



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final City Council

Monday, December 17, 2018

7:00 PM

Council Chambers

Roll Call

Present: 8 - Mayor Max Bacon, Councilmember Derek Norton, Councilmember Maryline Blackburn, Councilmember Andrea Blustein, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Tim Gould and Councilmember Ron Fennel

Also Present: 11 - Tammi Saddler Jones, Scott Cochran, Scott Andrews, Terri Graham, Ken Suddreth, Russell Martin, Terry McCormick, Davi Santos, Ashley Youmans, Tina Monaghan and Kevin Moore

Call to Order

Mayor A. Max Bacon called the meeting to order at 7:00pm.

1. Invocation and Pledge:

Boy Scout Troop 1 of the Log Cabin Church led all in the Pledge of Allegiance. They are the oldest troop in Georgia and attended the meeting so that they could earn their Citizenship Badge. Mayor Bacon asked them to introduce themselves. The Boy Scouts that were in attendance were Aidan Dirr, Swen Cain, Jeremy Gouteix, Joseph Lee, Griffin Perry, and Adam Anulewicz (son of former Councilmember Teri Anulewicz). Their leader Mr. James Dirr was also present.

Deacon Michael, St. Thomas The Apostle Catholic Church (4300 King Springs Rd) delivered the Invocation.

Boy Scout Troop 1 of Georgia led all in the Pledge of Allegiance.

2. Agenda Changes:

There were no agenda changes.

3. Mayoral Report:

A. [2018-498](#) Proclamation in Recognition of Rotary Club of Smyrna's 55th Anniversary

Sponsors: Welch

Councilmember Charles "Corkey" Welch read aloud the Proclamation in Recognition of the 55th Anniversary of the Smyrna Rotary Club of Smyrna. In attendance from the Rotary Club were Brenda Romanchik (Club President) and Raymond Coffman (President Elect). Mr. Welch presented the Proclamation to the members who were present.

Ms. Romanchik thanked Mayor and Council and invited everyone to attend a celebration on Tuesday, January 8th at 12:00pm at Brawner Hall in recognition of the 55th anniversary.

4. Land Issues/Zonings/Annexations:

- A. [2018-420](#) **Public Hearing Only** - Zoning Request Z18-016 - Rezoning from R-20 to R-12-Conditional for development of 19 single-family homes at a density of 2.47 units per acre - 7.68 Acres - Land Lot 331 - 10 Rebel Trail - O'Dwyer Properties, LLC**

Sponsors: Gould

Councilmember Ron Fennel recused himself from 4A-C since he has ownership in the property and left the Council Chambers.

*Councilmember Andrea Blustein stepped away at 7:15pm.
Ms. Blustein returned at 7:17pm.*

Mayor Bacon noted that 4A-C are all in relation to the same property and zoning request. He checked to make sure that someone was present to represent the applicant.

City Administrator Tammi Saddler Jones provided the background information on the agenda item. A portion of the subject property (5.42 acres) was annexed and rezoned in May of 2006 from R-20 to R-12-Conditional for 14 single-family homes at a density of 2.78 units per acre (Zoning Case Z06-009). The zoning of the property was site plan conditional and allowed for several variances related to lot size, lot width and setbacks due to the topography of the site and the site's location to Nickajack Creek. The site was never developed and has remained in a natural state since the approval of the zoning in 2006. The Planning and Zoning Board heard the proposed annexation and rezoning at the November 12, 2018 meeting and made a recommendation of approval with staff conditions by vote of 5-1. Community Development recommends approval from R-20 to R-12-Conditional for 19 single-family homes at a density of 2.47 units per acre with conditions.

The Mayor announced the public hearing and asked that anyone wishing to speak, come up front to the podium to be sworn in. City Attorney Scott Cochran swore in two gentleman that came forward to speak on the matter.

Councilmember Tim Gould introduced Senior Planner, Mr. Russell Martin came forward to provide more information on the request.

