



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, November 8, 2023

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:

Bill Bruton, City Manager

Doug 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 Walker to give the invocation.

PLEDGE OF ALLEGIANCE:

Everyone remained standing for the Pledge of Allegiance.

PRESENTATIONS:

20231035

2023 Marietta Citizens' Government Academy Graduation

The 2023 Marietta Citizens' Government Academy recognizes the following graduates:

Matthew Hull	Lauren Elle Darby	Nathaniel Hooks
Esdras Nava	Kyann Senior	Jack Foster
Jaliyah Davis	Tesfanesh Gantt	Kenedi Mitchell
Cheniah Brown	Estrella Owen	Alexa Nava
Taylor Hawkins	Ezrel Benjamin	
Sa'myah McNeil	Jayden Edwards	

Presented

PROCLAMATIONS:**20230952 Marietta City Schools Teacher of the Year**

Proclamation recognizing Candace Torrence, fifth grade teacher from Burruss Elementary, as the 2023 Marietta City Schools District Teacher of the Year.

Presented by Mayor Steve Tumlin and City Manager Bill Bruton

Presented

**ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE
MAYOR, COUNCIL AND/OR CITY MANAGER:****SCHEDULED APPEARANCES:****20230885 Scheduled Appearance**

Scheduled Appearance - Donald Barth.

Present

20230954 Scheduled Appearance

Scheduled Appearance - Larry Wills.

Present

20230922 Scheduled Appearance

Scheduled Appearance - Lindsey Wiles.

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).

Council member Goldstein stepped down from the dais prior to the consent agenda.

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

City Attorney Doug Haynie noted changes to the consent agenda.

-under Ordinances: Agenda item 20230367 was added to the consent agenda as a Motion to Table.

-under Other Business: Agenda item 20230921 shall remain on the consent agenda and amended to read, "Motion to approve an Ordinance amending the Fiscal Year 2024 Grant Fund for the Marietta Police Department..."

-under Other Business: Agenda item 20230953 shall remain on the consent agenda and amended to remove any mention of the City of Mableton.

-under Other Business: Agenda item 20230960 was added to the consent agenda and amended to read, "Motion approving an Ordinance adopting the amendments to the City of Marietta and Board of Lights and Water Pay and Classification System documents for FY 2024 as attached, with changes to take effect on December 10, 2023." Also, a sentence was added to the end of the motion to read, "Additionally, this plan also includes raising the minimum wage for all positions to \$17 an hour."

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

Vote: 6 – 0 – 0 **Approved**
Absent for the vote: Joseph R. Goldstein

Council member Goldstein returned to the dais.

MINUTES:

* 20230905 Regular Meeting - October 11, 2023

Review and approval of the October 11, 2023 regular meeting minutes.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved**
Absent for the vote: Joseph R. Goldstein

MAYOR'S APPOINTMENTS: (for informational purposes only)

CITY COUNCIL APPOINTMENTS:

ORDINANCES:

20230724 Z2023-22 [REZONING] ROSENT HOLDING COMPANY, LLC.

Ord 8358

Z2023-22 [REZONING] ROSENT HOLDING COMPANY, LLC. is requesting the rezoning of 0.62 acres located in Land Lot 8540, District 16, Parcel 0080 of the 2nd Section, Cobb County, Georgia, and being known as 640 Collins Road from R-2 (Single-family Residential - 2units/acre) to LI (Light Industrial). Ward 6B.

Planning Commission recommends Approval with Stipulation

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

Stipulation: The Commission recommends not approving the following variance which would be incorporated as a condition of zoning should Council approve the request as submitted.

1. Variance to allow gravel as an acceptable parking surface (§716.08 A & B)
2. Variance to reduce the buffer adjacent to residential (654 Collins Road) on the southeastern side for the construction of a new driveway and parking area as shown on the attached site plan. (§708.26 I)

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 640 Collins Road from R-2 (Single-family Residential - 2units/acre) to LI (Light Industrial).

Toni Blanca (Rosent Holding Company, LLC.) requested rezoning of the subject property to provide overflow parking for his business located across the street. He mentioned that there were plans to construct a warehouse on the lot and a need to use gravel temporarily until the construction was complete.

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

Discussion was held by Council.

Motion to approve the rezoning request for property located at 640 Collins Road from R-2 (Single Family Residential - 2 units/acre) to LI (Light Industrial) 4 units/acre).

