



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final City Council

Monday, November 18, 2019

7:00 PM

Council Chambers

Roll Call

Present: 7 - Councilmember Derek Norton, Councilmember Maryline Blackburn, Councilmember Andrea Blustein, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Tim Gould and Councilmember Lewis Wheaton

Absent: 1 - Mayor Max Bacon

Also Present: 10 - Tammi Saddler Jones, Scott Cochran, Scott Andrews, Terri Graham, Russell Martin, Joey Staubes, Frank Martin, Landon O'Neal, Tina Monaghan and Chris Flowers

Call to Order

Mayor Pro-Tem Derek Norton called the November 18, 2019 Mayor and Council Meeting to order at 7:00 PM.

1. Invocation and Pledge:

Reverend Chaloea Hale, Smyrna First United Methodist Church (1315 Concord Rd) delivered the Invocation and led all in the Pledge of Allegiance.

2. Agenda Changes:

There were no agenda changes.

3. Mayoral Report:

A. [2019-421](#) Campbell High School Educational Foundation Report

Sponsors: Gould

The Campbell High School Education Foundation Report has been moved to the December 2, 2019 Mayor and Council Meeting.

4. Land Issues/Zonings/Annexations:

A. [2019-362](#) **Public Hearing** - Zoning Request Z19-015 - Rezoning from RD to R-8 for the development of a 2 lot subdivision at 4.35 units per acre - 0.46 Acres - Land Lot 593 - 1540 Whitefield Street - Allan Khalife

Sponsors: Blackburn

City Administrator Tammi Saddler Jones presented the background information for this

agenda item. Allan Khalife is seeking approval of a rezoning for 1540 Whitefield Street from RD to R-8 for the development of two single-family detached residences at a density of 4.35 units per acre. The applicant is proposing to demolish the existing duplex and then subdivide the parcel into two lots. Planning & Zoning Board recommended approval by a vote of 5-0 at the October 11, 2019 meeting. Community Development recommended approval of the rezoning from RD to R-8 for two new single-family detached units.

Mayor Pro-tem Norton announced the public hearing and Mr. Allan Khalife came forward to be sworn in by City Attorney Scott Cochran.

Councilmember Blackburn asked Community Development Director Rusty Martin to present his PowerPoint.

Mr. Martin stated that the applicant was requesting a rezoning from RD to R8 for the development of two (2) single-family detached units at a density of 4.35 units per acre. A land use change will not be required for this rezoning. Approval of the rezoning from RD to R-8 for two new single-family detached units was approved by the Planning & Zoning Board by a vote of 5-0 at the October 11, 2019 meeting. The applicant is proposing to demolish the existing duplex and then subdivide the parcel into two lots and construct two individual single-family residences. The number of units and density will remain unchanged from what currently exists on-site today. The proposed lots will be 9,910 sq. ft. and 9,929 sq. ft. Each proposed home will be a front-entry home and will face Whitefield Street. In addition, each lot will have its own stormwater detention facility located at the rear of the property. The applicant has provided a site plan with the rezoning application for reference. The applicant has submitted building elevations and floor plans for each home in the rezoning application. The applicant proposes to use brick, stone, and siding for the façade materials for each home. The Fire Marshal's office has reviewed the revised site plan and believes the zoning plan meets the Fire Code requirements for fire truck access and building separation requirements. Community Development recommends approval of the rezoning from RD to R-8 for the development of two single-family units at a density of 4.35 units per acre with the following conditions:

Standard Conditions:

- 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. All utilities within the development shall be underground.*
- 3. 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.*
- 4. No debris may be buried on any lot or common area.*
- 5. The developer will comply with the City's current tree ordinance. All required tree protection measures shall be adhered to by the developer during construction.*
- 6. All landscape plans must be prepared, stamped, and signed by a Georgia*

Registered Landscape Architect for any common areas or entrances.