Mr. Martin went over the presentation with the information regarding this annexation and rezoning request. There was a vote of approval 5 to 1 that occurred in the Planning and Zoning meeting on November 12, 2018. There is no land use change proposed for this site. There are 5 variances with this request and these are the original variances from the request in 2006 that are just being carried over. Community Development recommends approval with the following conditions (most of the conditions are carried over from Zoning Case Z06-009):

*Standard Conditions
(Requirement #2, 8 and 17 from Section 1201 of the Zoning Code is not applicable)*

1. The composition of the homes in a residential subdivision shall include a mixture of elements including; but not limited to: brick, stone, shake, hardy plank and stucco. No elevation shall be comprised of 100% hardy plank siding. The residences whose lots abut external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.

2. There shall be protective covenants with a mandatory homeowners association on all lots. These protective covenants shall be supplied to the City prior to the issuance of a building permit.

3. The developer shall provide at least 200 square feet of common space per lot. This common space shall be developed with improvements for the residential subdivision such as: gazebos, fountains, recreational/playground equipment or walking trails. The common space shall be controlled and maintained by the Homeowners Association

4. The detention pond shall be placed and screened appropriately to be unobtrusive to homes inside and outside the development. The storm water detention plan shall be designed to create at least a 10% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.

5. All utilities within the development shall be underground.

6. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by either the City or the County during construction plan review. Sidewalks shall be provided by the developer inside the subdivision and outside the subdivision within any public right-of-way consistent with City's requirements for the extent of the development. A grass buffer with a minimum width of 2' shall be provided between the back of curb and sidewalk.

7. The developer shall install a deceleration lane at the main entrance for the subdivision. The deceleration lane shall have a minimum length of 150' with a 50' taper.

8. A strip of brick pavers or stamped concrete shall be installed on the street at the subdivision entrance for a minimum distance of 20 feet.

9. The development of any streets (including private) shall conform to the City's standards for public right-of-ways.

10. No debris may be buried on any lot or common area.

11. The developer will install decorative streetlights within the development, subject to approval by the City Engineer. Utilization of low intensity, environmental type lighting, the illumination of which shall be confined within the perimeter of the subject property through the use of "full-cutoff lighting".

12. The developer will comply with the City's current tree ordinance (unless noted elsewhere). All required tree protection measures shall be adhered to by the developer during construction.

13. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.

14. All yards and common areas are to be sodded, and landscaped. Irrigate as

appropriate.

15. All single-family and/or duplex residential lots shall provide the following at the time of certificate of occupancy: either four 3" caliper trees or three 4" caliper trees, unless otherwise approved by the City's Arborist. The following species of trees may be used: Nuttall Oak, Swamp Chestnut Oak, Allee Elm, and Village Green Zelkova. Other species may be used if approved by the City.

Special Conditions

16. The development shall maintain the following setbacks:

Front - 22' from back of curb

Side - 5' (Minimum 10' Between Houses)

Rear - 20'

Driveway - 19' minimum length from building face to the back of sidewalk

17. The development shall be developed with a minimum lot size of 6,000 square feet.

18. The lots shall be developed with a minimum lot width at the setback line of 65'.

19. The homes shall have a minimum floor area of 2,200 sq. ft.

20. The maximum allowable lot coverage for the property shall be limited to 35%.

21. The developer shall provide a minimum 20' access easement to all open space within the community.

22. The developer shall be responsible for the installation of all water and sewer lines in accordance with the requirements of the Cobb County Water System.

23. The developer shall be responsible for any fire access improvements deemed necessary by the Fire Marshal during construction plan review.

24. The proposed gate shall meet all city requirements with respect to access to the community and shall be reviewed by the Fire Marshal and City Engineer.

25. All trees within the limits of disturbance that are scheduled to be preserve shall be protected according to the City's Tree Ordinance. All other trees within the limits of disturbance shall be removed.

