



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
Jason Waters, Ward 2
Daniel Gaddis, Ward 3
Byron "Tee" Anderson, Ward 4
M. Carlyle Kent, Ward 5
Andre L. Sims, Ward 6
Joseph R. Goldstein, Ward 7

Wednesday, August 12, 2026

7:00 PM

Council Chamber

Presiding: R. Steve Tumlin, Mayor

Present: Cheryl Richardson, Daniel Gaddis, Byron "Tee" Anderson,
M. Carlyle Kent, Andre L. Sims, Joseph R. Goldstein and Jason Waters

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 7:04 p.m.

INVOCATION:

Mayor Tumlin called upon Council member Richardson to give the invocation.

PRESENTATION OF COLORS:

PLEDGE OF ALLEGIANCE:

Everyone remained standing for the Pledge of Allegiance.

RETIREMENT OF COLORS:

PRESENTATIONS:

20260775

Marietta Back to School

Presentation introducing the Marietta High School senior football players, cheerleaders, band members and their respective coaches.

Presented

20260792 2026 APWA Awards Presentation

Presentation of the Public Works Awards received at the 2026 APWA Conference.

Presented

The meeting recessed briefly and reconvened at 7:43pm.

PROCLAMATIONS:**ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE
MAYOR, COUNCIL AND/OR CITY MANAGER:****SCHEDULED APPEARANCES:****20260716 Scheduled Appearance**

Scheduled Appearance - Tracy Stevenson.

Present

20260717 Scheduled Appearance

Scheduled Appearance - Lindsey Koch.

Present

20260718 Scheduled Appearance

Scheduled Appearance - Donald Barth.

Present

20260719 Scheduled Appearance

Scheduled Appearance - Amanda Constantinides.

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).

A motion was made by Council member Goldstein, seconded by Council member Richardson, to suspend the rules of order to add the Denial of Claim of Vyanah Campbell. The motion carried by the following vote:

*Vote: 7 – 0 – 0 Approved
(See agenda item 20260814)*

Mayor Pro tem Andre Sims briefly explained the consent agenda process.

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

-under City Council Appointments: Agenda item 20260799 was taken off the consent agenda but will remain on the agenda.

-under Ordinances: A motion was added to the agenda to take agenda item 20260577 off the table.

-under Committee Reports: Agenda item 20260747 was added to the consent agenda as amended.

-under Finance/ Investments Committee: Agenda item 20260725 was sent back to the Parks, Recreation and Tourism Committee with additional wording added and placed on consent.

-under Other Business: Agenda item 202260773 was added to the consent agenda.

A motion was made by Council member Richardson, seconded by Council member Waters, 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 abstaining on agenda item 20260737.

Council member Gaddis abstaining on agenda item 20260747 and voting against agenda items 20260812 and 20260813.

MINUTES:

*** 20260699 Special Meeting - July 6, 2026**

Review and approval of the July 6, 2026 special meeting minutes.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20260715 Regular Meeting - July 8, 2026**

Review and approval of the July 8, 2026 meeting minutes.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20260783 Special Meeting July 28, 2026**

Review and approval of the July 28, 2026 special meeting minutes.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20260784 Executive Session Minutes**

Review and approval of the following executive session minutes:

October 7, 2024 City Council Agenda Work Session
November 7, 2024 City Council Agenda Work Session
January 6, 2025 City Council Agenda Work Session
January 28, 2025 Special Called Council Meeting Work Session
May 12, 2025 City Council Agenda Work Session

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

MAYOR’S APPOINTMENTS: (for informational purposes only)

CITY COUNCIL APPOINTMENTS:

* **20260621 Board of Lights and Water Appointment**

Motion to appoint Stephanie Meyer to the Board of Lights and Water (Non-Resident Member), for a 4-year term expiring August 12, 2030.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

20260799 Civil Service Board Appointment

Motion to appoint Derek Greenacre to the Civil Service Board for a three (3) year term, beginning immediately and expiring December 31, 2029.

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

Vote: 7 – 0 – 0

Approved

ORDINANCES:

20260577

Z2026-12 [REZONING] PRIME STORAGE POWERS FERRY PLACE MARIETTA, LLC.

