



# City of Smyrna

2800 King Street  
Smyrna, Georgia 30080

## Meeting Minutes - Final City Council

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Monday, April 1, 2019

7:00 PM

Council Chambers

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### Roll Call

**Present:** 7 - Mayor Max Bacon, Councilmember Derek Norton, Councilmember Maryline Blackburn, Councilmember Andrea Blustein, Councilmember Susan Wilkinson, Councilmember Tim Gould and Councilmember Ron Fennel

**Absent:** 1 - Councilmember Charles Welch

**Also Present:** 7 - Tammi Saddler Jones, Jeffrey Tucker, Scott Andrews, Terri Graham, Davi Santos, Ashley Youmans and Tina Monaghan

### Call to Order

Mayor A. Max Bacon call the April 1, 2019 Mayor and Council meeting to order at 7:00 PM.

#### 1. Invocation and Pledge:

Pastor Brian Taylor, Life Church Smyrna Assembly of God (4100 King Springs Rd) delivered the Invocation and led all in the Pledge of Allegiance.

#### 2. Agenda Changes:

Mayor Bacon announced that agenda item 4A will be tabled to the April 15th Mayor and Council meeting and that agenda item 6B will be tabled to the May 6th Mayor and Council meeting.

#### 3. Mayoral Report:

##### A. [2019-126](#) Proclamation in Recognition of the 35th Anniversary of Dirt Cheep Music

**Sponsors:** Wilkinson

Due to unforeseen circumstances, the Proclamation of the 35th Anniversary of Dirt Cheep Music will be presented at the April 15, 2019 Mayor and Council meeting.

#### 4. Land Issues/Zonings/Annexations:

##### A. [2019-106](#) **Public Hearing** - Zoning Request Z19-007 - Modification of currently approved site plan and building elevations for Riverview Landing - 16.859 Acres - Land Lots 58, 171, 172, 174, 175 - Riverview Road and Nichols Drive - The Ardent Companies, LLC - ***This zoning request will be tabled to the April 15, 2019 Mayor and Council Meeting at the request of staff.***

**Sponsors:** Fennel

*Mayor Bacon asked Mr. Fennel to table the item until the April 15, 2019 Mayor and Council Meeting.*

Councilmember Ron Fennel made a motion to table Zoning Request Z19-007 - Modification of currently approved site plan and building elevations for Riverview Landing - 16.859 Acres - Land Lots 58, 171, 172, 174, 175 - Riverview Road and Nichols Drive - The Ardent Companies, LLC - to the April 15, 2019 Mayor and Council Meeting at the request of staff. Councilmember Maryline Blackburn seconded the motion to table.

The motion to table was carried by the following vote:

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

**Absent:** 1 - Councilmember Welch

## 5. Privilege Licenses:

There were no Privilege Licenses.

## 6. Formal Business:

- A. [2019-124](#) Approval of the re-appointment of the Downtown Development Authority (DDA) members for the 2019-2020 term to begin April 2019 for the following members: Kevin Drawe, Jim Duelder, Larry Freeman, Kimberly Gangemi, Travis Lindley, Dianne Rasin and Jason Saliba, with Mayor Max Bacon serving as Chairman. The term will expire April 2020.

**Sponsors:** Gould

*Councilmember Gould provided some background information on the Downtown Development Authority (DDA) and its accomplishments.*

Councilmember Tim Gould made a motion to approve the re-appointment of the Downtown Development Authority (DDA) members for the 2019-2020 term to begin April 2019 for the following members: Kevin Drawe, Jim Duelder, Larry Freeman, Kimberly Gangemi, Travis Lindley, Dianne Rasin and Jason Saliba, with Mayor Max Bacon serving as Chairman. The term will expire April 2020. The motion to approve was seconded by Councilmember Ron Fennel.

The motion to approve was carried by the following vote:

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

**Absent:** 1 - Councilmember Welch

- B. [ORD2019-09](#) Adopt Ordinance 2019-09 to amend the City of Smyrna Code of Ordinances, Chapter 50, Fire Prevention and Protection, Article 1, In General, by adding Section 50-7 Outdoor Burning, of the Smyrna Fire Code.