26. No stormwater management facility or portion thereof shall be located on any portion of the proposed lots. The stormwater management facility shall be solely located on the HOA's property and shall be maintained by the HOA.

27. Approval of the subject property for the R-12 zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 12/12/2018 created by Gaskins. All listed stipulations above shall be addressed during the plan review process.

28. The applicant shall be bound to the elevations submitted and dated 9/14/2018. Approval of any change to the elevations must be obtained from the Director of Community Development.

Councilmember Charles "Corkey" Welch inquired about whether or not sidewalks would be required that would connect the neighborhoods.

Councilmember Susan Wilkinson asked to review the site plan. She inquired about the ownership of the property that was annexed in with the previous request which is no longer part of this project. Mr. Martin explained that it is owned by a different person. She then inquired about the stream buffer that goes through the properties and whether or not there would be enough room to build homes on those lots. Mr. Martin reassured her that there will be room to build on the lots where the stream buffer is.

Mr. Welch asked if the 7.68 acres included the stream buffer. Mr. Martin explained that it does and this acreage also includes 2.5 acres of open space as well to meet criteria.

Councilmember Tim Gould requested a description of the tree plan. Mr. Martin explained that a full scale plan is done at plan review but there is a preliminary plan in place.

Mayor Bacon asked the applicant to come forward. Mr. Jordan Tench from O'Dwyer properties was sworn in by Mr. Cochran.

Mr. Tench presented information about the company itself as well as the plan that they have for the development of the property. O'Dwyer Properties is a local home builder who has been in the area for 25 years and are certified energy star builders who have done at least a dozen communities in the Smyrna area. This request is a combination of two properties, one which was done back in 2006 and the additional acreage which allows the development to go from fourteen lots to nineteen lots. The property is tucked in between Nickajack Creek and the railroad and the builders wish to preserve as many trees as possible. To protect Nickajack Creek, a hydrology study was done and a retention area that will meet the requirements was designed. In order that the desired style and size of homes can fit on the lots, there have been adjustments made to the width on some of the properties. Hydrology study was done to protect Nickajack Creek and a retention area that will meet the needs.

Mr. Gould asked to be shown the location of the access easement stipulation listed. He also wanted to know how residents would access the green space. Mr. Tench explained that a simple walking trail would give access.

Ms. Wilkinson expressed concern for the property owner of the lot included in the original zoning request and their ability to access the land. It is currently inaccessible and will remain that way.

Mr. Gould inquired about the price point of the homes to which the applicant stated that the starting price for the homes would be \$500,000.

Mr. Martin came forward to offer some clarification on access to the property. The two larger pieces of land are on the other side of Nickajack Creek and can be accessed from the other side which is also how the dam is serviced. The property is unbuildable and a lot of it is owned by the railroad.

Councilmember Blackburn wanted to know if the greenspace was going to be developed.

The Mayor opened the public hearing and invited those wanting to speak to come

forward.

Mr. Herbert Schloesser, 771 Vinings Estates Drive, was concerned about drainage from Nickajack Creek. Those in his neighborhood are about to spend a lot of money to repair problems caused by the drainage.

Mr. John Joseph, 772 Vinings Estates Drive, also expressed concern about run off that will result from developing the property. The residents of Vinings Estates are preparing to spend over \$300,000 to repair damage caused by run off from flooding of Nickajack Creek.

The Mayor asked City Engineer Kevin Moore to come forward and address the concerns of those who came forward to speak. Mr. Moore stated that the builders had to meet the three facets of the stormwater drainage ordinance and that they will not be allowed to increase the peak flow in the creek.

Mayor Bacon closed the public hearing.

Public Hearing only - no vote.

B. [2018-529](#)

Approval of Ordinance #2018-12- Annexation request (100% of owners requesting annexation) - Land Lot 331, 17th District, 2nd Section, Cobb County, 2.00 acre tract - 10 Rebel Trail, Smyrna Georgia, Ward 7 - effective date January 1, 2019

Sponsors: Gould

Mr. Gould stated that this is the first step of a two-step process to annex and rezone the property.