Z2026-12 [REZONING] PRIME STORAGE POWERS FERRY PLACE MARIETTA, LLC. is requesting the rezoning of 10.73 acres located in Land Lots 787, 788 and 798, 17th District, Parcel 0110 of the 2nd Section, Cobb County, Georgia, and being known as 1155 Powers Ferry Place from CRC (Community Retail Commercial) to CRC (Community Retail Commercial) with an additional use (data infrastructure facility). Ward 7A.

Planning Commission recommends Approval

A motion was made by Mr. Sheehan, seconded by Mr. McClure, to recommend approval. The motion was carried with a vote of 4-3-0.

Should Council vote to approve the request to rezone the property to CRC (Community Retail Commercial) with an additional use for a data infrastructure facility, the following conditions would be incorporated:

1. Letter of agreeable stipulations and conditions from Parks F. Huff of Sams, Larkin & Huff, LLP to Daniel Cummings, Assistant City Manager for the City of Marietta, dated July 1, 2026.

Special Public Comments with Rules

The public hearing required by State law was held before the Mayor and Council on July 8, 2026.

This matter was tabled by the Mayor and Council on July 8, 2026.

Public comment tonight will be held as follows:

- o 15-minutes from those in favor of the rezoning (3-minutes limit per speaker)*
- o 15-minutes from those in opposition of the rezoning (3-minutes limit per speaker)*
- o Discussion by the Mayor and Council for the City of Marietta.*

Previously Tabled by Council on July 8, 2026

A motion was made by Council member Richardson, seconded by Council member Goldstein, to take agenda item 20260577 off the table. The motion carried by the following vote:

Vote: 7 – 0 – 0

Approved

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Daniel Cummings, Acting Development Services Director, presented information regarding the rezoning request for property 1155 Powers Ferry Place from CRC

(Community Retail Commercial) to CRC (Community Retail Commercial) with an additional use (data infrastructure facility).

Parks Huff, attorney for the applicant, requested rezoning for the property to allow a portion of the existing concrete building on the site to be converted into a data infrastructure facility.

Those speaking regarding this matter:

John Porter

Stuart Wall

Dana Johnson

William McNutt

Mary Frances Williams

Gavin Bedell

Matthew Tuserrani

Grace Bloomberg

Lewis Smith

At the end of the allotted time, the public hearing was closed.

Discussion was held by Council.

A motion was made by Council member Goldstein, seconded by Council member Anderson, to approve the rezoning request for property at 1155 Powers Ferry Place from CRC (Community Retail Commercial) to CRC (Community Retail Commercial) with an additional use for a data infrastructure facility), with the following stipulations and conditions are incorporated into the zoning approval:

- 1. Letter of agreeable stipulations and conditions from Parks F. Huff of Sams, Larkin & Huff, LLP to Daniel Cummings, Assistant City Manager for the City of Marietta, dated August 11, 2026.*
- 2. Stipulation #1 modified to limit the use to less than fifty percent (50%) of the floor area of the largest building on the site.*
- 3. Stipulation #4 regarding noise level limits, shall be amended to limit the noise level maximums to 56 dBA and 77 dBC to match sound levels found within the August 2026 Sound Study report.*
- 4. Propylene glycol shall be the only additive used in the cooling system (Stipulation #6).*
- 5. Stipulation #13 shall require continuous, not annual, acoustical monitoring reported to City staff with any sounds exceeding stated limits incurring a violation.*
- 6. The cooling system shall feature continuous monitoring for leak detection, automatic shutoff valves, and containment controls to ensure system leaks cannot enter the municipal wastewater or stormwater system. All wastewater generated by the cooling system must be disposed of off-site at a properly permitted treatment facility.*
- 7. No exception to maximum noise levels shall be made for any emergency situations, regardless of any stated exceptions in the stipulation letter or noise ordinance. Noise maximums shall be limited at all times to 56 dBA and 77 dBC to match sound levels modeled in the referenced study.*