The following stipulations are incorporated as a condition of zoning:

- 1. The new parking areas will be asphalt or recycled asphalt surface.*
- 2. The existing bamboo on the eastern side of the property will remain intact and serve as the required buffer adjacent to residential.*

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

Vote: 7 – 0 – 0

Approved as Amended

20230228

Z2023-06 [REZONING] WESTPLAN INVESTORS (MARIETTA CROSSING, LLC)

Z2023-06 [REZONING] WESTPLAN INVESTORS (MARIETTA CROSSING, LLC) are requesting the rezoning of 19.25 acres located in Land Lots 1239 &

1240, 1281, & 1282 District 16, Parcels 0270, 0060, and 1310 of the 2nd Section, Cobb County, Georgia, and being known as 50 Powers Ferry Road; 2301 & 2315 Wylie Drive from MXD (Mixed Use Development) to MXD (Mixed Use Development). Ward 7A.

Planning Commission recommends Approval

Mr. Diffley made a motion, seconded by Mr. McClure, to recommend approval. The motion carried with a vote of 6-0-0.

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 50 Powers Ferry Road; 2301 & 2315 Wylie Drive from MXD (Mixed Use Development) to MXD (Mixed Use Development).

Parks Huff, (Sams, Larkin & Huff, LLC.), requested rezoning for the subject property for a mixed-use development. The project will include 236 (a 50-unit reduction from the original plan) multifamily units in five (5) buildings and 28 for-sale townhomes. Mr. Huff also presented the proposed site plan, along with a letter of agreeable stipulations/conditions, dated November 3, 2023.

Those speaking regarding this matter:

Samual Foster

Elizabeth Hillis

Don Barth

Melissa O'Brian

Vicky Lucas

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

Discussion was held by Council regarding the stipulations and requested variances.

Motion to approve the rezoning request for property located at 50 Powers Ferry Road; 2301 & 2315 Wylie Drive from MXD (Mixed Use Development) to MXD (Mixed Use Development).

The following stipulations and variances are incorporated as a condition of zoning:

1. Letter of stipulations and conditions from Parks F. Huff of Sams, Larkin & Huff to Shelby Little, Planning & Zoning Manager for the City of Marietta, dated November 3, 2023.

2. Variance to allow the two (2) existing billboards in association with this project only but to continue their nonconforming status.

3. *Variance for Marietta Crossing LLC (V2018-10), which was approved by City Council on April 11, 2018, shall remain in effect for the movie theater. The current applicant, Westplan Investors, LLC, shall not have the right to utilize this sign.*

4. *The first floor of buildings 1 and 2 shown on the site plan dated 10/20/23 may not be residential units.
Buildings 1 through 5 will be built concurrently.*

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

Vote: 6 – 1 – 0 Approved as Amended
Voting Against: Johnny Walker

20230842

Z2023-23 [REZONING] CORNELIUS SAVAGE & IRAN KEARSE

[Ord 8359](#)

Z2023-23 [REZONING] CORNELIUS SAVAGE & IRAN KEARSE are requesting the rezoning of 0.39 acres located in Land Lot 1215, District 16, Parcel 1000 of the 2nd Section, Cobb County, Georgia, and being known as 575 Lawrence Street from CRC (Community Retail Commercial) to R-4 (Single-Family Residential - 4 units/acre). Ward 5A.

Planning Commission recommends Approval

Ms. McCrae made a motion, seconded by Mr. Diffley, to recommend approval of the request as submitted. The motion carried with a vote of 6-0-0.

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 575 Lawrence Street from CRC (Community Retail Commercial) to R-4 (Single-Family Residential - 4 units/acre).

Cornelius Savage and Iran Kears, (owners), requested rezoning for the subject property to subdivide the lot and build two single family residential properties.

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

Discussion was held by Council.

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

Vote: 7 – 0 – 0 Approved

20230843**Z2023-24 [REZONING] CITY DESIGN GROUP, INC.****Ord 8361**

Z2023-24 [REZONING] CITY DESIGN GROUP, INC. is requesting the rezoning of 0.28 acres located in Land Lot 2350, District 16, Parcel 0570 of the 2nd Section, Cobb County, Georgia, and being known as 99 Merritt Street from OI (Office Institutional) to OI (Office Institutional) with an additional use (warehousing). Ward 1A.