Mayor Bacon noted that Mr. Fennel recused himself and was not in the room.

Councilmember Tim Gould made a motion to approve Ordinance #2018-12- Annexation request (100% of owners requesting annexation) - Land Lot 331, 17th District, 2nd Section, Cobb County, 2.00 acre tract - 10 Rebel Trail, Smyrna Georgia, Ward 7 - effective date January 1, 2019. Motion was seconded by Councilmember Charles "Corkey" Welch.

The motion to approve was carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson and Councilmember Gould

Recuse: 1 - Councilmember Fennel

C. [2018-537](#)

Final Vote - Approve Zoning Request Z18-016 - Rezoning from R-20 to R-12-Conditional for development of 19 single-family homes at a density of 2.47 units per acre - 7.68 Acres - Land Lot 331 - 10 Rebel Trail - O'Dwyer Properties, LLC

Sponsors: Gould

Councilmember Gould noted that this is the final step to approve the nineteen single family homes.

For the record, Mr. Fennel recused himself and was not present for the vote.

Councilmember Time Gould made a motion to approve Zoning Request Z18-016 - Rezoning from R-20 to R-12-Conditional for development of 19 single-family homes at a density of 2.47 units per acre - 7.68 Acres - Land Lot 331 - 10 Rebel Trail - O'Dwyer Properties, LLC with a second by Councilmember Charles "Corkey" Welch.

Motion to approve was carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson and Councilmember Gould

Recuse: 1 - Councilmember Fennel

D. [ORD2018-21](#)

Public Hearing - Ordinance 2018-21 for Code Amendments to Sections 402, 712, 714, 716 and 720 of the Zoning Ordinance are proposed to add definitions related to breweries and distilleries and to list breweries and distilleries as permitted uses within the General Commercial, Light Industrial, Central Business District and Mixed Use zoning districts - City of Smyrna

Sponsors: Gould

Ms. Saddler Jones read the background information aloud for the Mayor and Council. Over the last year, the Community Development Department has met with numerous brewers looking to locate their breweries within the City of Smyrna. Community Development staff has worked with these brewers to identify potential business locations, as well as assist with the permitting and licensing process. The City's Zoning Ordinance is silent on breweries, brewpubs and distilleries and does not list the use as a permitted use under any zoning district in the city. Due to the number of requests to assist with the location of a brewery within the city limits, Community Development is proposing a code amendment to the Zoning Ordinance to identify the zoning districts where breweries, brewpubs and distilleries can be permitted. The Planning and Zoning Board heard the proposed text amendment at the August 13, 2018 meeting and made a recommended for approval as presented by staff by a vote of 6-0.

Mayor Bacon asked anyone wishing to speak on the item to come forward to be sworn in. No one came forward to speak at the public hearing.

Director of Community Development Ken Suddreth came up to the podium to provide further information regarding the agenda item. Community Development has reviewed the City's Zoning Ordinance and found that breweries and distilleries are not identified as permitted uses within any zoning district in the city. As currently written, Community Development staff would have to make an interpretation as to which zoning districts breweries and distilleries would be permitted. The proposed code amendment would clearly define what breweries and distilleries are, as well as identify the specific zoning districts where they would be permitted. Community Development is proposing to amend Section 402 of the Zoning Ordinance to add specific definitions related to breweries and distilleries. These terms include the definitions for barrel, brewer, brewery, brewpub, distilled spirits, distiller, distillery and malt beverages. These terms need to be defined to maintain consistency with state law and to provide clarity as to the definition of a brewery and distillery. The definitions will also provide a clear distinction between breweries and brewpubs. Community Development is proposing to amend Sections 712, 714, 716 and 720 of the Zoning Ordinance to add breweries and distilleries as permitted uses under the General Commercial (GC), Light Industrial (LI),

Central Business District (CBD) and Mixed Use (MU) zoning districts. These are the four zoning districts staff feels are the most appropriate zoning districts for breweries, brewpubs and distilleries. In addition, these zoning districts are consistent with other area municipalities that allow breweries, brewpubs and distilleries. The proposed code amendment allows for breweries and distilleries to have accessory tasting rooms, where the brewery can set up tastings for the public. Finally, staff is proposing that the manufacturing of malt beverages and distilled spirits takes place within a wholly enclosed building.

