



City of Smyrna

A. Max Bacon City Hall
Council Chambers
2800 King Street SE
Smyrna, GA. 30080

Meeting Minutes - Final City Council

Monday, November 1, 2021

7:00 PM

Council Chambers

Roll Call

Present: 6 - Councilmember Glenn Pickens, Councilmember Austin Wagner, Councilmember Travis Lindley, Councilmember Charles Welch, Councilmember Susan Wilkinson and Councilmember Lewis Wheaton

Absent: 1 - Mayor Derek Norton

Also Present: 1 - Scott Cochran

Staff: 6 - Joe Bennett, Keith Zgonc, Andrea Worthy, Dan Campbell, Heather Peacon-Corn and Jill Head

Call to Order

Mayor Pro Tem Tim Gould called to order the November 1, 2021 meeting of the Mayor and Council at 7:00 PM.

1. Invocation and Pledge:

Pastor Courtney Harkness of Cumberland Community Church located at 3059 South Cobb Drive offered the invocation and led all on the Pledge of Allegiance.

2. Agenda Changes:

There were no agenda changes.

3. Mayoral Report:

Mayor Pro Tem stated that he attended the previous night's Atlanta Braves game. He thanked Smyrna Public Safety for their part in keeping all safe.

A. [PRC2021-09](#)

Proclamation in Recognition of Veterans Day Poppy Distribution, November 6th, 7th, and 11th, 2021.

Ward: City Wide

June Burgess and Cindy Monk, members of Auxiliary Post 160, were present. Ms. Burgess stated that every year on Memorial Day and Veterans Day, they distribute poppies for a small donation in remembrance of those who have served. All donations go to the Veterans.

Councilmember Charles Welch read and presented the proclamation.

4. Land Issues/Zonings/Annexations:

There were no land issues/zonings/annexations.

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

- A. [ORD2021-19](#) Approval of Ordinance ORD2021-19, to amend Section V, an ordinance of the City of Smyrna Mayor and City Council, "STORMWATER MANAGEMENT" of the code of Ordinances, as Amended, to delete Article V, Section 46-140 to 46-148 in its entirety, including any amendments thereto, and replace it with new a Article V, "STORMWATER MANAGEMENT" to repeal conflicting provisions; and for other purposes, and authorize the Mayor to sign and execute all related documents.

Ward: City Wide

Joe Bennett, City Administrator, presented the following background:

The Georgia Environmental Protection Division (EPD) requires local jurisdictions with Municipal Separate Storm Sewer System (MS4) permits to adopt ordinances, or update existing ordinances when necessary, for compliance with their MS4 permit, in order to address development and redevelopment, and enforce post-construction controls. Recent updates to the MS4 permit now require the stormwater management system to be designed to retain the first 1.0 inch of rainfall on the site, to the maximum extent practicable, and has prompted an update to existing ordinances.

The City Engineer and staff recommend approval of Ordinance ORD2021-19, to amend Section V, an ordinance of the City of Smyrna Mayor and City Council, "STORMWATER MANAGEMENT" of the code of Ordinances, as Amended, to delete Article V, Section 46-140 to 46-148 in its entirety, including any amendments thereto, and replace it with new a Article V, "STORMWATER MANAGEMENT" to repeal conflicting provisions; and for other purposes, and authorize the Mayor to sign and execute all related documents. This should be the same as your title with the addition of " and authorize the Mayor to sign and execute all related documents.

Councilmember Charles Welch made a motion to approve ORD2021-19, an ordinance to amend section V, an ordinance of the City of Smyrna Mayor and City Council, "STORMWATER MANAGEMENT" of the Code of Ordinances, as amended, to delete article V, section 46-140 to 46-148 in its entirety, including any amendments thereto, and replace it with a new article V, "STORMWATER MANAGEMENT" to repeal conflicting provisions; and for other purposes, and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

B. [ORD2021-21](#)

Approval of Ordinance ORD2021-21, to amend Section 102-48 (I), an ordinance of the City of Smyrna Mayor and Council, "MAIN LINES" of the code of Ordinances, as amended, currently section 102-48 (I) requires water distribution system main lines to be ductile iron pipe class 51. Public Works is requesting to change material to Class 350 ductile iron pipe from 51 matching Cobb County specs along with amending verbiage to add to existing ordinances stating that the Director of Public Works and/or Environmental Inspector may shall change class of pipe and size if deemed necessary.