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

8. 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. 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:

9. The development shall maintain the following setbacks:

Front – 25'

Side – 5'

Rear – 25'

10. Driveway – 22' minimum length from building face to private driveway.

11. The right-of-way along Whitfield Street shall be increased to 50 feet. Therefore, a dedication of approximately 10' feet is required along Whitefield Street.

12. The developer shall donate a fee to the sidewalk bank in lieu of installation of curb, gutter, and sidewalk.

13. All structures will be limited to a maximum height of 35' as measured from the sidewalk along the front elevation.

14. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.

15. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.

16. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.

17. No fill or cut slopes between the proposed structures and the adjoining property lines shall exceed 4:1. Prior to issuance of a Certificate of Occupancy, all areas between the proposed structures and adjoining property lines shall be permanently stabilized with sod or other groundcover.

The applicant, Mr. Khalife came forward. He explained that he is building high end homes with many top of the line upgrades which will be above the grade of the surrounding homes. The expected price range will be around \$629,000.00 each.

Councilmember Maryline Blackburn made a motion to approve Zoning Request Z19-015 - Rezoning from RD to R-8 for the development of a 2 lot subdivision at 4.35 units per acre - 0.46 Acres - Land Lot 593 - 1540 Whitefield Street - Allan Khalife.
Councilmember Charles "Corkey" Welch seconded the motion.

The motion to approve was carried by the following vote:

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

Absent: 1 - Mayor Bacon

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

- A. [ORD2019-24](#) Approve the amendment to the City of Smyrna's Code of Ordinances, Chapter 6 entitled Alcoholic Beverages, by amending Article II, License, Division 2, Application, Section 6-119 Citizenship and Residency

Sponsors: Gould

The information on this item was presented by Ms. Saddler Jones. The Mayor and Council wished to update the City's Alcoholic Beverages to add the language regarding citizenship and residency by amending this section to say – All licensees must be either a United States citizen or legal resident alien. Additionally, all licensees must be a resident of Georgia. However, a licensee is not required to be a resident of Georgia if the licensee has an agent who meets the requirement of this code section. Staff recommended approval.

Councilmember Tim Gould made a motion to approve the amendment to the City of Smyrna's Code of Ordinances, Chapter 6 entitled Alcoholic Beverages, by amending Article II, License, Division 2, Application, Section 6-119 Citizenship and Residency. Councilmember Susan Wilkinson seconded the motion.

The motion to approve was carried by the following vote:

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

Absent: 1 - Mayor Bacon

- B. [2019-416](#) Approval to record the Official City Election Results for the General Municipal Election for the City of Smyrna for Mayor and Wards 1 - 7 held November 5, 2019. There were 7,954 ballots cast 21.73% of 36,597 registered voters in the Municipal General Election.
Mayor, Registered voters (36,597) 7918 total votes cast 21.63% of registered voters, Alex Backry - 100 - 1.26%, Ryan Campbell - 1,963 - 24.79%, Laura Mireles - 394 - 4.98%, Derek Norton - 3,725 - 47.04%, Steve Rasin - 1,736 - 21.92%.
Ward 1, Registered voters (3,931) 522 total votes cast 13.28% of registered voters, Glenn Pickens ran unopposed - 432 votes - 100%.
Ward 2, Registered voters (5,100) 701 total votes cast 13.75% of registered voters, Incumbent Andrea Blustein - 341 votes - 50%; Austin Wagner - 341 - 50%, this ward will go into a runoff.

Ward 3, Registered voters (6,535) 1639 total votes cast 25.08% of registered voters, Incumbent Maryline Blackburn - 766 votes - 47.05%; Travis Lindley - 862 votes - 52.95%.

Ward 4, Registered voters (5,519) 1640 total votes cast 29.72% of registered voters, Incumbent Charles (Corkey) Welch ran unopposed received - 1,319 votes - 100%.

Ward 5, Registered voters (4,071) 869 total votes cast, 21.35% of registered voters, Suz Kaprich - 72 votes - 8.42%, James (JD) Smith - 340 votes - 39.77%, Susan Wilkinson - 443 votes - 51.81%.

