



City of Smyrna

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

Action Summary - Final City Council

Monday, December 5, 2022

7:00 PM

A. Max Bacon City Hall - Council Chambers

Roll Call

Present: 7 - Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Latonia P. Hines, Councilmember Charles Welch, Councilmember Susan Wilkinson, Mayor Pro Tem / Councilmember Tim Gould and Councilmember Lewis Wheaton

Absent: 1 - Councilmember Travis Lindley

Also Present: 1 - Scott Cochran

Staff: 8 - Jennifer Bennett, Joe Bennett, Frank Carruba, Jill Head, Dat Luu, Russell Martin, Heather Peacon-Corn and Eric Randall

Call to Order

Mayor Derek Norton called to order the December 5, 2022 Mayor and Council Meeting held at A. Max Bacon City Hall in Council Chambers at 7:00 PM.

1. Invocation and Pledge:

The invocation and Pledge of Allegiance were led by Pastor Shell Osbon, Life Church Assembly of God (4100 King Springs Rd).

2. Agenda Changes:

3. Mayoral Report:

A. [2022-573](#) Smyrna Education Foundation Report and Check Presentation from JRM Management

B. [2022-574](#) Recognition of Campbell High School JROTC Lady Spartan Raiders and Male Spartan Raiders

4. Land Issues/Zonings/Annexations:

A. [2022-481](#) Public Hearing - Appeal the denial by the License and Variance Board for Variance Request V22-055 - Allow encroachment into the 75-foot impervious surface area setback - Lot 696 - 1921 Sadler Drive - Eddie Karr by Wayne S. Melnick who resides at 1921 Sadler Drive SE, Smyrna, GA 30080 as filed with the City Clerk's office on September 1, 2022 at 4:12 PM via electronic email.

Ward 6 / Mayor Pro Tem/Councilmember Gould

Mayor Pro Tem/Councilmember Tim Gould made a motion to deny item 2022-481, a public hearing and appeal of the denial by the License and Variance Board for Variance Request V22-055 to allow encroachment into the 75-foot impervious surface area setback on lot 696 located at 1921 Sadler Drive by applicant Eddie Karr by Wayne S. Melnick who resides at 1921 Sadler Drive SE, Smyrna, GA 30080 as filed with the City Clerk's office on September 1, 2022 at 4:12 PM via electronic email; seconded by Councilmember Lewis Wheaton.

The motion to deny carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Hines, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould and Councilmember Wheaton

Absent: 1 - Councilmember Lindley

B. [2022-544](#)

Authorization to submit the Comprehensive Plan Update to Department of Community Affairs for review and authorize the Mayor to sign and execute all related documents.

Ward/ Citywide

Councilmember Latonia P. Hines made a motion to approve item 2022-544, an authorization to submit the Comprehensive Plan Update to the Department of Community Affairs for review 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 Hines, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould and Councilmember Wheaton

Absent: 1 - Councilmember Lindley

C. [Z22-011](#)

Public Hearing - Zoning Request - Z22-011 - Allow a rezoning from R-15 to NS for an 8,000 sq. ft. retail business - 0.91 acres - Land Lot 700 - 3410 Atlanta Road - Grow Smyrna.

This item will be tabled to the January 17, 2023 Mayor and Council meeting at the request of staff.

Ward 6 / Mayor Pro Tem/Councilmember Gould

Councilmember Latonia P. Hines made a motion to table to the January 17, 2023 Mayor and Council Meeting at the request of staff item Z22-011, a public hearing and zoning request (Z22-011) to allow rezoning from R-15 to NS for an 8,000 sq. ft. retail business on 0.91 acres on land lot 700 located at 3410 Atlanta Road by applicant Grow Smyrna; seconded by Councilmember Glenn Pickens.

The motion to table to the January 17, 2023 Mayor and Council Meeting carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Hines, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould and Councilmember Wheaton

Absent: 1 - Councilmember Lindley

5. Privilege Licenses:

6. Formal Business:

- A.** [RES2023-02](#) Approval of Resolution RES2023-02 imposing a **911** charge on postpaid wireline, wireless, and voice over internet protocol (V.O.I.P.) telephone service at the answering point at the rate of \$1.50 per month received by a municipality and authorize the Mayor to sign and execute all related documents.