Ward: City Wide

Joe Bennett, City Administrator, presented the following background:

This is a request from Public Works to amend ordinance 102-48 (I) Currently section 102-48 (I) requires water distribution system main lines to be ductile iron pipe class 51. Public Works is requesting to change material to Class 350 ductile iron pipe from 51 matching Cobb County specs along with amending verbiage to add to existing ordinances stating that the Director of Public Works and or Environmental Inspector may shall change class of pipe and size if deemed necessary.

The newly adopted amendment will include the following if adopted by Mayor and Council.

(I) Main Lines.

Water Distribution system main lines shall be ductile iron pipe class 350. Minimum pipe size shall be eight inches. Director of Public Works and or Environmental Inspector may approve change in materials and sizes. Fire hydrants shall be installed according to current NFPA standards but shall be spaced no more than 500 feet apart. The city fire marshal may modify hydrant spacing. All hydrants shall be M&H or U.S. three-way, nozzles sizes two, 2 ½-inch NTS and one 4 ½-inch NTS. Hydrant barrel size shall be a minimum of 5.25. New hydrants are required to be painted silver by the manufacturer. Each hydrant shall have an M&H hydrant grate valve installed with complete valve box and concrete valve pad to finish grade. No fire hydrant shall be buried below the hydrants bury line. Anchor couplings and thrust blocking is required on all fire hydrants and hydrant leads.

Public Works and staff recommend approval of Ordinance ORD2021-21, to amend Section 102-48 (I), an ordinance of the City of Smyrna Mayor and Council, "MAIN LINES" of the code of Ordinances, as amended, currently section 102-48 (I) requires water distribution system main lines to be ductile iron pipe class 51. Public Works is requesting to change material to Class 350 ductile iron pipe from 51 matching Cobb County specs along with amending verbiage to add to existing ordinances stating that the Director of Public Works and/or Environmental Inspector may shall change class of pipe and size if deemed necessary and authorize the Mayor to sign and execute all related documents.

Councilmember Charles Welch made a motion to approve ORD2021-21, an ordinance to amend section 102-48 (I) of the City of Smyrna Mayor and Council, "MAIN LINES" of the Code of Ordinances, as amended, currently section 102-48 (I) requires water

distribution system main lines to be ductile iron pipe class 51; to change material to Class 350 ductile iron pipe from 51 matching Cobb County specs along with amending verbiage to add to existing ordinances stating that the Director of Public Works and/or environmental Inspector shall change class of pipe and size if deemed necessary; seconded by Councilmember Lewis Wheaton.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

C. [RES2021-09](#)

Approval of Resolution RES2021-09 for Mayor and Council support for submission of the Cobb Parkway Pedestrian Bridge to the Atlanta Regional Commission's Transportation Improvement Program (TIP) and authorize the Mayor to sign and execute all related documents.

Ward 1: Councilmember Glenn Pickens

Joe Bennett, City Administrator, presented the following background:

The concept of a safe, coordinated pedestrian crossing over Cobb Parkway/US-41 north of I-285 was first identified as a project need through the Cumberland Community Improvement District (CID) Blueprint Cumberland 3.0 Master Plan, adopted by the Community Improvement District Board of Directors in 2017.

The City of Smyrna developed and adopted the Spring Road Corridor Livable Centers Initiative (LCI) Plan, which echoed a need for an alternative pedestrian crossing of the parkway, as well as in Guide Smyrna, the City's Comprehensive Plan also updated in 2017 and the City has previously committed 2022 SPLOST Transportation Improvements Program funding, in an amount not to exceed \$3,680,000.00 for the construction of the Cobb Parkway/US 41 pedestrian bridge.

The Atlanta Regional Commission conducts an annual solicitation for project funding proposals in its Transportation Improvement Program (TIP), which allocates federal funds for use in the construction of the highest-priority projects in the Regional Transportation Plan with applications for the 2021 solicitation due by December 2, 2021. The Cumberland Community Improvement District (CCID) desires to submit a TIP project

funding proposal for the Cobb Parkway Pedestrian Bridge reduce its potential cost and streamline its implementation that the City of Smyrna City Council supports the Cumberland Community Improvement District's submission the Cobb Parkway Pedestrian Bridge to the Atlanta Regional Commission's Transportation Improvement Program (TIP).