Mr. Gould asked Mr. Suddreth if other cities are going this. The reply was that if not, they will start soon.

Ms. Blackburn requested clarification as to the areas in the City that this will cover. Mr. Suddreth stated that research had been done to ensure that every consideration was given when creating this ordinance.

Mr. Gould thanked everyone who had a part in researching and putting together this ordinance.

Councilmember Tim Gould made a motion to approve Ordinance 2018-21 for Code Amendments to Sections 402, 712, 714, 716 and 720 of the Zoning Ordinance are proposed to add definitions related to breweries and distilleries and to list breweries and distilleries as permitted uses within the General Commercial, Light Industrial, Central Business District and Mixed Use zoning districts - City of Smyrna. Councilmember Maryline Blackburn seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

5. Privilege Licenses:

- A. [2018-506](#) Public Hearing - Privilege License Request 2018-506 - Beer, Wine, and Liquor Pouring - 2451 Cobb Parkway - The Pirate's Boil Inc. dba The Pirate's Boil with James Yang as agent.

Sponsors: Norton

City Administrator Saddler Jones presented the information regarding this item. James Yang will be the registered agent responsible for the sale of alcohol at the referenced location. Mr. Yang has been given a copy of the Alcoholic Beverage Ordinance and attended the mandatory alcohol awareness workshop. A background investigation conducted by the Smyrna Police Department failed to reveal information that would preclude issuance of this license. James Yang has agreed to abide by the guidelines set forth by the City of Smyrna ordinance governing the sale of alcohol. Staff does recommend approval of privilege licenses for the sale of beer, wine, and liquor (retail pouring) for The Pirate's Boil Inc. dba The Pirate's Boil with James Yang as the registered agent.

Mayor Bacon announced the public hearing and invited anyone wanting to speak to come forward. No one came forward to speak.

City Attorney Scott Cochran swore in the applicant Mr. James Yang.

Mr. Norton thanked Mr. Yang for doing business in the City and asked him to give a little information about the restaurant.

Mr. Yang stated that he wants to open a restaurant that serves Louisiana style seafood.

Mr. Norton reiterated that all training had been completed by the applicant and reminded Mr. Yang that the Smyrna police department does routine sting operations regarding alcohol sales.

Mr. Fennel inquired about the hours of operation. Mr. Yang stated that they would be open seven days a week from 11am until 10pm.

Ms. Blackburn asked when the business would be opened. The applicant stated that they are still under renovation but their goal is to open around March.

The Mayor announced the location of the restaurant would be where the old Office Depot was located. Mr. Yang stated that they have taken over the entire old Office Depot space which means that the restaurant will be 8,600 square feet.

Councilmember Derek Norton made a motion to approve Privilege License Request 2018-506 - Beer, Wine, and Liquor Pouring - 2451 Cobb Parkway - The Pirate's Boil Inc. dba The Pirate's Boil with James Yang as agent. Councilmember Maryline Blackburn seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

6. Formal Business:

A. [2018-533](#) Approval to hire Kevin Moore as the City Engineer

Sponsors: Welch

Ms. Saddler Jones summarized the background information. With the departure of Eric Randall, the position of City Engineer is vacant. A search was conducted, after interviewing several candidates, the selection committee for the first round comprised of Scott Andrews, Corkey Welch, Greg Teague and Kay Bolick. The second interview panel consisted of Mayor Max Bacon, Tammi Saddler Jones, and Scott Andrews. Staff recommends appointment of Kevin Moore to fill this position. Kevin (Assistant City Engineer) has been serving as Acting City Engineer for the last 2 months.