Planning Commission recommends Denial

Mr. Smith made a motion, seconded by Mr. McClure, to recommend denial of the request as submitted. The motion carried with a vote of 4-2-0. Mr. Diffley and Mr. Kinney opposed.

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 99 Merritt Street from OI (Office Institutional) to OI (Office Institutional) with an additional use (warehousing).

Ted Ferreira (owner) and Ms. Lori Weaver (prospective tenant) requested rezoning of the subject property, as Mr. Ferreira plans to lease the property to Ms. Weaver for a parking lot maintenance company. Ms. Weaver explained the front building would be used for business administration and the building to the rear would be used for equipment and vehicle storage. The parking area between the building would be used for parked vehicles with trailers and equipment.

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

Discussion was held by Council.

Motion to approve the rezoning request for property located at 99 Merritt Street from OI (Office Industrial) to OI (Office Industrial) with an additional use (warehousing).

The following stipulation is incorporated as a condition of zoning:

The chain link fence with vinyl slats will be changed to a wood privacy fence.

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

Vote: 7 – 0 – 0

Approved as Amended

20230844

Z2023-25 [REZONING] BEAZER HOMES, LLC.**Ord 8362**

Z2023-25 [REZONING] BEAZER HOMES, LLC. is requesting the rezoning of 5.33 acres located in Land Lot 7860, District 16, Parcel 0090 of the 2nd Section, Cobb County, Georgia, and being known as 1891 Bells Ferry Road from LI (Light Industrial) to PRD-SF (Planned Residential Development - Single Family). Ward 5B.

Planning Commission recommends Approval

Mr. Diffley made a motion, seconded by Mr. Smith, to recommend approval of the request as submitted. The motion carried with a vote of 6-0-0.

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 1891 Bells Ferry Road from LI (Light Industrial) to PRD-SF (Planned Residential Development - Single Family).

Ted Ferreira (owner) and Ms. Lori Weaver (prospective tenant) requested rezoning of the subject property to add this parcel to the recently approved "Green House" development (also zoned PRD-SF) to enhance access to the neighborhood and avoid conflicts with utility easements on the adjacent land. No new units are proposed to be built on the subject property.

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

Discussion was held by Council.

Motion to approve the rezoning request for property located at 1891 Bells Ferry Road from LI (Light Industrial) to PRD-SF (Planned Residential Development - Single Family), with the following stipulations are incorporated as a condition of zoning:

1. Letter of stipulations and conditions from J. Kevin Moore of Moore Ingram Johnson & Steele to Shelby Little, Planning & Zoning Manager for the City of Marietta, dated November 3, 2023.

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

Vote: 7 – 0 – 0

Approved as Amended

20230876

Z2023-26 [REZONING] 1680 SPRING, LLC. (SAINT & GOLDIE, LLC.)**Ord 8360**

Z2023-26 [REZONING] 1680 SPRING, LLC. (SAINT & GOLDIE, LLC.) are requesting the rezoning of 1.24 acres located in Land Lot 1147, District 16, Parcel 0470 of the 2nd Section, Cobb County, Georgia, and being known as 397 North Sessions Street from LI (Light Industrial) to LI (Light Industrial) with an additional uses of retail and restaurant. Ward 4A.

Planning Commission recommends Approval

Mr. Diffley made a motion, seconded by Mr. Hunter, to recommend approval of the request as submitted. The motion carried with a vote of 6-0-0.

Should City Council approve the request, the following variances would be incorporated as a stipulation of zoning:

1. Variance to reduce the building setbacks to the as-built conditions identified on the exemption plat for Waterworks Neighbors, LLC.
2. Variance to eliminate the 50 ft buffer adjacent to a residential district.
3. Variance to reduce the required parking from 34 spaces to 32 spaces.

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 397 North Sessions Street from LI (Light Industrial) to LI (Light Industrial) with an additional use of retail and restaurant.

The applicants, Ms. Elizabeth Sicard, Ms. Brianna Williams and Ms. Caroline Gordon requested rezoning of the subject property to operate a 920 square foot retail store called Saint & Goldie, a “lifestyle boutique” selling homewares.

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

Discussion was held by Council.

Motion to approve the rezoning request for property located at 397 North Sessions Street from LI (Light Industrial) to LI (Light Industrial) with additional uses of retail and restaurant, with the following variance is incorporated as a condition of zoning:

1. Variance to reduce the building setbacks to the as-built conditions identified on the exemption plat for Waterworks Neighbors, LLC.
2. Variance to eliminate the 50 ft buffer adjacent to a residential district.
3. Variance to reduce the required parking from 34 spaces to 32 spaces.