Economic Development recommends the approval of Resolution RES2021-09 for Mayor and Council support for submission of the Cobb Parkway Pedestrian Bridge to the Atlanta Regional Commission's Transportation Improvement Program (TIP) and authorize the Mayor to sign and execute all related documents.

Councilmember Glenn Pickens made a motion to approve RES2021-09, a resolution for Mayor and Council support for submission of the Cobb Parkway Pedestrian Bridge to the Atlanta Regional Commission's Transportation Improvement Program (TIP) and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Austin Wagner.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

D. [AGR2021-12](#)

Approval of the proposed agreement and statement of work between the City of Smyrna and CivicPlus for SeeClickFix services and authorize the Mayor or City Administrator to sign and execute all documents related thereto.

Ward: City Wide

Joe Bennett, City Administrator, presented the following background:

In order to improve the City's ability to communicate with its citizens, the City has been evaluating several potential software solutions. One potential product is SeeClickFix which is a smart phone app that allows citizens to send requests to the City directly from the phone with geographic data and optionally pictures of issues. This then creates work flows to insure that the request is properly resolved and updates the citizen when it is completed. In order to allow us to fully evaluate the product, CivicPlus is offering the first year free of charge.

The recommendation is to approve the agreement with CivicPlus for SeeClickFix and authorize the Mayor or City Administrator to sign and execute all documents related thereto.

Mayor Pro Tem Gould added that this is a tool that Cobb County uses to identify non-emergency issues and report them in an efficient manner.

Councilmember Susan Wilkinson made a motion to approve AGR2021-12, a proposed agreement and statement of work between the City of Smyrna and CivicPlus for SeeClickFix services and authorize the Mayor or City Administrator to sign and execute all documents related thereto; seconded by Councilmember Lewis Wheaton.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

E. [AGR2021-13](#)

Approval of the proposed agreement and scope of work with the Atlanta Regional Commission for technical assistance in the development of the 5-Year update to the City's 2040 Comprehensive Plan.

Ward: City Wide

Joe Bennett, City Administrator, presented the following background:

Georgia Department of Community Affairs (DCA) requires a 5-year update to the City's 2040 Comprehensive Plan. The Atlanta Region Commission (ARC) provides technical assistance to local communities for the development of the 5-year update free of charge.

The 5-year update to the 2040 Comprehensive Plan is due to be drafted, reviewed/approved by DCA, and locally adopted, by October 31, 2022. Georgia DCA requires that the Atlanta Regional Commission develop a basic agreement on the scope of work when engaging with a local government to update its Plan. Attached

is a proposed agreement and scope of work. It outlines the division of responsibilities between ARC and the City.

As part of the scope of work for the 5-year update, ARC will check on and update the Needs and Opportunities, Vision/Goals, and Key Elements (like land use, transportation, housing, economic development, etc) of the City's Comprehensive Plan. In general, ARC will facilitate three steering committee meetings, one public meeting, and a project website (if requested) that can include a survey. Also, ARC will be available to present at the two DCA-required hearings if requested (one at kickoff and one before transmittal for review).

Councilmember Travis Lindley made a motion to approve AGR2021-13 the proposed agreement and scope of work with the Atlanta Regional Commission for technical assistance in the development of the 5-Year update to the City's 2040 Comprehensive Plan; seconded by Councilmember Austin Wagner.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

F. [2021-476](#)

Approval to award RFQ 22-013 City wide resurfacing project re-bid to Baldwin Paving, 1014 Kenmill Drive NW, Marietta, GA, 30060, in the amount of \$870,326.46 (\$425,936.37 LMIG and \$444,390.09 SPLOST) for paving and resurfacing of four City streets (Campbell Road, North Cooper Lake Road, Camp Highland Road and Hawthorne Avenue).

Ward: City Wide

Joe Bennett, City Administrator, presented the following background:

The City of Smyrna requested bids for various resurfacing projects per the City's time frame. Three (3) bids were received. Please see bid tabulation below.

Bidder Total

Baldwin Paving Company, Inc. \$1,183,061.29

MHB Paving Inc. \$1,191,072.42

PLB Construction Services \$1,326,899.25

Due to budget limitations, we requested line-item pricing from the low bidder to complete four roads (Campbell Road, North Cooper Lake Road, Camp Highland Road and Hawthorne Avenue). The total for this work is \$870,326.46.