**Sponsors:** Norton

*Mayor Bacon read the agenda item and announced that it would be tabled until the May 6, 2019 Mayor and Council meeting.*

Councilmember Derek Norton made a motion to table the adoption of Ordinance 2019-09 to amend the City of Smyrna Code of Ordinances, Chapter 50, Fire Prevention and Protection, Article 1, In General, by adding Section 50-7 Outdoor Burning, of the Smyrna Fire Code to the May 6, 2019 Mayor and Council meeting. Councilmember Andrea Blustein seconded the motion to table.

The motion to table was carried by the following vote:

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

**Absent:** 1 - Councilmember Welch

**C.** [2019-130](#)

Authorize Parks and Recreation to replace scheduled vehicles (2005 Ford F-250 SD and 2002 Ford SD) with two (2) Ford F-250 for Maintenance Tech and for Transport/Towing using the City of Atlanta contract # 10590-WS for a total of \$66,797.00 from Wade Ford located at 3860 South Cobb Drive and authorize the Mayor the execute any related documents.

**Sponsors:** Wilkinson

*Ms. Saddler Jones provided the background information for this agenda item. The Parks and Recreation Department budgeted for replacement of a 2005 Ford F-250 SD and 2002 Ford SD - existing trucks. The requested vehicles are two (2) Ford F250 for Maintenance Tech and Transport/Towing. The vehicles will be purchased from Wade Ford using City of Atlanta contract # 10590-WS. The vehicles had already been competitively bid through this contract. It was the recommendation of Parks & Recreation and Purchasing to purchase these vehicles from Wade Ford using the City of Atlanta contract # 10590-WS.*

Councilmember Susan Wilkinson made a motion to approve and authorize Parks and Recreation to replace scheduled vehicles (2005 Ford F-250 SD and 2002 Ford SD) with two (2) Ford F-250 for Maintenance Tech and for Transport/Towing using the City of Atlanta contract # 10590-WS for a total of \$66,797.00 from Wade Ford located at 3860 South Cobb Drive and authorize the Mayor the execute any related documents. Councilmember Derek Norton seconded the motion to approve.

The motion to approve was carried by the following vote:

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

**Absent:** 1 - Councilmember Welch

**D.** [2019-132](#)

Approval to renew with Granicus for a three (3) year agreement, to continue providing software maintenance to the city's agenda management system for a total impact amount of \$52,741.57 and authorize the Mayor to execute all related documents.

**Sponsors:** Fennel

*.A summary of the background information was presented to Mayor and Council by City Administrator Saddler Jones. The City of Smyrna purchased the Granicus Agenda and Minutes Management system in April of 2012. Through use of this this system we video stream the Mayor and Council Meetings, Planning and Zoning Meetings, and License and Variance Board Meetings. We are also able to stream/record special events from Council Chambers. The city's agendas and minutes are created in this system and housed on the Legistar calendar where all agendas, minutes and videos can be viewed. With each agenda we are able to load all documents concerning each agenda item and they are hyperlinked to allow access to the public. The City Clerk's Office recommended approval of the purchase.*

*Councilmember Fennel, Chair of the Finance Committee, explained that a recent audit recommended by the City Clerk, found that the City had been charged for a part of the system that was not being used and therefore there will be a reimbursement in the approximate amount of \$26,000.00. This refund greatly reduced the amount of the contract.*

Councilmember Ron Fennel made a motion to approve to renew with Granicus for a three (3) year agreement, to continue providing software maintenance to the city's agenda management system for a total impact amount of \$52,741.57 and authorize the Mayor to execute all related documents. Councilmember Derek Norton seconded the motion to approve.

The motion to approve was carried by the following vote:

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

**Absent:** 1 - Councilmember Welch

**E.** [2019-123](#)

Approve contract with Southern Health Partners to provide onsite medical services for inmates at a total estimated annual impact of \$63,360.00 and authorize the Mayor to execute all related documents.

