

City of Smyrna

*2800 King Street
Smyrna, Georgia 30080*



Meeting Minutes

Thursday, March 28, 2019

6:00 PM

Fire Station 2 - 642 Concord Rd

Committee of the Whole

1. Roll Call

Council: Mayor A. Max Bacon, Tim Gould, Maryline Blackburn, Ron Fennel, Charles "Corkey" Welch, Andrea Blustein, Susan Wilkinson

Council (Excused): Derek Norton

Staff: Tammi Saddler Jones (City Administrator), Scott Andrews (Asst. City Administrator), Terri Graham (City Clerk), Scott Cochran (City Attorney), Elsa Thompson (Admin. Svc. Coord.), Roy Acree (Fire Chief), Frank Martin (Public Works Director), Frank Durrance (SPD), Richard Garland (Parks & Rec. Director), Kristin Robinson (Finance Director), Bo Jones (Asst. Public Works Director), Brian Marcos (Dep. Fire Chief)

Guests: Larry Terry (Croy Engineering), Joe Bland (Smyrna Housing Authority), Tom Owens (Smyrna Housing Authority)

2. Call to Order

Mayor A. Max Bacon called the meeting to order at 6:00 pm.

Fire Chief Roy Acree welcomed everyone, gave an overview of the new Fire Station/Emergency Operating Center and its capabilities. Mr. Acree thanked Council for the new facility and acknowledged the Bureau of Fire Prevention team. He advised that they were currently working on 4 arson cases and spoke briefly about an arson case they investigated that dated back to November 2016 – the investigation led to a woman being convicted of 1st degree arson, insurance fraud, and lying to a police officer in addition to being sentenced to prison time. Mr. Acree commended and thanked the team for their hard work.

Deputy Fire Chief Brian Marcos handed out the Smyrna Fire Department's Annual Report and gave a brief overview of the work that went into creating it.

Mayor Bacon inquired when the City would have an annual report done. Ms. Saddler Jones advised that the last one that was done was in 2008 but would work on creating a one.

3. City Administrator Report

Fire Station Dedication – Saturday, April 13th @ 10:30am; will include station tours, food, and activities for children. Councilmember Ron Fennel inquired where the public would park. Mr. Acree advised that they were hoping to utilize the parking lot of the adjacent vacant property.

City Administrator Tammi Saddler Jones provided Council a handout that detailed the timeline for the SPLOST 2020 Referendum and noted that the SPLOST will not start until 2023. Requesting that the cities have their lists ready to discuss with the county by July.

Congratulations went out to Bo Jones for his promotion to Assistant Public Works Director; Mr. Jones was the Water Supervisor for the last 3 years.

Ms. Saddler Jones will be on leave on Thursday, April 4th and Friday, April 5th;

Assistant City Administrator Scott Andrews will be in charge in her absence.

Human Resources Retirement Seminar – Wednesday, May 1st, 2 sessions will be offered (9am – 11:30am and 1pm – 3:30pm). This will be for employees eligible to retire in the next 3 to 4 years with presentations and representatives from Georgia Municipal Association, the Social Security Administration, and MassMutual. Invitees will be asked to RSVP for the session they wish to attend.

Ms. Saddler Jones advised that a new ICMA Management Fellow by the name of Landon O’Neal was hired, as the current ICMA Management Fellow Ashley Youmans had accepted a position with the City of Powder Springs. She also advised that Administrative Services Coordinator Elsa Thompson’s last day would be April 18th, as she was relocating to Florida, and they would soon be interviewing potential candidates for her position.