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

Vote: 7 – 0 – 0

Approved

- * **20230367** **CA2023-05 [CODE AMENDMENT] Comprehensive Development Code, Div. 708, Section 708.18, CBD, Central Business District.**

Motion to table the proposal to amend the Comprehensive Development Code of the City of Marietta, Division 708, District Standards and Permitted Uses, Section 708.18, CBD, Central Business District until the December 13, 2023 City Council meeting.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Tabled**
Absent for the vote: Joseph R. Goldstein

RESOLUTIONS:

CITY ATTORNEY'S REPORT:

- * **20230877** **Denial of Claim**

Denial of Claim for Raechel Richards.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved to Deny Claim**
Absent for the vote: Joseph R. Goldstein

- * **20230903** **Denial of Claim**

Denial of Claim for Bryen Anderson Najarro Hernandez.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved to Deny Claim**
Absent for the vote: Joseph R. Goldstein

- * **20230904** **Denial of Claim**

Denial of Claim for Cesar Garcia.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved to Deny Claim**
Absent for the vote: Joseph R. Goldstein

CITY MANAGER'S REPORT:

MAYOR'S REPORT:

COMMITTEE REPORTS:**1. Economic/Community Development: Andre L. Sims, Chairperson****2. Finance/Investment: Joseph R. Goldstein, Chairperson***** 20230865 FY2023 Budget Reconciliation****[Ord 8355](#)**

Motion approving an amendment to the Fiscal Year 2023 budget to address the annual year-end settlement of accounts to move the salary savings due to unfilled positions for the purchase of equipment, to move the General fund capital contingency to user departments to cover approved capital items, and to appropriate the operational surplus in various Funds of the City.

Council Member Goldstein discloses that PMG Family, LLC and JRG Marietta Parkway, LLC own properties in the Center City South Renaissance Tax Allocation District. Council Member Goldstein is an owner of both PMG Family, LLC and JRG Marietta Parkway, LLC.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved
Absent for the vote: Joseph R. Goldstein

3. Judicial/Legislative: G. A. (Andy) Morris, Chairperson*** 20230914 Revised Detailed Plan - AUFC Media Trailer**

Motion to approve an extension of the temporary use of an office trailer on the site of the Atlanta United Children's Healthcare of Atlanta Training Ground, until December 31, 2026 or until construction of a new media center is complete, whichever is sooner.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved
Absent for the vote: Joseph R. Goldstein

*** 20230806 CA2023-06 [CODE AMENDMENT] Comprehensive Development Code, Divisions 708, 710 & 724, Outdoor Storage Regulations.**

Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 708, District Standards and Permitted Uses; Division 710 Supplementary District Regulations, Section 710.08, Storage in non-residential areas; and Division 724, Section 724.02 Definitions of terms regarding outdoor storage regulations.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved**
Absent for the vote: Joseph R. Goldstein

20230887 Revised Detailed Plan - GreenHouse

Motion to approve the revised detailed plan for the GreenHouse development previously rezoned under Z2022-29. This detailed plan would incorporate the five acre parcel at 1891 Bells Ferry Road (Z2023-25) and address other minor revisions.

Rusty Roth, Development Services Director, presented the request for approval of the revised detailed plan for the Laura Lake residential development.

In July 2023, City Council approved the detailed plan, including a number of variances, for the 175-acre Laura Lake development off Bells Ferry Road, now named Green House. The approved plan includes 592 housing units consisting of 299 single family detached homes, 95 age-targeted detached homes, and 198 attached townhome units.

The developer, Beazer Homes LLC, is now asking that the detailed plan be revised to include a 5.33-acre parcel to address a boundary line discrepancy that makes the initial southern entrance road alignment infeasible. Additionally, the new land serves to enhance access to the neighborhood and avoid conflicts with utility easements on adjacent land. No new units are proposed to be built on the additional property.

Discussion was held by Council.