Ward / Citywide

Mayor Pro Tem/Councilmember Tim Gould made a motion to approve item RES2023-02, a resolution (RES2023-02) imposing a 911 charge on postpaid wireline, wireless, and voice over internet protocol (V.O.I.P.) telephone service at the answering point at the rate of \$1.50 per month received by a municipality and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Susan Wilkinson.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Hines, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould and Councilmember Wheaton

Absent: 1 - Councilmember Lindley

- B.** [RES2023-03](#) Approval of Resolution RES2023-03 imposing a **911** charge on prepaid wireless service at the retail point of sale at the rate of \$1.50 per retail transaction and revenues received by a municipality and authorize the Mayor to sign and execute all related documents.

Ward / Citywide

Councilmember Lewis Wheaton made a motion to approve item RES2023-03, a resolution (RES2023-03) imposing a 911 charge on prepaid wireless service at the retail point of sale at the rate of \$1.50 per retail transaction and revenues received by a municipality and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Latonia P. Hines.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Hines, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould and Councilmember Wheaton

Absent: 1 - Councilmember Lindley

- C.** [RES2023-04](#) Approval of Resolution RES2023-04 reaffirms the necessity for the \$1.50 **911** charge on telephone subscribers served by the enhanced **911** system for the fiscal year.

Ward / Citywide

Councilmember Lewis Wheaton made a motion to approve item RES2023-04, a resolution (RES2023-04) that reaffirms the necessity for the \$1.50 911 charge on telephone subscribers served by the enhanced 911 system for the fiscal year; seconded by Mayor Pro Tem/Councilmember Tim Gould.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Hines, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould and Councilmember Wheaton

Absent: 1 - Councilmember Lindley

D. [2022-585](#)

Approval of the FY 2023 staff merit increases, cost of living adjustment (COLA), an adjustment to the pay bands, and an additional supplement for certified public safety positions effective the first payroll subsequent to January 1, 2023.

Ward / Citywide

Councilmember Latonia P. Hines made a motion to approve item 2022-585, the FY 2023 staff merit increases, cost of living adjustment (COLA), and adjustment to the pay bands, and an additional supplement for certified public safety positions effective the first payroll subsequent to January 1, 2023; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Hines, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould and Councilmember Wheaton

Absent: 1 - Councilmember Lindley

E. [CON2022-13](#)

Approval of the contract with Dynamix Consulting Group Personal Services (PO Box 68, Lake Alfred, Florida, 33850) to perform a Community Risk Assessment in phases as outlined in the attached Scope of Work document for a fee not to exceed \$47,500.00 and authorize the Mayor to sign and execute all related documents.

Ward / Citywide

Councilmember Latonia P. Hines made a motion to approve item CON2022-13, the contract with Dynamix Consulting Group Personal Services (PO Box 68, Lake Alfred, Florida, 33850) to perform a Community Risk Assessment in phases as outlined in the attached Scope of Work document for a fee not to exceed \$47,500.00 and authorize the Mayor to sign and execute all related documents; seconded by Mayor Pro Tem/Councilmember Tim Gould.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Hines, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould and Councilmember Wheaton