It is the recommendation of Purchasing and Public Works departments for approval to award RFQ 22-013 City wide resurfacing project re-bid to Baldwin Paving, 1014 Kenmill Drive NW, Marietta, GA, 30060, in the amount of \$870,326.46 (\$425,936.37 LMIG and \$444,390.09 SPLOST) for paving and resurfacing of four City streets (Campbell Road, North Cooper Lake Road, Camp Highland Road and Hawthorne Avenue) and authorize the Mayor to execute all related documents.

Councilmember Austin Wagner made a motion to approve 2021-476 to award RFQ 22-013 citywide resurfacing project re-bid to Baldwin Paving, 1014 Kenmill Drive NW, Marietta, GA, 30060, in the amount of \$870,326.46 (\$425,936.37 LMIG and \$444,390.09 SPLOST) for paving and resurfacing of four City streets (Campbell Road, North Cooper Lake Road, Camp Highland Road and Hawthorne Avenue); seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

G. [2021-509](#)

Authorization to abandon the area in Land Lot 594 of the 17th District, 2nd Section, Cobb County formerly described as Elizabeth Street Extension but never built or dedicated to the City of Smyrna, and Quit Claim whatever interest of the City (if any) to the adjacent property owners to the center line and authorize staff to sign and execute all related documents.

Ward 3 / Councilmember Travis Lindley

Joe Bennett, City Administrator, presented the following background:

Decades ago, Elizabeth Street Extension was contemplated to be built but never was and was never dedicated to the city. This has never been part of the public road system but is shown on some old plats and is referenced in deeds. Although the area where the road was to be located was never dedicated to the city, the plats and deed references could cause potential title issues. The adjacent property owners have requested that the city release whatever interest it has (if any) in the strip, through quit claim deed to the adjoining owners to the center line of the area that was originally contemplated to be a road. This is consistent with city policy.

Staff recommends authorization to abandon the area in Land Lot 594 of the 17th District, 2nd Section, Cobb County formerly described as Elizabeth Street Extension but never built or dedicated to the City of Smyrna, and Quit Claim whatever interest of the City (if any) to the adjacent property owners to the center line and authorize staff to sign and execute all related documents.

Councilmember Travis Lindley made a motion to approve 2021-509, authorization to abandon the area in Land Lot 594 of the 17th District, 2nd Section, Cobb County formerly described as Elizabeth Street Extension but never built or dedicated to the City of Smyrna, and Quit Claim whatever interest of the City (if any) to the adjacent property owners to the center line and authorize staff to sign and execute all related documents; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

7. Commercial Building Permits:

There were no commercial building permits.

8. Consent Agenda:

Joe Bennett, City Administrator, presented the consent agenda.

Councilmember Travis Lindley made a motion to approve the consent agenda as read; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

- A. [MIN2021-79](#) Approval of the October 14, 2021 Committee of the Whole Meeting Minutes.
- B. [MIN2021-77](#) Approval of the October 18, 2021 Pre-Council Meeting Minutes.
- C. [MIN2021-78](#) Approval of the October 18, 2021 Mayor and Council Meeting Minutes.
- D. [2021-506](#) Approval of the recommended 2022 employee benefits insurance plans, providers and plan designs as recommended by Insurance Broker, John Knop of Oakbridge Insurance and staff and authorize the Mayor to sign and execute all related documents.
Ward: City Wide
- E. [2021-501](#) Approval of the City's Wellness Program renewal in the amount of \$125,000.00 with Corporate Health Partners (CHP) and authorize the Mayor to sign and execute all related documents.
Ward: City Wide
- F. [2021-470](#) Appointment of Assistant Public Works Director Bo Jones to serve as an alternate member of the License and Variance Board and to remove the appointment of Deputy City Administrator Penny Mocerri as an alternate member of the License and Variance Board.
Ward: City Wide
- G. [2021-502](#) Appointment of Human Resources Manager, Mary Jordan, as the Civil Service Board Clerk.
Ward: City Wide
- H. [2021-508](#) Approve the closing of the following streets for the Smyrna Parks and Recreation's Home for the Holidays: King Street from Stephens to Village Green Circle; and W. Spring St. (from the fountain to King Street) from 3:00 p.m. - 11:00 p.m. on Tuesday, November 30, 2021.
Ward 3 / Councilmember Travis Lindley
- I. [2021-511](#) Approval of the 2021 modified Crown Castle Site Lease Agreement BU 844202 / GA2383 Smyrna Police Fire / 2646 Atlanta Road, Smyrna Ga. (Site Lease Agreement, dated January 9, 1997) and authorize the Mayor to sign and execute all related documents.
Ward: City Wide
- J. [2021-513](#) Authorization to implement the pay study from the Carl Vinson Institute