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

Vote: 7 – 0 – 0 **Approved**

*** 20230898 Detailed Plan - Sandtown 2**

Motion to approve the request by Blue River Development for approval of the detailed plan for 5.91 acres off of Saine and Roberta Drives. This property was (partially) annexed and rezoned in 2021 per Z2021-14 for the construction of 40 homes (21 detached and 19 attached) and new public streets.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved**
Absent for the vote: Joseph R. Goldstein

4. Parks, Recreation and Tourism: Johnny Walker, Chairperson*** 20230902 Marietta History Center**

Motion to approve the request for Marietta History Center to display holiday panels as part of Winter Wonderland on the Square.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved

Absent for the vote: Joseph R. Goldstein

5. Personnel/Insurance: Cheryl Richardson, Chairperson**6. Public Safety Committee: M. Carlyle Kent, Chairperson****7. Public Works Committee: Grif Chalfant, Chairperson***** 20230871 Title VI Program Documents****c/a 5216**

Motion approving the Title VI Nondiscrimination Agreement and Assurances between the City of Marietta and the Georgia Department of Transportation for compliance with 23 CFR Part 200, Title VI of the Civil Rights Act of 1964, along with approval of the City of Marietta Title VI Policy and DBE Policy statements. Additionally, this motion appoints the Director of Human Resources and Risk Management as the City of Marietta Title VI Coordinator and the Director of Public Works as the DBE Liaison Officer.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved

Absent for the vote: Joseph R. Goldstein

*** 20230872 Lawrence Street Utilities**

Motion authorizing variance from the underground utility's ordinance allowing a new support pole in the right-of-way at 718 Lawrence Street. This motion does not grant a perpetual variance. Marietta Power must relocate underground at their expense if other utilities at the location are moved underground. Ward 1A

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 Approved

Absent for the vote: Joseph R. Goldstein

* **20230873** **Merritt Street On-Street Parking**

Motion to authorize the installation of no parking signage on Merritt Street.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved**
Absent for the vote: Joseph R. Goldstein

* **20230874** **Welch Street Speed Study**

Motion authorizing Public Works to conduct the speed study of Welch Street from Gramling Street to Latimer Street to determine if traffic calming devices are needed and to set the speed limit at 25 MPH. Ward 1A

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved**
Absent for the vote: Joseph R. Goldstein

* **20230875** **Etowah Drive Speed Study**

Motion authorizing Public Works to conduct the speed study of Etowah Drive from Chicopee Drive to Sequoia Drive to determine if traffic calming devices are needed. Ward 4B

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved**
Absent for the vote: Joseph R. Goldstein

OTHER BUSINESS:

20230910 Certificate of Approval - 25 Polk Street-Marietta Station-New Construction

Consideration of a certificate of approval requested by Marietta Station Partners, LLC c/o Bridger Properties, LLC for new construction at 25 Polk Street. This is a revision to, and re-submittal of the application heard at the May 1, 2023 Historic Board of Review and May 10, 2023 City Council meetings.

Council Member Goldstein discloses that Philip M. Goldstein and two entities originally owned by Gary Eubanks and/or members of Gary Eubanks' family have cross access easements over their respective properties. Marietta Station Partners, LLC acquired the responsibilities and interest in the cross-access easement that was originally held by the Eubanks entities. Philip M. Goldstein is the father of Council Member Goldstein.

Development Director Rusty Roth presented information related to the Certificate of Approval requested by Marietta Station Partners, LLC c/o Bridger Properties, LLC for new construction at 25 Polk Street.

Marietta Station Partners, LLC c/o Bridger Properties, LLC applied for a Certificate of Approval for new construction of a building containing 122 residential units and 6,100 square feet of commercial space. The property at 25 Polk Street currently contains surface parking with little to no landscaping. At the October 30, 2023 Historic Board of Review meeting, a motion was approved to deny the application for exterior changes and new construction.

Discussion was held by Council, specifically regarding the height of the proposed building as it relates to the adjacent buildings.

Those speaking regarding this matter:

Samuel Foster

Elizabeth Hillis

Melissa O'Brian

Janice L.

Lynn R.

Melinda Matthews

Tracy Stevenson

Matt DeBusher

Don Barth

John Cole

Katy Camp

A motion was made by Council member Kent, seconded by Council member Richardson, to reject the decision of the Historic Board of Review denying the Certificate of Approval for New Construction at 25 Polk Street in File No. 20230910.

A substitute motion was made by Council member Richardson, seconded by Council member Chalfant, to table this matter until the January City Council meeting. The motion carried by the following vote:

Vote: 6 – 1 – 0 Tabled

Voting Against: M. Carlyle Kent

Mayor Tumlin vetoed the motion. (The official veto is on file in the City Clerk's Office.)

