Motion to approve the final plat for the development of seventy-eight (78) detached single-family homes at Hedges Street and West Dixie Avenue, zoned PRD-SF (2016-32).

*Discussion was held regarding the need Revocable License Agreement and/or a Maintenance Agreement if this matter was approved.*

**The motion was made by Council member Richardson, seconded by Council member Goldstein, that this matter be Referred to the Agenda Work**

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

**Vote: 3 – 0 – 0**

**Referred to the Agenda Work Session**

**20180729**

**State Law Change Regarding Sunday Alcohol Sales by the Drink**

Discussion by Mayor and City Council of the state law change regarding Sunday alcohol sales by the drink for the time period of 11:00 a.m. until 12:30 p.m., and Cobb Counties notification regarding voting deadlines.

*Motion to approve a resolution calling for a referendum to determine whether to authorize retailers to sell distilled spirits or alcoholic beverages for consumption on premises on Sundays between the hours of 11:00 a.m. and 12:30 p.m., in qualified establishments.*

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

**Vote: 3 – 0 – 0**

**Referred to the Agenda Work Session**

**ADJOURNMENT:**

*The meeting was adjourned at 6:58 p.m.*

**Respectfully submitted,**

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**Stephanie Guy, City Clerk**

**Approved:** \_\_\_\_\_