specific to the Police Department to increase officer starting pay and address compression in Police Administration. This will be funded by General Fund reserves.

Ward: City Wide

- K. [2021-514](#) Authorization for a one-time annual leave sell back of 40 hours for employees who have 80 hours or more accrued as of November 1, 2021. This will be funded out of General Fund reserves.

9. Ward / Committee Reports:

Councilmember Lewis Wheaton (Ward 7) - He will be sending out communication to subscribers of his Ward 7 newsletter.

Councilmember Susan Wilkinson (Ward 5) - She wished her husband, Doward, a happy 30th anniversary. She stated that they were married at the same time the Braves were in the World Series previously. Go Braves!

Councilmember Charles Welch (Ward 4) - No report.

Councilmember Travis Lindley (Ward 3) - He stated that he and Councilmembers Wheaton and Welch met with a stakeholder group for the future of Aunt Fanny's Cabin. He also stated that he is working with staff to streamline the process of the street lights amount that were listed on the property taxes and how HOAs need to handle those.

Councilmember Austin Wagner (Ward 2) - Stated that there are no municipal elections, but the Cobb County Ed-SPLOST referendum is something everyone in the county can vote on and have their voices heard.

Councilmember Glenn Pickens (Ward 1) - He stated that about six months ago he and Councilmembers Gould and Wheaton began working on a short-term rental ordinance. The City is looking for feedback. There is a survey on the City website.

Mayor Pro Tem Tim Gould (Ward 6) - He reiterated the importance of voting for the Cobb County Ed-SPLOST. Campbell High School has a clean up day on Saturday morning. The Jr. ROTC organizes this event. He also mentioned that on Friday night there will be a Smyrna Public Safety Gala.

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

Kathy Omaitis - 207 Countryside - Expressed concern about the proposed brewery. She stated it sounds great, but the size is a concern. She felt that an ultimatum was given by the brewery that if the land they want is not available, then they will not come to Smyrna. She stated she was impressed with Council engagement and the questions they asked during the pre-council meeting. She said she was left with the feeling that Stillfire seem to be great people and doing good things, but she was also left with the feeling that this is the wrong location and not a good fit. She hopes great consideration is given.

Pat Burns - 10 Concord Rd - She expressed that she is disappointed in the lack of transparency surrounding the Council's embracing of Stillfire Brewery. Expressed concern about delivery trucks in the city center. Stated that residents want to be part of the decision-making process. (A full transcript of her submitted statement is on

record as part of the agenda packet.)

Jenny Barteo - 4094 Laurel Springs Way - She stated that citizens who are not in favor of these projects are treated with disdain and are not given full consideration. She hopes that as elected officials they act in the best interest's of the citizens. She expressed hope for a brighter future.

Shaun Martin - Williams Park - She echoed the sentiments of previous speaker Jenny Barteo. She stated that she is sad about what is happening in the downtown area and cannot understand why the fountain had to be removed so suddenly. She read a letter into record. (A full transcript of her submitted statement is on record as part of the agenda packet.)

Joan Martin - 1191 Powder Springs St - She asked why the City is offering incentives, like a parking deck, to Stillfire Brewery. She asked if other locations were considered. She asked if an expansion of the Community Center was considered. (A full transcript of her submitted statement is on record as part of the agenda packet.)

Montserrat Knowlton - 1367 Powder Springs St - She stated that she believes there will be six silos at the brewery that can be seen as travelers enter Smyrna from Marietta. She stated that she believes Stillfire does not own the property in Suwanee. She expressed that the open houses for the Downtown Redesign were flawed.

12. Adjournment:

Mayor Pro Tem Tim Gould adjourned the November 1, 2021 meeting of the Mayor and Council at 7:52 PM.