City Attorney Doug Haynie explained the veto process, stating that it would take five (5) votes to override a veto.

A motion was made by Council member Richardson, seconded by Council member Sims, to override the Mayor's veto.

The motion carried by the following vote:

Vote: 6 – 1 – 0 Approved

Voting Against: Johnny Walker

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- * **20230947** **MEAG Off-System Energy Sales Margins Power Supply Year 2024**
- c/a 8215** Motion to approve a recommendation by the Board of Lights and Water to elect the continuation of Off-System Energy Sales as credits to the monthly MEAG bills and execute the election form for the power supply year 2024.
- This Matter was Approved on the Consent Agenda.**
- Vote: 6 – 0 – 0** **Approved**
 Absent for the vote: Joseph R. Goldstein
- * **20230921** **FY23 Law Enforcement Wellness Act Grant Award**
- [Ord 8356](#) Motion to approve an Ordinance amending the Fiscal Year 2023 Grant Fund for the Marietta Police Department to receive and appropriate a grant for the FY23 Law Enforcement Wellness Act Award from the Department of Justice for \$128,400.00 to contract a full-time mental health clinician.
- Motion to approve an Ordinance amending the Fiscal Year 2024 Grant Fund for the Marietta Police Department.*
- This Matter was Approved on the Consent Agenda.**
- Vote: 6 – 0 – 0** **Approved as Amended**
 Absent for the vote: Joseph R. Goldstein
- * **20230953** **Balli Law Agreement**
- c/a 5221** Motion to approve the final Balli Law Agreement for services during the Service Delivery/Double Taxation negotiations with Cobb County, with the addition of the City of Mableton.
- Motion to approve the final Balli Law Agreement for services during the Service Delivery/Double Taxation negotiations with Cobb County.*
- This Matter was Approved on the Consent Agenda.**
- Vote: 6 – 0 – 0** **Approved as Amended**
 Absent for the vote: Joseph R. Goldstein
- 20230960** **FY 2024 Amendments to City/BLW Pay and Classification System Documents**
- Motion approving an Ordinance adopting the amendments to the City of Marietta and Board of Lights and Water Pay and Classification System documents for FY 2024 as attached, with changes to take effect on January 1, 2024. Additionally, this approves a four percent (4%) pay increase for general employees, hired on or before July 1, 2023, a five percent (5%) pay increase to the Electric Line Worker

& Forestry Pay Plans, and seven percent (7%) pay increase for all sworn Police Officers, Public Safety Ambassadors' and Firefighters. In addition. authorization for "Annual Increase Add-Pay" in lieu of salary increases, when necessary to preserve established salary ranges City/BLW Pay and Classification System.

*Motion approving an Ordinance adopting the amendments to the City of Marietta and Board of Lights and Water Pay and Classification System documents for FY 2024 as attached, with changes to take effect on **December 10, 2023**.*

*Additionally, this approves a four percent (4%) pay increase for general employees, hired on or before July 1, 2023, a five percent (5%) pay increase for to the Electric Line Worker & & Forestry Pay Plans, and seven percent (7%) pay increase for all sworn Police Officers, Public Safety Ambassadors' and Firefighters. In addition. authorization for "Annual Increase Add-Pay" in lieu of salary increases, when necessary to preserve established salary ranges City/BLW Pay and Classification System. **Additionally, this plan also includes raising the minimum wage for all positions to \$17 an hour.***

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved as Amended**

Absent for the vote: Joseph R. Goldstein

* **20230969**

BLW Actions of November 6, 2023

Review and approval of the November 6, 2023 actions and minutes of the Marietta Board of Lights and Water.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 0 **Approved**

Absent for the vote: Joseph R. Goldstein

UNSCHEDULED APPEARANCES:

A motion was made in open session by Council member Goldstein, seconded by Council member Kent, to enter an Executive Session to discuss personnel matters. 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 Richardson, seconded by Council member Goldstein, to exit the Executive Session. The motion carried by the following vote:

Vote: 7 – 0 – 0 *Approved*

ADJOURNMENT:

The meeting was adjourned at 10:47 p.m.

Date Approved: _____

R. Steve Tumlin, Mayor

Attest: _____
Stephanie Guy, City Clerk