4. Smyrna Housing Authority - Joe Bland

Joe Bland, Chairman of the Smyrna Housing Authority, advised that the housing authority was made-up of 8 appointed positions (7 by the Council and 1 by the Mayor) as well as a financial director and legal counsel (City Attorney Scott Cochran). He announced that there were currently 2 vacant seats in Ward 5 and 3 and stated the urgency to fill those slots since SHA only met 2 to 3 times per year but had not met in a long time because they do not have a quorum. He stated that the housing authority had public funds that are audited yearly and that those records could found at City Hall. He gave an overview of how the funds were utilized which included assisting people with low incomes or people on fixed incomes with issues to the exterior of their property (no landscaping). He noted that some seniors were hesitant to accept their assistance because they were afraid that that SHA would put a lien on their home. Councilmember Maryline Blackburn inquired how SHA advertised their services. Mr. Bland advised, water bills, newspapers but that they mostly “depended on the Councilmembers” to spread the word to the citizens. Mayor Bacon inquired where the funds came from. Mr. Bland provided an example of an apartment complex in need of repairs, stating that a company could purchase the apartment complex, get estimates on the needed repairs, then come to SHA for assistance to participate in their loan assistance program where participating banks offer lower interest rates to companies working with SHA. Ms. Blackburn inquired if SHA worked with Habitat for Humanity on blighted properties. Mr. Bland advised that they did not. Mr. Bland noted that Smyrna Fire Department had helped them on several projects in the past, gave an overview of other assistance that SHA offered and advised that SHA has tried to keep their funds in the City but that the banks change owners/names too much. Tom Owens, a SHA advisor, stated that SHA was working with Cobb Housing Authority on a Down Payment Assistance program which aided any family/individual whose income was 120% below the national average. He noted that other jurisdictions were concerned that their employees could not afford homes in the cities that they worked for and that Smyrna should consider that. Councilmember Susan Wilkinson inquired about the Georgia Dream program, but Mr. Owens was not familiar with it. Councilmember Andrea Blustein advised that her condominium community did not get any of SHA mail-outs. Mayor Bacon advised that he would like SHA’s information put on the City website. Councilmember Tim Gould inquired how much funds SHA currently had. Mr. Bland advised that the had “a little over a million dollars” but that most of those funds were committed. Mayor Bacon advised that he would like Wards 3 and 5 to get their representatives in. Ms. Blackburn stated that her seat was not vacant. Ms. Wilkinson stated that she was not aware that her person was not coming to the meetings. Mr. Bland advised that her representative past away last May.

5. Review of the April 1, 2019 Mayor and Council Agenda

Mayoral Report

3A – *Dirt Cheep Music – no discussion*

Land/Zoning/Annexations

4A – *tabled*

Formal Business

6A – *Mayor Bacon inquired if all the members of the Downtown Development Authority agreed to serve again. Executive Assistant to the Mayor and Council Christy Ullman advised that they did.*

6B – *Fire Chief Roy Acree advised that there were issues with what items could be burned outdoors. He noted that Smyrna Fire Department (SFD) received constant complaints from residents about their neighbors burning debris. He advised that citizens were setting their trash on fire and that the City did not have an ordinance that would allow SFD to cite them. Mr. Acree noted that the ordinance would specify that citizens could not burn anything outdoors unless it was clean wood. Councilmember Andrea Blustein inquired what would happen to people that burned items in areas adjacent to the City. Mr. Acree advised that SPD would be limited on what they could do. Councilmember Charles Welch inquired if there would be special allowances and noted that he felt that if someone had “a reasonable amount of land to burn, they should be able to”. Mr. Acree stated that staff would have to review the special use permit for clarification and noted that clearing of land has been allowed in the past. Councilmember Ron Fennel stated that he felt that the 2-week requirement for a special use permit should be shortened. Mr. Acree stated that the timeframe was needed. Mayor Bacon inquired if this was staff recommended. City Administrator Tammi Saddler Jones confirmed that it was.*

6C – *Parks and Recreation Director Richard Garland advised that his department had 2 vehicles that were “on the replacement list listed as dump trucks” that needed be replaced – needed F-250 pickup trucks not dump trucks. Ms. Wilkinson inquired if the other two vehicles would be removed from the list. Mr. Garland advised that they would. Mr. Fennel inquired what type of items would be towed. Mr. Garland advised “equipment and trailers”. Finance Director Kristin Robinson advised that this would be a fleet addition and only came before Council because of the change.*

6D – *City Clerk Terri Graham advised that this was reference a 3-year agreement with Granicus (the City’s agenda management system). She advised that the cost was \$26,000 per year for a total of \$78,000 but noted that an audit of the way the City utilizes the software, found that there was a module that was not being used so Granicus gave the City a \$26,000 credit leaving the first-year costing only \$247. Mayor Bacon inquired if Ms. Graham was satisfied with Granicus. She advised that she was.*

6E – *Major Frank Durrance (Smyrna Police Department) advised that the item was reference providing medical services for inmates in the City jail because currently the police department had to transport inmates to the hospital. He noted that there have been issues getting information from doctors in the past and that the company would take their payments monthly and that the contract could be renegotiated during the*