8. *An independent acoustical sound study must be conducted within 3 months of completing the building and installing equipment. Any discrepancies between the new study and the August 2026 study will be immediately addressed by upgrading equipment until compliance is achieved.*
9. *Heat increases shall not exceed the following:*
 - 5°-15° rise within chiller yard;*
 - 1°-5° rise 20'-50' outside the sound wall;*
 - 1° rise expected 100'-300' from installation, as measured 20', 25', and 35' above the yard.*
10. *The specific manufacturer, model, dimensions and configuration of equipment shall be provided to the City, once selected.*
11. *Generators shall be equipped with sound mitigation measures as described in the Sound Study (August 2026) and will also be equipped with a continuous emissions monitoring system. Testing will be as described and will not exceed EPD thresholds (153 total hours annually) for classifying the site as a Synthetic Minor Resource.*
12. *The use of this property shall be site specific and bound to Exhibits A. and C. attached.*
13. *No other storage facility sites or other commercial properties within the City limits, including 155 Heathersett Drive and 45 Whitlock Place, will be converted to data infrastructure facilities.*
14. *Must comply with all EPD regulations and permitting requirements.*
15. *Final report shall be sent to Council prior to issuance of the Certificate of Occupancy.*

An amendment to the motion was made by Council member Goldstein, seconded by Council member Anderson, to include a heat effect that has been modeled to require a study within the first three months. The motion carried by the following vote:

Vote: 6 – 1 – 0 Amendment Approved
Voting Against: Daniel Gaddis

Mayor Tumlin called for a vote on the original motion as amended.

The motion was made by Council member Goldstein, seconded by Council member Anderson, to approve the rezoning request for property at 1155 Powers Ferry Place from CRC (Community Retail Commercial) to CRC (Community Retail Commercial) with an additional use for a data infrastructure facility, with the following stipulations and conditions are incorporated into the zoning approval:

1. *Letter of agreeable stipulations and conditions from Parks F. Huff of Sams, Larkin & Huff, LLP to Daniel Cummings, Assistant City Manager for the City of Marietta, dated August 11, 2026.*
2. *Stipulation #1 modified to limit the use to less than fifty percent (50%) of the floor area of the largest building on the site.*

3. *Stipulation #4 regarding noise level limits, shall be amended to limit the noise level maximums to 56 dBA and 77 dBC to match sound levels found within the August 2026 Sound Study report.*
4. *Propylene glycol shall be the only additive used in the cooling system (Stipulation #6).*
5. *Stipulation #13 shall require continuous, not annual, acoustical monitoring reported to City staff with any sounds exceeding stated limits incurring a violation.*
6. *The cooling system shall feature continuous monitoring for leak detection, automatic shutoff valves, and containment controls to ensure system leaks cannot enter the municipal wastewater or stormwater system. All wastewater generated by the cooling system must be disposed of off-site at a properly permitted treatment facility.*
7. *No exception to maximum noise levels shall be made for any emergency situations, regardless of any stated exceptions in the stipulation letter or noise ordinance. Noise maximums shall be limited at all times to 56 dBA and 77 dBC to match sound levels modeled in the referenced study.*
8. *An independent acoustical sound study must be conducted within 3 months of completing the building and installing equipment. Any discrepancies between the new study and the August 2026 study will be immediately addressed by upgrading equipment until compliance is achieved.*
9. *An independent heat dispersion study (Computational Fluid Dynamics model) must be conducted within 3 months of the building being completed and equipment installed.*

Heat increases shall not exceed the following:

 - 5°-15° rise within chiller yard;*
 - 1°-5° rise 20'-50' outside the sound wall;*
 - 1° rise expected 100' - 300' from installation, as measured 20', 25', and 35' above the yard.*
10. *The specific manufacturer, model, dimensions and configuration of equipment shall be provided to the City, once selected.*
11. *Generators shall be equipped with sound mitigation measures as described in the Sound Study (August 2026) and will also be equipped with a continuous emissions monitoring system. Testing will be as described and will not exceed EPD thresholds (153 total hours annually) for classifying the site as a Synthetic Minor Resource.*
12. *The use of this property shall be site specific and bound to Exhibits A. and C. attached.*
13. *No other storage facility sites or other commercial properties within the City limits, including 155 Heathersett Drive and 45 Whitlock Place, will be converted to data infrastructure facilities.*
14. *Must comply with all EPD regulations and permitting requirements.*
15. *Final report shall be sent to Council prior to issuance of the Certificate of Occupancy.*

The motion carried by the following vote:

Vote: 5 – 2 – 0

Approved

Against: Cheryl Richardson and Daniel Gaddis

20260677

Z2026-16 [REZONING] DAWN ROSENDAHL (RAE COLLEY)

Z2026-16 [REZONING] DAWN ROSENDAHL (RAE COLLEY) is requesting the rezoning of 0.27 acres located in Land Lot 288, 17th District, Parcel 0330 of the 2nd Section, Cobb County, Georgia, and being known as 407 Atlanta Street from OI (Office Institutional) to OI (Office Institutional) with an additional use (single residence). Ward 1A.