Mr. Welch, who sat on the hiring committee, stated the Mr. Moore was definitely the most qualified candidate for the job.

Mayor Bacon thanked Mr. Moore for coming to the meeting and being able to answer questions about projects that were on the agenda.

Mr. Moore thanked everyone and said that he is looking forward to working with everyone.

Councilmember Charles "Corkey" Welch made a motion to approve to hire Kevin Moore

as the City Engineer with a second by Councilmember Maryline Blackburn.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

B. [2018-531](#)

Approval of the use of FY 2018 Surplus

Sponsors: Fennel

The background information was provided by City Administrator Tammi Saddler Jones. Fiscal Year 2018 ended with stronger revenues and lower expenditures than anticipated. The surplus amount for FY 2018 is \$3.5 million per the audited financial statement. As a result, the City has a positive year-end position. Finance recommends allocating this surplus to cover several unexpected, unbudgeted expenditures and to recommit funds for future Capital Improvement Plan (CIP) and Vehicle Replacement Funds (VRF) needs. Specific projects include police in car and body cameras, replenish CIP, VRF, Police Department Bonus Fund, and to purchase three additional police vehicles.

Mr. Ron Fennel, Chair of the Finance Committee, thanked his two predecessors for their hard work that allowed the City to achieve the Triple A bond rating. He also thanked Mr. Welch and Mr. Norton who also serve on the Finance Committee. Mr. Fennel spoke of the sound financial state of the City and how well finances are managed year after year.

Councilmember Ron Fennel made a motion to approve the use of FY 2018 Surplus with a second by Councilmember Derek Norton.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

C. [2018-538](#)

Approval of the Fiscal Year 2019 (FY19) budget amendment for staff merit increases.

Sponsors: Fennel

Ms. Saddler Jones conferred the background information to the Mayor and Council. As a part of the annual budgeting process, an estimate for merit increases at January 1 is included in contingency. The amount included in the Fiscal Year 2019 budget was \$295,000. Staff are scheduled to receive merit increases effective January 1, 2019. Staff evaluations were completed on or before June 30, 2018. Based on the scores and calculations by the HR department, a budget amendment of \$291,008 is needed for this increase. Applicable FICA taxes are included in this amount. Staff recommends approval of FY19 budget amendment for staff merit increases.

Mr. Fennel complimented the finance team on their close calculations when budgeting for this line item and promoted the importance of rewarding staff for their hard work with things such as merit increases.

Councilmember Ron Fennel made a motion to approve the Fiscal Year 2019 (FY19) budget amendment for staff merit increases with a second by Councilmember Charles "Corkey" Welch.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

D. [2018-534](#)

Award Tolleson Park Playground to U.S. Communities Government Purchasing Alliance bidder Kompan , Inc., 605 W. Howard Lane, Suite 101, Austin, Texas 78753 for \$179,975.66 from FY19 CIP and authorize the Mayor to execute any related documents.

Sponsors: Wilkinson

Framework data for this agenda item was read aloud by Ms. Tammi Saddler Jones. The Parks and Recreation requested a proposal from Kompan for the demolition, sitework, drainage system, sitting wall and installation of new playground area at Tolleson Park to replace outdated playground. Kompan supplied a proposal under U.S. Communities Government Purchasing Alliance in the amount of \$179,975.66. Parks and Recreation has reviewed the proposal and recommend award of the project to Kompan, Inc. and to authorize the Mayor to execute any related documents.

Councilmember Susan Wilkinson made a motion to award Tolleson Park Playground to U.S. Communities Government Purchasing Alliance bidder Kompan , Inc., 605 W. Howard Lane, Suite 101, Austin, Texas 78753 for \$179,975.66 from FY19 CIP and authorize the Mayor to execute any related documents. Councilmember Maryline Blackburn seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

E. [2018-535](#)

Adoption of Recreate Smyrna Parks and Recreation Master Plan

Sponsors: Wilkinson

Mayor Bacon stated that due to some questions during the work session, it would be best to table this agenda item until the first meeting in January.