Absent: 1 - Councilmember Lindley

- F.** [2022-607](#) Approval to amend the FY 2023 ARPA fund project budget for the Council Chamber Audio/ Visual update in the amount of \$15,000 for the purchase of additional equipment needed to complete the project.
Ward 3 / Councilmember Lindley
- Mayor Pro Tem/Councilmember Tim Gould made a motion to approve item 2022-607, an amendment to the FY 2023 ARPA fund project budget for the Council Chamber Audio/Visual update in the amount of \$15,000 for the purchase of additional equipment needed to complete the project; seconded by Councilmember Glenn Pickens.
- The motion to approve carried with the following vote:
- Aye:** 6 - Councilmember Pickens, Councilmember Hines, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould and Councilmember Wheaton
- Absent:** 1 - Councilmember Lindley
- G.** [2022-606](#) Approval of a budgeted amendment to the adopted FY 2023 budget to increase the project budget for the Village Green park in the amount of \$500,000 to be funded by a use of the fund balance (reserves) in the General Fund.
Ward 3 / Councilmember Lindley
- Mayor Pro Tem/Councilmember Tim Gould made a motion to approve item 2022-606, an amendment to the adopted FY 2023 budget to increase the project budget for the Village Green park in the amount of \$500,000.00 to be funded by a use of the fund balance (reserves) in the General Fund; seconded by Councilmember Glenn Pickens.
- The motion to approve carried with the following vote:
- Aye:** 4 - Councilmember Pickens, Councilmember Hines, Mayor Pro Tem / Councilmember Gould and Councilmember Wheaton
- Nay:** 2 - Councilmember Welch and Councilmember Wilkinson
- Absent:** 1 - Councilmember Lindley
- 7. Commercial Building Permits:**
- 8. Consent Agenda:**
- A motion was made by Councilmember Latonia P. Hines, seconded by Councilmember Glenn Pickens, that the Consent Agenda be approved.
- The motion to approve carried with the following vote:
- Aye:** 6 - Councilmember Pickens, Councilmember Hines, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould and Councilmember Wheaton
- Absent:** 1 - Councilmember Lindley
- A.** [MIN2022-85](#) Approval of the November 17, 2022 Committee of the Whole Meeting Minutes

Ward / Citywide

These Minutes were Approved on the Consent Agenda.

- B.** [MIN2022-86](#) Approval of the November 21, 2022 Pre-Council Meeting Minutes
Ward / Citywide
These Minutes were Approved on the Consent Agenda.
- C.** [MIN2022-87](#) Approval of the November 21, 2022 Mayor and Council Meeting Minutes
Ward / Citywide
These Minutes were Approved on the Consent Agenda.
- D.** [2022-572](#) Request to extend work hours for concrete pours at 1885 Mitchell Road as requested by the Conlan Company (Land Lot 684 & 685, 11.42 acres, The Conlan Company) from December 15, 2022 through February 15, 2023, Monday through Saturday (No work on Sundays) 10:00 PM - 7:00 AM with a total of 30 pours.
Ward 7 / Councilmember Wheaton
This Authorization was Approved on the Consent Agenda.
- E.** [2022-577](#) Approval of the re-appointment of Ward 1 resident, Shawn Garcia, to the Keep Smyrna Beautiful Board. This is a two-year term that expires 12/31/2024.
Ward 1 / Councilmember Pickens
This Appointment was Approved on the Consent Agenda.
- F.** [2022-578](#) Approval of the re-appointment of Ward 6 resident, Nell Robinson, to the Keep Smyrna Beautiful Board. This is a two-year term that expires 12/31/2024.
Ward 6 / MayorProTem/Councilmember Gould
This Appointment was Approved on the Consent Agenda.
- G.** [2022-579](#) Approval of the re-appointment of the Mayor's Appointee, Ms. Cheri Harrington , to the Smyrna Parks and Recreation Commission. This is a two-year term to expire December 31, 2024.
Ward / Citywide
This Appointment was Approved on the Consent Agenda.
- H.** [2022-580](#) Approval of the re-appointment of the Mayor's appointee, Mr. Joel Powell, to serve as Chairman of the Smyrna Planning and Zoning Commission for a two-year term to expire December 31, 2024.
Ward / Citywide
This Appointment was Approved on the Consent Agenda.

- I. [2022-581](#) Approval of the re-appointment of Ward 3 resident, Lem Ward, to the Smyrna Housing Authority. This is a five-year term that expires 12/31/2027.
Ward 3 / Councilmember Lindley
This Appointment was Approved on the Consent Agenda.
- J. [2022-603](#) Approval of the appointment of Ward 5 resident, Tonya Brinkley, to the Smyrna Housing Authority to fulfill term that expires 5/31/2023.
Ward 5 / Councilmember Wilkinson
This Authorization was Approved on the Consent Agenda.

9. **Ward / Committee Reports:**

10. **Show Cause Hearings:**

11. **Citizen Input:**

12. **Adjournment:**

Mayor Derek Norton adjourned the December 5, 2022 Mayor and Council Meeting at 8:09 PM.