Planning Commission recommends approval as amended

A motion was made by Ms. McCrae, seconded by Mr. Diffley, to recommend an amended approval of zoning to OIT (Office Institution Transitional) with an additional use as a single-family residence. The motion carried with a vote of 5-0-0. Should Council approve the request as submitted the property would be zoned OI (Office Institutional) with an additional use as a single-family residence.

Public Hearing (all parties sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Daniel Cummings, Acting Development Services Director, presented information regarding the rezoning request for property at 407 Atlanta Street from OI (Office Institutional) to OI (Office Institutional) with an additional use (single residence).

Dawn Rosendhal, the applicant and owner of the adjacent hair salon, requested rezoning for the property to reside at the subject property and use the rear parking pad to serve both the residence and the salon business.

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

Discussion was held by Council.

A motion was made by Council member Richardson, seconded by Council member Waters, to approve the rezoning request for property at 407 Atlanta Street from OI (Office Institutional) to OI (Office Institution) with an additional use as a single residence.

An amendment to the motion was made by Council member Goldstein, seconded by Council member Richardson, to rezone the property from OI (Office Institutional) to OIT (Office Institution Transitional) with an additional use as a single residence. The motion carried by the following vote:

Vote: 7 – 0 – 0 Amendment Approved

Mayor Tumlin called for a vote on the original motion as amended.

The motion was made by Council member Richardson, seconded by Council member Waters, to approve the rezoning request for property at 407 Atlanta Street from OI (Office Institutional) to OIT (Office Institution Transitional) with an additional use as a single residence.

The motion carried by the following vote:

Vote: 7 – 0 – 0

Approved

20260682

Z2026-18 [REZONING] COPPERLEAF PARTNERS, LLC.

Z2026-18 [REZONING] COPPERLEAF PARTNERS, LLC. is requesting the rezoning of 0.351 acres located in Land Lot 1216, 16th District, Parcels 0770 & 0760 of the 2nd Section, Cobb County, Georgia, and being known as 373 & 385 Lawrence Street from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential - 4 units/acre) with an increase in density. Ward 5A.

Planning Commission recommends approval

A motion was made by Mr. Diffley, seconded by Mr. Kelly, to recommend approval.

The motion carried with a vote of 4-1-0. Ms. McCrae opposed.

Should Council vote to approve the subject property would be zoned R-4 (Single Family Residential - 4 units/acre) with an increased density of 8.6 units/acre (prior to any right of way donation) using the Residential Infill Overlay District standards.

Public Hearing (all parties sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Daniel Cummings, Acting Development Services Director, presented information regarding the rezoning request for property at 373 & 385 Lawrence Street from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential - 4 units/acre) with an increase in density.

Adam Rozen, attorney for the applicant, requested rezoning for the property to subdivide the property into three separate lots. The owner intends to reconfigure the two existing lots into three separate lots in order to construct three (3) single-family dwellings under the development standards of the Residential Infill Development Overlay District (Infill Overlay). The subject properties are currently vacant.

Speaking regarding this matter:

Genique Clinton

Robbie Huck

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

Discussion was held by Council.

A motion was made by Council member Kent, seconded by Council member Goldstein, to approve the rezoning request for property at 373 & 385 Lawrence Street from R-4 (Single Family Residential - 4 units/acre) to R-4 (Single Family Residential - 4 units/acre) with an increased density of 8.6 units/acre using the Residential Infill Overlay standards, with the following variances and stipulations incorporated as conditions of zoning:

- 1. The properties will be developed using a combination of pervious pavers for driveways and on-site conveyance by routing downspouts directly to the City's stormwater infrastructure to address runoff concerns.*
- 2. Sufficient right-of-way to establish ten (10) feet of right-of-way between the property line and curb along Lawrence Street will be donated. Any sidewalk construction or the necessary donation of right-of-way on Lake and Rigby Street will be determined by the Director of Public Works and Director of Development Services.*
- 3. Density shall be calculated and building setbacks depicted using the property boundaries prior to any right of way dedication.*

The motion carried by the following vote:

Vote: 7 – 0 – 0

Approved

20260683

Z2026-19 [REZONING] WHITE HAWK BUSINESS PARK, LLC. & WHITE HAWK BUSINESS PARK III, LLC.