year, if need be. He also advised that it took approximately 3 to 4 hours per hospital visit which meant that an officer would have to be taken "off the road" for that time. He also noted that with the current circumstances the City was facing liabilities because the City's jailers were not medical professionals and that the services would be available 24 hours per day. Mr. Fennel inquired if the City would consider offering Emory Hospital (the local branch) the opportunity to participate. Police Chief David Lee noted that one of the City's biggest customers was Sandy Springs and that any inmates from Sandy Springs had to go to Northside Hospital but did not see an issue with taking inmates to Emory Hospital. Mr. Lee advised that currently the police department had inmates sign a document stating that the inmate would be fiscally responsible for any medical care incurred while they were housed at the City jail. He noted that they house so many inmates that their profit margin was up 300,000 dollars from this time last year and that offering this service would "save a lot of man hours". Mr. Welch inquired where the money for offering this service was coming from. Ms. Robinson advised that there would be a budget amendment to accommodate the expense. Mr. Lee advised that they would increase the dollar amount for their customers once the program was ongoing but not in this upcoming budget year, next year. Ms. Blackburn inquired happened when an inmate had to be transported to the hospital. Chief Lee gave an overview of the process. Ms. Wilkinson made a statement reference inmates possible needing to be transported to the hospital although there would be on-site medical care and inquired who would pay the hospital bill. Mr. Lee advised that the City would not be responsible. Mr. Acree advised that there were times that Smyrna paramedics were called to the jail to evaluate an inmate and advised that they are not able to determine whether the inmate was faking their illness because paramedics were not able to make medical decisions about an inmate's health, therefore the inmate would have to be taken to the hospital for further evaluation. Mr. Lee confirmed Mr. Acree's statement. Ms. Saddler Jones advised that this was staff recommended.

6F – Public Works Director Frank Martin advised that issues with Georgia Power had been worked out and that the price of the project had been renegotiated instead of being re-bid. He noted that he felt this was the best route. City Attorney Scott Cochran gave a brief overview of the issues with GA Power. Mr. Welch inquired about the delay and the original bid amount. Mr. Martin did not have the exact number but estimated it was close to 1 million dollars. Ms. Wilkinson inquired if funding would be moved from another project. Ms. Robinson approached Ms. Wilkinson and discussed her question with her. Mr. Welch inquired if there was a bid tab that detailed the other bidders and noted that if GA Power did not accept the bid that they City had the right to move on to the next best bidder. Mr. Welch advised that he would not at the Council meeting on Monday night (since he was the sponsor for the item); Mr. Fennel would cover.

6G – Part of the FY19 CIP. Mr. Fennel inquired if the work to Tolleson Pool would happen after the season. Mr. Garland advised that they were planning to have it done before the season. Ms. Saddler Jones inquired if the project was under budget. Mr. Gould inquired if there were any other issues with the pool. Mr. Garland advised that in 2018, staff "chased a leak for months but never got to the root of it" but there were no leaks this year. Mr. Fennel inquired about an indoor auditorium.

Mayor Bacon inquired about the Pat Terry concert. Mr. Garland advised that it "went great, raised \$900 for the pets" and all costs were covered.

6H – Mr. Martin advised that this was a SPLOST project and initially projected to be \$600,00 however "the price jumped significantly". Mayor Bacon inquired if the bid was comparable and noted that he hoped the roads would not be closed too long. Larry

Terry of Croy Engineering advised that construction time was 6 months and the roads were expected to be closed 60 to 90 days.

Ms. Blackburn suggested that Mr. Fennel handle agenda item 6H and she handle item 6F in Mr. Welch's absence. Mr. Fennel agreed.

Consent Agenda

8A – 8B – no discussion

8C – Mayor Bacon advised that Administrative Services Coordinator Elsa Thompson re-reviewed the February 14, 2019 Committee of the Whole (COW) meeting minutes and typed them verbatim to clarify the questions that Councilmember Susan Wilkinson had about the minutes that were already completed. Ms. Wilkinson and Ms. Blackburn both stated that they recalled statements that were made that they felt were missing from the February 14th COW minutes. Ms. Saddler Jones advised that the statements that Ms. Blackburn and Ms. Wilkinson were referring to were made at the February 18, 2019 Mayor and Council meeting not at the February 14, 2019 COW meeting. Ms. Wilkinson and Ms. Blackburn addressed the statements they were referring to. Ms. Saddler Jones asked if Ms. Blackburn and Ms. Wilkinson would like a copy of the audio. Mr. Gould made a statement that minutes were subjective and inquired about the retention schedule for minutes. Ms. Graham noted State law for retention of audio files was 3 years. Mayor Bacon advised that the minutes were generalized and not verbatim. Ms. Wilkinson reiterated her statement that items were missing from the initial minutes. Ms. Blackburn made statements regarding what she felt needed to be included in the February 14th minutes. Ms. Thompson advised that she was told that the statements that Ms. Wilkinson and Ms. Blackburn recalled were made at the Pre-Council meeting on February 18th. Mayor Bacon advised that Ms. Thompson had done verbatim minutes and it was decided that a copy would be forwarded to all Councilmembers. There was a discussion about the Deaf Church and the content of the minutes. Mayor Bacon inquired if Ms. Wilkinson had listened to the February 14th meeting audio. Ms. Wilkinson advised that she had not listened to the audio; the questions that she had about the minutes were based on her memory of the meeting.

8D – no discussion

No other items were added to the agenda.

