



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final City Council

Monday, August 18, 2014

7:30 PM

Council Chambers

Roll Call

Present: 6 - Mayor pro tem/Councilmember Melleny Pritchett, Councilmember Teri Anulewicz, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Wade Lnenicka and Councilmember Ron Fennel

Absent: 2 - Mayor Max Bacon and Councilmember Andrea Blustein

Also Present: 15 - Eric Taylor, Tammi Saddler Jones, Scott Cochran, Scott Stokes, Roy Acree, Kay Bolick, David Lee, Toni Jo Howard, Jennifer Bennett, Russell Martin, Ken Suddreth, Virginia Davis, Chelsea Jackson, Terri Graham and Lisa Moore

Call to Order

The meeting of the Mayor and Council was called to order by Mayor Pro Tem/Councilmember Melleny Pritchett at 7:35 PM.

1. Invocation and Pledge:

The invocation was given by Reverend Susan Taylor, pastor of Bethany United Methodist Church located at 760 Hurt Road, Smyrna GA.

2. Agenda Changes:

There were no changes to the Agenda.

3. Mayoral Report:

A. Recognize Smyrna Little League 10/11 Year-Old All Star Team - GA Little League State Champs

Sponsors: Wilkinson

Councilmember Susan Wilkinson recognized the players and coaches of the All Star Team. They won the Georgia State Little League championship for their age group. Coach Pinkston came forward and discussed the team's accomplishments. The team was commended on their playing abilities as well as their display of character at each game. The players were introduced.

B. Proclamation in Recognition of Constitution Week, Sept 17-23, 2014 (National Society Daughters of the American Revolution)

Sponsors: Anulewicz

Councilmember Teri Anulewicz read the proclamation in recognition of Constitution Week. The proclamation was presented to Elaine Zecker, Carol Palmer, Renee Hardin and Jennifer Bennett, who are members of the National Society Daughters of the American Revolution.

C. Proclamation in Recognition of Keep Smyrna Beautiful - 30 Year Anniversary

Sponsors: Welch

Councilmember Charles "Corkey" Welch read aloud the proclamation honoring Keep Smyrna Beautiful. Mr. Welch thanked the Keep Smyrna Beautiful team for their work and dedication. Mayor Pro Tem/Councilmember Pritchett also thanked the team and all the volunteers that make the program a success. Assistant Director Virginia Davis, along with Karleen McNabb, Angie Bolton, Ed Plansker, and Pam Dobb accepted the proclamation. Ms. Davis thanked the Council for their support.

4. Land Issues/Zonings/Annexations:

A. Public Hearing - Zoning Request Z14-017 - Rezoning from R-15 to RAD-Conditional for the construction of two new single-family homes - 0.41 Acres - Land Lot 451 - 1051 McLinden Avenue - Sean J. Murphy

Sponsors: Welch

City Administrator Eric Taylor gave the background on the zoning request. The applicant is proposing the demolition of the existing home and the development of two new detached single-family residences. The density for the site will be 4.9 units per acre. A land use change from Moderate Density Residential to Medium Density Residential will be required for this rezoning. The Planning and Zoning Board heard this request at the July 14, 2014 meeting and made a recommendation for approval by vote of 7-0. Staff recommends approval of the request with stipulations.

Community Development Director Ken Suddreth came forward to give details of the request. The City heard a similar zoning request adjacent to this property previously by the same applicant. This is a lot split from one lot to two lots. This will have two lots facing different directions. The site plans, proposed elevations and the adjacent properties were shown. Staff recommends approval with normal standard conditions. The city is also binding them to front side and rear yards and have a driveway with 25' back to the sidewalk. There is a requirement to provide a 5' sidewalk. Community Development has discussed the possibility of developing a sidewalk fund that a developer can pay into when a sidewalk is not feasible. The following stipulations are recommended:

Standard Conditions

(Requirement #2, 3, 4, 8, 9, 10 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. 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.
3. All utilities within the development shall be underground.