Z2026-19 [REZONING] WHITE HAWK BUSINESS PARK, LLC & WHITE HAWK BUSINESS PARK III, LLC are requesting the rezoning of 1.7 acres located in Land Lots 855 & 874, 16th District, Parcels 0350 & 0260, 2nd Section of Cobb County, Georgia, and being known as 1541 Owenby Drive & 532 Dickson Road from R-20 (Single Family Residential - County) and CRC (Community Retail Commercial - City) to LI (Light Industrial). Ward 6B.

Planning Commission recommends approval

A motion was made by Mr. Diffley, seconded by Mr. Kelly, to recommend approval. The motion carried with a vote of 5-0-0.

Should Council vote to approve the request the subject properties would be zoned LI (Light Industrial) with the following incorporated variances.

- 1. Variance to reduce the residential buffer on 532 Dickson Road from fifty (50) feet to twenty (20) feet. [§708.26 (I)]*
- 2. Variance to reduce the residential buffer on 1541 Owenby Drive from fifty feet to zero (0) feet. [§708.26 (I)]*

Public Hearing (all parties sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Daniel Cummings, Acting Development Services Director, presented information regarding the rezoning request for property at 1541 Owenby Drive & 532 Dickson Road from R-20 (Single Family Residential - County) and CRC (Community Retail Commercial - City) to LI (Light Industrial).

Adam Rozen, attorney for the applicant, requested rezoning for the property to grow existing industrial operations of the White Hawk Business Park along the Canton Road corridor.

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

Discussion was held by Council.

A motion was made by Council member Sims, seconded by Council member Waters, to rezone the property from R-20 (Single Family Residential - County) and CRC (Community Retail Commercial - City) to LI (Light Industrial) in the City, with the following variances and stipulations are incorporated as conditions of zoning:

- 1. Variance to reduce the residential buffer on 532 Dickson Road from fifty (50) feet to twenty (20) feet. [§708.26 (I)]*
- 2. Variance to reduce the residential buffer on 1541 Owenby Drive from fifty (50) feet to zero (0) feet with a stipulation that the parcel shall only be used for stormwater detention with the proper fencing and evergreen screening. [§708.26 (I)]*
- 3. The trucks and trailers parked at the corner of Dickson and Canton Road (1377 & 1325 Canton Road) will be removed within ninety (90) days.*
- 4. The truck court area, as shown on site plan dated 6/23/2026, at 532 Dickson Road is limited to truck maneuvering and loading/unloading and is not to be used for long term parking or storage.*

The motion carried by the following vote:

Vote: 7 – 0 – 0

Approved

20260684

A2026-03 [ANNEXATION] WHITE HAWK BUSINESS PARK III, LLC.

A2026-03 [ANNEXATION] WHITE HAWK BUSINESS PARK III, LLC. is requesting the annexation of property located in Land Lot 855, District 16, Parcel 0350 of the 2nd Section, Cobb County, Georgia, and being known as 1541 Owenby Drive, consisting of approximately 0.86 acres. Ward 6B.

Planning Commission recommends approval

A motion was made by Mr. Diffley, seconded by Mr. Sheehan, to recommend approval. The motion carried with a vote of 5-0-0.

Public Hearing (all parties sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Adam Rozen, attorney for the applicant, requested that his presentation from the rezoning be incorporated for the annexation.

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

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

Vote: 7 – 0 – 0

Approved

20260685

CA2026-05 [CODE AMMENDMENT]

CA2026-05 [CODE AMENDMENT] In conjunction with the requested annexation of property located in Land Lot 855, 16th District, Parcel 0350 of the 2nd Section, Cobb County, Georgia, and being known as property at 1541 Owenby Drive, the City of Marietta proposes to designate the Future Land Use of said property as IW (Industrial Warehousing). Ward 6B.

Planning Commission recommends approval

A motion was made by Mr. Sheehan, seconded by Mr. Diffley, to recommend approval. The motion carried with a vote of 5-0-0.

Public Hearing (all parties sworn in)

City Attorney Doug Haynie opened the public hearing and called forward those wishing to speak.

Adam Rozen, attorney for the applicant, requested that his presentation from the rezoning be incorporated for the code amendment.