**Sponsors:** Norton

*Ms. Tammi Saddler Jones reviewed the pertinent information for this agenda item. In the past medical services were addressed by a licensed physician along with his P.A. Under the guidance of Southern Health Partners their nurses will be able to research inmate medical history and obtain medications without the inmate having to leave the facility. Southern Health Partners will provide a nurse 3 times a week for 4 hours, and a doctor twice a month for two hours. They will also provide a 24-hour phone number for emergency situations to give advice on proper immediate inmate care. The cost of this service is \$63,360.00 per year for a daily population of 60 inmates. Police Department Staff recommended approval.*

Councilmember Derek Norton made a motion to approve the proposal to contract with Southern Health Partners to provide onsite medical services for inmates at a total estimated annual impact of \$63,360.00 and authorize the Mayor to execute all related documents. Councilmember Maryline Blackburn seconded the motion to approve.

The motion to approve was carried by the following vote:

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

**Absent:** 1 - Councilmember Welch

**F.** [2019-121](#)

Requesting approval of Change Order No. 1 in the amount not to exceed \$155,225.89 to Vertical Earth's (6025 Matt Highway, Cumming, GA 30028) contract with the City of Smyrna for the Roswell Street Roundabout Project, RFP 18-013, PO 18004562, 2016 SPLOST Project 1-605, and authorize the Mayor to execute any related documents.

**Sponsors:** Blackburn

*City Administrator Tammi Saddler Jones advised Mayor and Council as to the background on the change order which was requested due to certain items of construction encountering an increase or decrease of the approved quantities in the original contract with Vertical Earth. Change Order No. 1 will adjust contract unit prices for the increase due to construction delay. This modification of the original contract in the amount of \$1,039,558.87 to include Change Order No. 1 in the amount of \$155,225.89 will revise the contract and the new contract total will be \$1,194,784.76. Staff recommends approval of Change Order No. 1 in the amount not to exceed \$155,225.89 to Vertical Earth's contract with the City of Smyrna for the Roswell Street Roundabout Project, RFP 18-013. This is a 2016 SPLOST Project and authorize the Mayor to execute any related documents.*

*Councilmember Blackburn offered her constituents explanation for the delay of the project.*

Councilmember Maryline Blackburn made a motion to approve Change Order No. 1 in the amount not to exceed \$155,225.89 to Vertical Earth's (6025 Matt Highway, Cumming, GA 30028) contract with the City of Smyrna for the Roswell Street Roundabout Project, RFP 18-013, PO 18004562, 2016 SPLOST Project 1-605, and authorize the Mayor to execute any related documents. Councilmember Derek Norton seconded the motion to approve.

The motion to approve was carried by the following vote:

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

**Absent:** 1 - Councilmember Welch

**G.** [2019-120](#)

Award Bid RFP 19-018 Tolleson Pool Improvements to the lowest bidder, Aquatic Consulting & Equipment, Inc. (905 Nightingale Walk, Suite B, Alpharetta, GA 30022) for \$109,375.00 FY19 CIP Project and authorize the Mayor to execute any related documents.

**Sponsors:** Wilkinson

*Ms. Saddler Jones provided the background information for this agenda item. The City requested proposals for deck, dive stand and drainage repairs at Tolleson Pool. One (1) proposal was received by Aquatic Consulting & Equipment in the amount of \$109,375.00. This cost was under the budgeted amount. It was the recommendation of Purchasing and Parks & Recreation that the City award the Tolleson Pool*

*Improvements project to Aquatic Consulting & Equipment.*

Councilmember Susan Wilkinson made a motion to approve and award Bid RFP 19-018 Tolleson Pool Improvements to the lowest bidder, Aquatic Consulting & Equipment, Inc. (905 Nightingale Walk, Suite B, Alpharetta, GA 30022) for \$109,375.00 FY19 CIP Project and authorize the Mayor to execute any related documents. Councilmember Tim Gould seconded the motion to approve.

The motion to approve was carried by the following vote:

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

**Absent:** 1 - Councilmember Welch

H. [2019-122](#)

Award RFQ 19-016 Gann Road Bridge Rehabilitation to the lowest bidder, Baldwin Paving Co. Inc., 1014 Lenmill Drive NW, Marietta, Ga. 30060, in the amount of \$1,053,557.65 funded by 2016 SPLOST. The City of Smyrna requested bids for a unit-price contract for the demolition and reconstruction of the existing concrete deck roadway bridge over Cooper Lake Creek and authorize the Mayor to execute any related documents.