Ward 6, Registered voters (5,594) 1342 total votes cast 23.99% of registered voters; Incumbent Tim Gould ran unopposed with 1,120 votes 100%.

Ward 7, Registered voters (5847) 1,241 total votes cast 21.22% of registered voters; David Monroe - 518 votes - 43.02%, Lewis A. Wheaton - 686 votes 56.98%.

The Council Elect is Ward 1 - Glenn Pickens; Ward 3 - Travis Lindley; Ward 4 - Charles (Corkey) Welch; Ward 5 - Susan Wilkinson; Ward 6 - Tim Gould; Ward 7 - Lewis A. Wheaton
There will be a runoff election December 3, 2019 for the office of the Mayor - Runoff candidates Ryan Campbell and Derek Norton and for the office of Ward 2, Runoff candidates Incumbent Andrea Blustein and Austin Wagner.

Sponsors: Welch

Councilmember Charles "Corkey" Welch made a motion to approve to record the Official City Election Results for the General Municipal Election for the City of Smyrna for Mayor and Wards 1 - 7 held November 5, 2019. There were 7,954 ballots cast 21.73% of 36,597 registered voters in the Municipal General Election.

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There will be a runoff election December 3, 2019 for the office of the Mayor - Runoff candidates Ryan Campbell and Derek Norton and for the office of Ward 2, Runoff candidates Incumbent Andrea Blustein and Austin Wagner. Councilmember Susan Wilkinson seconded the motion.

The motion to approve was carried by the following vote:

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

Absent: 1 - Mayor Bacon

C. [2019-424](#)

Approval of FY 2020 Budget Amendment

Sponsors: Welch

According to Ms. Saddler Jones, this agenda item covered some expenditures which were previously approved by Mayor and Council but required amendments to the budget. After the adoption of the FY 2020 budget and in the first few months of the fiscal year, several items have been requested that were not originally budgeted for. These items came before the City Council and/or Administration for approval prior to moving forward. When they were approved, the budget impact was not addressed. As a result, departmental line items are showing as over-budget and need to be amended. Staff recommended approval of the budget amendment.

Councilmember Charles "Corkey" Welch made a motion to approve of FY 2020 Budget Amendment. Councilmember Maryline Blackburn seconded the motion.

The motion to approve was carried by the following vote:

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

Absent: 1 - Mayor Bacon

D. [2019-413](#)

Approval of the FY 2020 budget amendment for staff merit increases.

Sponsors: Welch

City Administrator Saddler Jones reviewed the pertinent information for this agenda item. As a part of the annual budgeting process, an estimate for merit increases is included in the contingency budget. The amount included in the FY2020 budget was \$299,000. Staff are scheduled to receive merit increases effective January 1, 2020. Staff evaluations were completed on or before June 30, 2019. Based on an employee's score of 1.5 % to 3.5% and based upon calculations by the HR department, a budget amendment of \$296,415 is needed for this increase. Applicable FICA taxes are included in this amount. Staff recommended approval of FY2020 budget amendment for staff merit increases.

Councilmember Charles "Corkey" Welch made a motion to approve of the FY 2020 budget amendment for staff merit increases. Councilmember Lewis Wheaton seconded the motion.

The motion to approve was carried by the following vote:

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

Absent: 1 - Mayor Bacon

E. [2019-414](#)

Approval to purchase a new Motorola MCC7500 radio console system from Motorola Solutions Inc. 500 W. Monroe St. Chicago, IL. 60661, for the E911 Center, which was approved in the FY2020 CIP for \$74,992.

Sponsors: Norton

The details on this agenda item were read aloud by Ms. Saddler Jones. The City's E-911 budgeted for an additional emergency radio console in the E-911 center. The addition of a fifth radio position will better serve Police and Fire personnel during emergencies. Motorola equipment has been standardized for Cobb County radio system and is a sole source purchase. The solution will be one (1) MCC 7500 Console and equipment purchased from Motorola Inc. The proposed system will be compatible with our existing consoles and the Cobb County Master site. It was the recommendation of the Police Department and the Purchasing Manager that this project be awarded to Motorola Inc. in the amount of \$74,992.00 to be funded out of the FY2020 CIP.