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

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

Vote: 7 – 0 – 0

Approved

RESOLUTIONS:

CITY ATTORNEY'S REPORT:

- * **20260745** **Denial of Claim**
- Denial of Claim for Baldwin Ndogo.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0** **Approved**
-
- * **20260796** **Denial of Claim**
- Denial of Claim for Scott A. Davis.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0** **Approved**
-
- * **20260798** **Denial of Claim**
- Denial of Claim for Requel Raines.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0** **Approved**
-
- * **20260814** **Denial of Claim**
- Denial of Claim for Vyanah Campbell.
- This Matter was Approved on the Consent Agenda.**
- Vote: 7 – 0 – 0** **Approved**

CITY MANAGER'S REPORT:**MAYOR'S REPORT:****COMMITTEE REPORTS:****1. Economic/Community Development: Andre Sims, Chairperson**

- * **20260747** **Georgia Rehoused Program - Emmanuel's Village**
- Motion to approve the MOU between the City of Marietta and Passion With Purpose, Inc. for the Georgia Rehoused grant application for the Emmanuel's Village project.

Council Member Gaddis disclosed that his employer is the Georgia Department of Community Affairs, and as such, he will recuse himself from discussion and voting on that item.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 0 – 1 **Approved**
Abstaining: Daniel Gaddis

2. Finance/Investment: M. Carlyle Kent, Chairperson

*** 20260739 Tree Fund Alternative Compliance**

Motion to amend the City of Marietta Fee Chart by setting the value of a 2-inch caliper replacement tree at \$400 with direction to staff to review annually.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

*** 20260725 Convention Center Funding Allocation**

Motion to authorize the placing of the Hotel/Motel Tax that will stop going to the Cobb/Marietta Coliseum and Exhibit Hall Authority as of this September/October, into a City fund for tourism projects.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Referred to Parks, Recreation and Tourism**

3. Judicial/Legislative: Joseph R. Goldstein, Chairperson

4. Parks, Recreation and Tourism: Jason Waters, Chairperson

*** 20260735 Kirby Park Playground**

Motion to rebalance the 2009 Parks Bond to utilize funds for a Kirby Park playground project.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

*** 20260737 HarvestFest Additional Street Closure**

Motion to approve the additional street closures of South Park Square and portions of Atlanta Street (Anderson to the Square), Roswell Street (Waddell to the Square), and Winters Street (Anderson to the Square) at 5:00am to reopen at 3:00pm on Saturday, October 17, 2026, for the 2026 HarvestFest.

Council Member Goldstein disclosed that members of his family and entities owned by himself and family members own properties within the downtown area.

This Matter was Approved on the Consent Agenda.

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

* **20260749** **Art in the Park Light Post Banners**

Motion to approve the placement of Art in the Park promotional light post banners around the Marietta Square from August 19 - September 8, 2026.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

* **20260738** **City Club Marietta Independent Contractor Agreement Renewal**

Motion to approve the First Modification to the Independent Contractor Agreement with Classic Golf Management, Inc., extending the term for operations of the City Club Marietta until September 30, 2030.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

5. Personnel/Insurance: Cheryl Richardson, Chairperson

* **20260724** **Workers' Compensation Excess and Fiduciary Insurance Renewal**

Motion approving the renewal of Workers' Compensation Excess Insurance and Fiduciary Insurance.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

6. Public Safety Committee: Byron "Tee" Anderson, Chairperson

* **20260713** **Adoption of the Cobb County Local Hazard Mitigation Plan**

Motion to approve the Resolution authorizing adoption of the Cobb County Local Hazard Mitigation Plan.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 **Approved**

* **20260731 Golf Cart Donation to MPD**

Motion to approve the donation of a 2023 Tomberlin Emerge Defender Ghosthawk Golf Cart from WOW Motorcycles to the Marietta Police Department.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

7. Public Works Committee: Daniel Gaddis, Chairperson

* **20260743 731 Sawyer Road Utilities**

Motion authorizing a variance from the underground utilities ordinance by Comcast Communications for allowing for the installation of 50 feet of new fiber optic cable to be over-lashed on existing fiber optic cable and requiring the removal of all duplicate utility poles where Comcast Communications is “next to transfer” along Canton Drive, adjacent to 748 Sawyer Road to the utility pole located on Canton Drive, adjacent to 1451 Canton Road. This installation is to provide service at 731 Sawyer Road. This motion does not grant a perpetual variance. Comcast Communications must relocate underground at its expense if other utilities at the location are moved underground. Ward 6B