**Sponsors:** Fennel

*The background information on the item was presented by City Administrator Saddler Jones. Public Works requested bids for a unit-price contract for the demolition and reconstruction of the existing deck roadway bridge over Cooper Lake Creek. Five (5) bids were received. Our Public Works Department and our Purchasing Manager recommended this project be awarded to the lowest bidder Baldwin Paving Co. Inc. in the amount of \$1,053,557.65 and authorize the Mayor to execute any related documents. She mentioned that notice would be given to residents in the area as well as the school system since buses use that route regularly.*

*Mr. Fennel offered some explanation for the project and the need for the new bridge to be completed.*

Councilmember Ron Fennel made a motion to approve and award RFQ 19-016 Gann Road Bridge Rehabilitation to the lowest bidder, Baldwin Paving Co. Inc., 1014 Lenmill Drive NW, Marietta, Ga. 30060, in the amount of \$1,053,557.65 funded by 2016 SPLOST. The City of Smyrna requested bids for a unit-price contract for the demolition and reconstruction of the existing concrete deck roadway bridge over Cooper Lake Creek and authorize the Mayor to execute any related documents. Councilmember Andrea Blustein seconded the motion to approve.

The motion to approve was carried by the following vote:

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

**Absent:** 1 - Councilmember Welch

## 7. Commercial Building Permits:

There were no Commercial Building Permits.

## 8. Consent Agenda:

*City Administrator Saddler Jones read aloud the Consent Agenda.*

Councilmember Tim Gould made a motion to approve the Consent Agenda as read aloud by City Administrator Tammi Saddler Jones with a second by Councilmember Ron Fennel.

The motion to approve was carried by the following vote:

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

**Absent:** 1 - Councilmember Welch

- A. [2019-127](#) Approval of the March 18, 2019 Mayor and Council Meeting Minutes.
- B. [2019-128](#) Approval of the March 18, 2019 Pre-Council Meeting Minutes.
- C. [2019-86](#) Approval of the February 14, 2019 Committee of the Whole Meeting Minutes
- D. [2019-131](#) Approval of the March 14, 2019 Committee of the Whole Meeting Minutes

## 9. Committee Reports:

*Mr. Ron Fennel noted that the Finance Committee is waiting for the last two Departments to meet over the budget before getting together and moving forward from there.*

*Mr. Tim Gould thanked Parks and Rec. Director Mr. Richard Garland and staff for putting on the recent Pat Terry concert at the Community Center.*

*Ms. Susan Wilkinson had no report but hoped that everyone was enjoying the beautiful Spring weather.*

*Ms. Maryline Blackburn wished everyone a happy Spring Break and thanked Officer Defense, the Smyrna Police Department, and the staff of Smyrna Elementary for a great Walk and Ride event that took place on March 27th. She looks forward to the next event and invited everyone to participate.*

*Ms. Andrea Blustein hoped everyone was enjoying the Spring weather.*

*Ron - Finance committee is awaiting the final two staff discussions to get together and assess and schedule public hearings.*

*Tim - Thanked Richard Garland and he staff for Pat Terry concert.*

*Susan - hope everyone is enjoying the nice weather.*

*Maryline - Happy Spring Break. Send out thank you to Officer Defense for walk and ride to school with Smyrna Elementary.*

*Andrea - hope everyone is enjoying the spring weather.*

#### **10. Show Cause Hearings:**

There were no Show Cause Hearings.

#### **11. Citizen Input:**

*Mr. Leonard Robinson, 1809 Teasley Drive SE, spoke about sustainability. He is one of the founders of the Sustainable Smyrna citizens group. He would like to see the City do a goal of 100% renewable energy, add more electric vehicle charging stations, and see the City go green during events meaning no plastic straws, cups, etc. Their next meeting is Thursday, April 18th and Earth Week will be celebrated at Tolleson Park on April 13th.*

#### **12. Adjournment:**

Mayor Bacon adjourned the April 1, 2019 Mayor and Council Meeting at 7:30 PM.