Councilmember Charles "Corkey" Welch made a motion to approve to purchase a new Motorola MCC7500 radio console system from Motorola Solutions Inc. 500 W. Monroe St. Chicago, IL. 60661, for the E911 Center, which was approved in the FY2020 CIP for \$74,992. Councilmember Maryline Blackburn seconded the motion.

The motion to approve was carried by the following vote:

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

Absent: 1 - Mayor Bacon

F. [2019-420](#)

Approval to award RFP 20-013 Public Works Roof Replacement to the lowest responsive and responsible bidder Riley Contracting Inc. located at 100 Eagle Run Senoia, Georgia 30276 in the amount of \$141,871.00 to be funded out of the FY2020 CIP and authorize the Mayor to execute any related documents.

Sponsors: Welch

The information regarding the agenda item was disclosed by City Administrator Saddler Jones. The City of Smyrna requested bids for a metal roof building and installation of two overhead doors at our Public Works Complex. Five bids were received, and 1 bid was received late. The lowest responsive and responsible bidder is Riley Contracting Inc. in the amount of \$141,871.00. It was the recommendation of the Public Works Department and the Purchasing Manager that this project be awarded RFP 20-013 to Riley Contracting Inc. in the amount of \$141,871.00 to be funded out of the FY2020 CIP.

Councilmember Charles "Corkey" Welch made a motion to approve to award RFP 20-013 Public Works Roof Replacement to the lowest responsive and responsible bidder Riley Contracting Inc. located at 100 Eagle Run Senoia, Georgia 30276 in the

amount of \$141,871.00 to be funded out of the FY2020 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: 6 - Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

Absent: 1 - Mayor Bacon

7. Commercial Building Permits:

There were no commercial building permits.

8. Consent Agenda:

Ms. Tammi Saddler Jones read the consent agenda aloud.

Councilmember Tim Gould made a motion to approve the consent agenda as read aloud by City Administrator Tammi Saddler Jones. Councilmember Maryline Blackburn seconded the motion.

The motion to approve was carried by the following vote:

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

Absent: 1 - Mayor Bacon

- A. [2019-422](#) Approval of the November 4, 2019 Mayor and Council Meeting minutes.
- B. [2019-423](#) Approval of the November 4, 2019 Pre-Council Meeting minutes.
- C. [2019-415](#) Approval of the October 31, 2019 Committee of the Whole Meeting minutes.
- D. [2019-410](#) Authorize Atkins Park Tavern to operate a beer/wine/specialty two-item cocktail station, beyond the boundaries of the premises (of Atkins Park Tavern) covered by the license, at the Smyrna Ugly Christmas Sweater Block Party & Movie Night event in the downtown area Saturday, December 7, 2019 (5:00 p.m. until 10:00 p.m.) at an assigned vendor space within the approved event. The exact location of the cocktail/drink station is to be within the food service area for the event, from W Spring Street to Village Green traffic circle, and from Village Walk/Bank Street to King Street SE. Streets closed during the event will be King Street in front of the Veteran's Memorial, from Bank Street to Village Green Circle in front of Community Center.

Sponsors: Bacon

9. Committee Reports:

Councilmember Blackburn sent her condolences to the Hurst family who recently lost family member, Reverend John C. Hurst. The Fire Department held their 120 year anniversary celebration and she said the event was very exciting. Ms. Blackburn also highly recommended that everyone check out the Smyrna History Museum which recently celebrated its grand opening.

Councilmember Welch spoke of the Fire Department anniversary celebration as well as the grand opening of the museum. The museum is still a work in progress, but it is definitely something that the citizens should be proud of.

Councilmember Wilkinson thanked the residents of Ward 5 for voting for her and wished everyone a nice Thanksgiving with their families.