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20260744 Georgia Transportation Infrastructure Bank (GTIB) Grant Application**

Motion authorizing the approval of the submittal of the Georgia Transportation Infrastructure Bank (GTIB) grant application and the supporting resolution and commitment of matching funds if awarded.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

OTHER BUSINESS:

* **20260773 Municipal Electric Authority of Georgia (MEAG) Annual Subscription for Supplemental Power 2027**

Motion to approve a recommendation by the BLW to approve the supplemental power supply nomination and authorize the agreement for the 2027 Annual Subscription with MEAG accordingly.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20260807 286 North Hillcrest Drive Easement Acquisition**

Motion authorizing acquisition of an easement at 286 North Hillcrest Drive (a/k/a 286 East Service Street) from Sarah T Parker & Ted H Parker for the purpose of constructing the Whitlock Drive Intersection Improvements Project in exchange for \$500.00. Ward 3A

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20260808 289 North Hillcrest Drive Easement Acquisition**

Motion to authorize the acquisition of property, at 289 North Hillcrest Drive, owned by Robert Wadsworth on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached is incorporated herein by reference. City staff and the City Attorney are authorized to conduct a voluntary purchase if that becomes feasible. Ward 3A

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

* **20260809 310 North Woodland Drive Easement Acquisition**

Motion to authorize the acquisition of property, at 310 North Woodland Drive, owned by Lindy S. Wyche and Joe M. Wyche Jr. on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached is incorporated herein by reference. City staff and the City Attorney are authorized to conduct a voluntary purchase if that becomes feasible. Ward 3A

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

*

20260810**351 North Woodland Drive Easement Acquisition**

Motion to authorize the acquisition of property, at 351 North Woodland Drive, owned by Paul S. Greenspan and Mour L. Greenspan on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached is incorporated herein by reference. City staff and the City Attorney are authorized to conduct a voluntary purchase if that becomes feasible. Ward 3A

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0

Approved

*

20260811**920 Burnt Hickory Rd easement acquisition**

Motion to authorize the acquisition of property, at 920 Burnt Hickory Road, owned by LTC Griffin, Inc. on behalf of the City of Marietta by means of eminent domain. A description of the interest to be acquired is attached hereto and incorporated herein by reference, including the legal description of the property and a survey of such property. The city attorney is hereby authorized and directed to take any and all action necessary to acquire such property by virtue of eminent domain, including the right to file any appeals in such case. The Order Authorizing Condemnation attached is incorporated herein by reference. City staff and the City Attorney are authorized to conduct a voluntary purchase if that becomes feasible. Ward 3A

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0

Approved

*

20260812**Settlement Agreement - BJF, Jr., LLC**

Motion to approve settlement of the claims in the case of City of Marietta v BJF Jr., LLC, Cobb County Superior Court Case No. 21-21-0557, pursuant to the terms agreed upon at mediation, with the payment of an additional \$84,000 to the condemnee, for a total compensation of \$125,000.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 1 – 0

Approved

Voting Against: Daniel Gaddis

* 20260813

Settlement Agreement - BJ Frye, LLC

Motion to approve settlement of the claims in the case of City of Marietta v BJ Frye, LLC, Cobb County Superior Court Case No. 21-21-0552, pursuant to the terms agreed upon at mediation, with the payment of an additional \$289,800 to the condemnee, for a total compensation of \$325,000.

This Matter was Approved on the Consent Agenda.

Vote: 6 – 1 – 0 Approved

Voting Against: Daniel Gaddis

* 20260728

BLW Actions of August 10, 2026

Review and approval of the August 10, 2026 actions and minutes of Marietta Board of Lights and Water.

Council Member Goldstein discloses that a member of his family owns an entity that owns property believed to be the subject of the discussed easement in the minutes. Council Member Goldstein is abstaining from any part of this item related to the discussed easement and appeal process.

This Matter was Approved on the Consent Agenda.

Vote: 7 – 0 – 0 Approved

UNSCHEDULED APPEARANCES:

Those addressing the City Council:

Sam Foster

Selena Wright

DeAndre McNeil

Reginald Copeland

John Cole

ADJOURNMENT:

The meeting was adjourned at 11:50 p.m.

Date Approved: _____

R. Steve Tumlin, Mayor

Attest: _____
Stephanie Guy, City Clerk