Councilmember Susan Wilkinson made a motion to table the adoption of Recreate Smyrna Parks and Recreation Master Plan until the January 7, 2019 Council Meeting. Councilmember Maryline Blackburn seconded the motion.

The motion to table was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

F. [2018-502](#)

Approval to enter into a ROW Master Access Agreement with ExteNet Systems, Inc. and for the Mayor to execute all related documents

Sponsors: Fennel

Ms. Saddler Jones explained that over the past year, cities throughout Georgia have been approached by wireless infrastructure companies such as ExteNet Systems requesting permits to install poles in municipal rights of way and/or place equipment on

existing poles. ExteNet Systems has submitted an application to the City of Smyrna to place small cell antennas at various locations in the city. While we recognize the need to accommodate wireless infrastructure, we also recognize the importance of addressing the health, safety and welfare of the public given the numerous facilities and infrastructure that will need to be placed in the Right of Way (ROW). Staff does recommend approval of the agreement.

Mr. Fennel explained that this agreement allows an expansion of capacity to 5G and allows the City to keep up with growth and technology.

Councilmember Ron Fennel made a motion to approve entering into a ROW Master Access Agreement with ExteNet Systems, Inc. and for the Mayor to execute all related documents. Councilmember Derek Norton seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

G. [ORD2018-20](#)

Approve the Amendment to the City of Smyrna's Code of Ordinance Chapter 6 entitled Alcoholic Beverages to include Section 6-2 - Definitions, 6-34 - Types of Licenses, Section 6-37 - Limitations on Use, Section 6-46 - Carry-in Prohibited, Section 6-62 - Sunday Sales Permit, Section 6-118 - Distance from Certain Locations and adding to Article II, Division I, Section 6-81 Breweries

Sponsors: Gould

City Administrator Tammi Saddler Jones provided some background into this agenda item. In order to update the City of Smyrna's Code of Ordinances to allow Breweries the following amendments have been made: Chapter 6, Alcoholic Beverages, Article I, In General Section 6-2 - Definitions; Article II, "Licenses", Division 1 - "Generally," Section 6-34 - "Types of Licenses", Section 6-37 - "Limitations on Use", Section 46 - "Carry-in prohibited", Section 6-62 - "Sunday Sales Permit"; Division 2., Section 6-118 - "Distance from Certain Locations. Adding to Article II, Division 1, Section 81 - "Breweries". Ms. Saddler Jones asked Mr. Ken Suddreth to give more details on this agenda item.

Mr. Suddreth, Director of Community Development, explained that this is the final step in the changes to the ordinances which allow for breweries. While what was addressed previously in the meeting had to do with the zoning aspect, this item relates to changing and updating of the City's ordinances.

Mr. Gould thanked City Attorney Scott Cochran as well as Ken Suddreth and the rest of the Community Development department for their work on making sure the City's codes are accurate and up to date.

Councilmember Tim Gould made a motion to approve the Amendment to the City of Smyrna's Code of Ordinance Chapter 6 entitled Alcoholic Beverages to include Section 6-2 - Definitions, 6-34 - Types of Licenses, Section 6-37 - Limitations on Use, Section 6-46 - Carry-in Prohibited, Section 6-62 - Sunday Sales Permit, Section 6-118 - Distance from Certain Locations and adding to Article II, Division I, Section 6-81 Breweries. Councilmember Derek Norton seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

7. Commercial Building Permits:

There were no commercial building permits.

8. Consent Agenda:

Ms. Tammi Saddler Jones read the consent agenda aloud.