Councilmember Gould spoke of the Forrest Hills Traffic Committee that recently met to discuss traffic safety and walkability. He summarized what was discussed at the Tree Ordinance Review Committee meeting.

Councilmember Wheaton thanked the Mayor for allowing him to step up and represent Ward 7 early. He reminded residents to get on the website and participate in the transit study survey. He also wished everyone a Happy Thanksgiving with their families.

City Clerk Terri Graham read aloud detailed information about the run-off election. The Runoff Election will be December 3, 2019

City of Smyrna Voting Options as are follows:

Advanced Voting

Voters residing in the City of Smyrna are eligible to vote at the following locations: (Dates and Hours Vary by location) This is not a countywide election. Please verify your eligibility: (770-528-2581)

*MAIN OFFICE: Main office, 736 Whitlock Ave., Marietta, GA 30064
Nov 25 – Nov 27 Monday-Wednesday 8am-5pm*

*SMYRNA: Smyrna Community Center, 200 Village Green Cir., Smyrna, GA 30080
Nov 25 – Nov 27 Monday-Wednesday 9am-5pm*

There is NO VOTING on Monday December 2

For information, including the Vote by Mail application, please visit www.smyrnaga.gov/elections or www.CobbElections.org or call (770) 528-2581 or the City Clerk's office (678) 631-5303

On Election Day, December 3, 2019, voters must go to their assigned polling location. The 7 Smyrna municipal poll are open from 7am – 7pm

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

Mr. Alex Backry, 3459 Shawnee Trail, commented about his signs disappearing during this last election. He voiced his concerns about the number of registered voters versus those that actually came out to vote in the recent election. Mr. Backry suggested holding town hall meetings every 6 months for people to exchange information and to get residents involved.

Mr. Steven Jones, 2823 Spring Drive, signed up to speak about political comments. He began by speaking about overdevelopment in cities such as Woodstock, Roswell, and Alpharetta. Mr. Jones encouraged voters to vote for Mr. Derek Norton who he feels has worked hard to keep overdevelopment out of Ward 1. He concluded by mentioning that he met the new Ward 1 representative Mr. Glenn Pickens and is looking forward to working with him as well as congratulating Ms. Wilkinson on her re-election to Ward 5.

Ms. Jenny Bartee, 4094 Laurel Springs Way, spoke about the Diversity Task Force and that she hopes that there will be an African American History festival as well as a Hispanic Heritage festival. Sustainability is a passion of hers and she feels that the city could lead the way as they have in the past with the hands free law. There are several major cities that have recently vowed to have 100% clean energy by 2035 and she would like to see Smyrna do this as well.

Ms. Tomaree Tarpley, 247 Ennisbrook Drive, signed up to speak about diversity. She is a 19 year resident of the city and was excited to see two African Americans serving on the Council at the same time. During the summer, she runs a camp full of diverse children and thinks that cultural festivals are wonderful. She remembers when the city hosted Jazz music nights and would like to see that brought back.

Ms. Andrea Blustein, 2407 Country Park, signed up to speak about running in Ward 2 and encouraged people to participate in the run-off election. She has spent 30 years in the city and would like to serve another four years in office. Ms. Blustein's experience includes the 10 years that she served on the Planning and Zoning Board as well as her time on Council. She wished everyone a great Thanksgiving.

Ms. Pat Burns, 10 Concord Road, signed up to speak about diversity and inclusion. She recently attended a summit titled Courageous Conversations hosted by President and CEO of the Georgia Chamber of Commerce, Mr. Chris Clark. Ms. Burns wants to see the city move forward and to do this they need to be intentionally inclusive, culturally fluent and gender fluent.

Ms. Arjho Turner and her daughter Hannah, 4239 Millside Walk, spoke about diversity and encouraged a celebration for Black History Month. She thinks the city should include such events in the yearly pamphlets so that all people can see that we are an inclusive city and welcome diversity.

12. Adjournment:

Mayor Pro-tem Norton adjourned the November 18, 2019 Mayor and Council meeting at 7:52 PM.