6. Other Business

Councilmember Susan Wilkinson advised that there was a citizen that advised her via email and phone calls that she was interested in being on the Smyrna Housing Authority. Mayor Bacon asked her to put it on the agenda.

Councilmember Charles Welch stated that he would like staff to investigate what was wrong with the audio system in Council Chambers and noted that he was “almost embarrassed” by the audio issues at the last Council meeting. City Clerk Terri Graham advised that the microphones were on the same frequency which what was caused the issues.

Councilmember Andrea Blustein noted her concerns about citizens' safety at Spring Road Linear Park.

Councilmember Maryline Blackburn stated that she would like to “revisit” the

discussion about placing a mural in the downtown area but instead of a mural, she would like to do a panel on the side of the building on the end of where Joli's Art World is – it could be switched in/out and suggested working with the Smyrna Art Council on the project. She noted that there were many citizens that were asking for more art in the City. She advised that the Smyrna letters bike rack across from Rev Café seemed to have been vandalized, one of the letters was damaged. Councilmember Susan Wilkinson inquired if it was put there by the City. Assistant City Administrator Scott Andrews advised that Deputy Chief Joe Bennet had put the bike there to make it known it was a bike rack. Ms. Blackburn advised that she spoke with Leed Arson, a company in Smyrna, that specialized in solar lighting – would like to meet with them to see what they have to offer. Mayor Bacon noted that he thought Ms. Blustein did not want solar lights at Spring Road Linear Park. Ms. Blackburn also advised that Smyrna resident Alex Backry came to her job and brought up the Croy Engineering and billing issues and noted that it was very embarrassing and that people in the line were getting involved in the conversation and seemed appalled by the statements Mr. Backry was making.

Councilmember Susan Wilkinson inquired if the additional amount paid to Croy Engineering was authorized by someone. City Administrator Tammi Saddler Jones stated that most of those funds were utilized on the inspection portion of the project. She noted that Croy Engineering was instructed to be on-site full time. Ms. Wilkinson inquired who gave the authorization. Mr. Andrews advised that there had been several meetings. Ms. Saddler Jones stated there was no set dollar amount authorized. Ms. Wilkinson inquired how this took place without approval and made note that she felt the same issues and concerns were being addressed repetitively. Mr. Welch stated that the project “merited a certain level of inspection”, “it's special”, “neat project” and noted that he was “not trying to justify anything”. Councilmember Ron Fennel stated that the project “may have been over-engineered”. Mr. Andrews made comments on how the funds were utilized. Ms. Saddler Jones made note that in the future, if the contractor was not working an inspector would not be on-site. Mayor Bacon stated that everyone should note that the City was left with no Public Works Director nor City Engineer for a few months. Councilmember Tim Gould inquired if there would be one person who understood how it all affected the City, to answer questions internally. Ms. Saddler Jones stated, “yes and no” and advised that the contract currently stated that Scott Stokes was the representative which has now changed to Frank Martin; Ms. Saddler Jones noted that it would change according to the department and due to Mr. Martin being familiar with the contract aspect, he would be the overseer. Ms. Wilkinson stated that she wanted a copy of the SPLOST contract. Ms. Saddler Jones advised that she would send it out to the Council. Finance Director Kristin Robinson advised that she and Ms. Saddler Jones were working on a process “where they would know these things ahead of time”. Ms. Wilkinson also advised that he may not be at the Council meeting on Monday night.

Councilmember Tim Gould gave accolades to the Pat Terry Concert and thanked Parks and Recreation for the event. He advised about drainage issues at Heritage Vinings and stated that when approved, the City did not require a detention pond. City Attorney Scott Cochran stated that the City was not liable unless the water that was causing the flooding came from a City source.

Councilmember Ron Fennel advised that he attended the Cumberland Area Council and Chairman Boyce was the speaker and gave a recap of his speech. He advised that Mr. Boyce would be hosting several town hall meetings which would include information about the SPLOST; he noted that Mr. Boyce would host one at the Smyrna Community Center in September as well. He also advised that cities would be given a deadline to

provide feedback to the county regarding SPLOST.

City Clerk Terry Graham advised that Campaign Contribution Disclosure forms were due by March 31st.

Assistant City Administrator Scott Andrews advised that there would be a Tolleson Playground on April 26th at 12pm.

Ms. Graham inquired if the CMA meeting at the Smryna Community Center.

Mayor Bacon advised that the French exchange students were here and that they hosted them at Zucca's Restaurant.

Chief David Lee advised that the police department passed all their requirements for their State Certification and would be having a formal presentation soon.

Fire Chief Roy Acree advised that they were prepared to give tours of the facility if anyone was interested.

7. Adjournment

Mayor A. Max Bacon adjourned the meeting at 8:23 pm.