A motion was made by Councilmember Ron Fennel to approve the consent agenda as read aloud by City Administrator Tammi Saddler Jones. Councilmember Derek Norton seconded the motion to approve.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

- A. [2018-503](#) Approval of the December 3, 2018 Mayor and Council Meeting Minutes
- B. [2018-530](#) Approval of the November 15, 2018 Committee of the Whole Meeting Minutes
- C. [2018-527](#) Approval to use Council Chambers on Tuesday, January 29, 2019 from 6:30pm - 8:30pm for the Heritage at Vinings Annual HOA Meeting.
Sponsors: Gould

9. Committee Reports:

Mr. Derek Norton shared some information from the Police Department relating to the incentive program and how it has allowed them to become fully staffed. The City is the model community for this type of program and it has allowed for the department to retain quality employees as well as recruit well qualified candidates for the job. Mr. Norton recognized his father, Dave Norton who drove from Toddville, Iowa to visit.

Ms. Andrea Blustein wished everyone a very happy holiday season. She reminded everyone to drive safe and to remember the hands free law which is in effect not just in Georgia, but in other areas as well.

Ms. Maryline Blackburn welcomed some of the Ward 3 residents who were at the meeting and thanked them for coming out. She acknowledged former Councilmember, Terri Anulewicz who was in the audience. Ms. Blackburn welcomed new employees to the City including City Engineer Kevin Moore. She also invited Ward 3 residents to Café Lucia for a community meeting on December 18, 2018 at 9am. This meeting will mark her one year anniversary as the representative for Ward 3. To close out, she wished everyone a very merry and happy holiday season and a happy New Year.

Mr. Charles "Corkey" Welch welcomed Kevin Moore as the new City engineer. He invited everyone to come to Aunt Fanny's Cabin this Friday, Saturday, and Sunday from 6-8pm to have their picture taken with Santa. Mr. Welch wished everyone a Merry Christmas and a Happy New Year.

Ms. Susan Wilkinson thanked staff for their hard work on the holiday event that took place at Taylor Brawner Hall last weekend which included a coat drive as well as festivities with Santa. She wished everyone happy holidays and New Year. Ms. Wilkinson welcomed the new City Engineer, Mr. Kevin Moore.

Mr. Tim Gould welcomed Kevin Moore at the new City Engineer. He noted that the Meet and Greet for Peace event that took place last Wednesday was a great event and thanked staff and Mayor Bacon for putting on the event. Mr. Gould announced that the Dancing with the Smyrna Stars event will take place on January 19, 2019 and that it is a fundraiser for Campbell High School for a new workout facility. Councilmember Maryline Blackburn, Assistant City Administrator Scott Andrews, and Sgt. Louis Defense will be dancing and Mayor Bacon will be a judge. He wished everyone a Merry Christmas and a Happy New Year.

Mr. Ron Fennel thanked some Vinings Estates residents for coming to the meeting. He also acknowledged and thanked former Councilmember Terri Anulewicz for being there. Mr. Fennel thanked the Finance team for their hard work with the budget and for allowing him to be a part of what they do. He congratulated Ms. Blackburn who was recently elected Secretary of the Cobb Municipal Association. The launch of the Safe Holiday Campaign began on December 18, 2019 and its purpose is to promote safe and distraction free driving. He concluded by wishing everyone a Merry Christmas and Happy New Year.

Ms. Tammi Saddler Jones congratulated Kevin Moore, the new City Engineer. She wished everyone a happy holiday and a happy and prosperous New Year.

Mr. Scott Andrews congratulated Kevin Moore for his new position. He then displayed a plaque that the City received from Money Magazine for being the 44th Best Place to Live in the United States and gave some background information into the criteria to win the award.

Mr. Scott Cochran wished everyone a Merry Christmas and happy New Year.

Ms. Terri Graham offered best wishes to everyone for the upcoming holidays.

Ms. Tina M. Monaghan wished everyone a merry Christmas and a safe and happy New Year.

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

No one signed up to speak at citizen input.

12. Adjournment:

Mayor Bacon adjourned the meeting at 8:29pm.