4. 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 adjacent to 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.
5. No debris may be buried on any lot or common area.
6. 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.
7. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
8. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
9. 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

10. The development shall maintain the following setbacks:
Front - 20'
Side - 10'
Rear - 30'
11. Driveway - 22' minimum length from building face to private driveway.
12. The right-of-ways along McLinden Avenue shall be increased to 50 feet. Therefore a dedication of approximately 5' feet is required along McLinden Avenue.
13. The developer shall provide a 5' sidewalk with a 2' grass buffer along Medlin Street and McLinden Avenue for the length of the development.
14. Approval of the subject property for the Residential Attached Detached (RAD) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 6/14/2014 created by Sean J. Murphy.
15. The applicant shall be bound to the elevations submitted and dated 6/14/2014. Approval of any change to the elevations must be obtained from the Director of Community Development.

Mayor Pro Tem Melleny Pritchett called for a Public Hearing and no one came forward for comment.

Councilmember Welch asked if the sentence about the sidewalk fund should be added to the motion. Mr. Suddreth stated that if that is agreeable to Council. Mr. Welch said he has seen the site and does not see any problem with the request.

A motion was made by Councilmember Charles (Corkey) Welch to approve the Zoning Request Z14-017 - Rezoning from R-15 to RAD-Conditional for the construction of two new single-family homes on 0.41 Acres in Land Lot 451 at 1051 McLinden Avenue. Sean J. Murphy is the applicant. This is conditional upon Community Developments requirements and to give them the option to require the sidewalks be installed or other options as they may deem appropriate, seconded by Councilmember Teri Anuelwicz. Motion carried by the following vote:

Aye: 4 - Councilmember Anulewicz, Councilmember Welch, Councilmember Lnenicka and Councilmember Fennel

Nay: 1 - Councilmember Wilkinson

Absent: 2 - Mayor Bacon and Councilmember Blustein

B. Public Hearing - Zoning Request Z14-018 - Rezoning from R-15 to RAD-Conditional for three single-family homes - 0.8 Acres - Land Lot 560 - 1396 Roswell Street - The McLane Company

Sponsors: Anulewicz

Mr. Taylor gave the background on the rezoning. The applicant is proposing the renovation of the existing home and the development of two new detached single-family residences. The density for the site will be 3.75 units per acre. No land use change from Moderate Density Residential will be required for this rezoning. The Planning and Zoning Board heard the rezoning request at the July 14, 2014 meeting and made a recommendation for approval by a vote of 7-0. Staff recommends approval.

Ken Suddreth came forward to explain the request. This property will be divided into three lots. The Site Plan, the Home Elevations, Vicinity Map was shown. Mr. Suddreth asked that the Council approve this with a similar possibility of the developer paying into a sidewalk fund or with other alternatives added. Community Development recommends approval with the following stipulations:

Standard Conditions

(Requirement #2, 3, 4, 8, 9, 10 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. 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.
3. All utilities within the development shall be underground.
4. 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 adjacent to 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.
5. No debris may be buried on any lot or common area.
6. 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.
7. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
8. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
9. 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

10. The development shall maintain the following setbacks:

Front - 20'

Side - 10'

Rear - 30'

11. Driveway - 22' minimum length from building face to back of sidewalk.

12. The right-of-ways along Walker Court and Whitfield Avenue shall be increased to 50 feet. Therefore a dedication of approximately 10' feet is required along both right-of-ways.

13. The developer shall provide a 5' sidewalk with a 2' grass buffer along Whitfield Street and Walker Court for the length of the development.

14. Approval of the subject property for the Residential Attached Detached (RAD) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 6/14/2014 created by DGM Land Planning.

15. The applicant shall be bound to the elevations submitted and dated 6/14/2014. Approval of any change to the elevations must be obtained from the Director of Community Development.

Mayor Pro Tem Melleny Pritchett called for a Public Hearing and no one came forward to speak.

Councilmember Teri Anulewicz discussed the plans for the property. She believes these new homes will be an asset to the community.

A motion was made by Councilmember Teri Anulewicz to approve item 2014-211 Zoning Request Z14-018 - Rezoning from R-15 to RAD-Conditional for three single-family homes on 0.8 Acres in Land Lot 560 at 1396 Roswell Street The McLane Company is the applicant adding an addition that the sidewalks can be handled at staff discretion.

Ms Anulewicz requested direction from City Attorney, Scott Cochran, he stated that the sidewalk will be required unless the city passes an ordinance that allows the funds in lieu of a sidewalk to be paid to the city. These funds would be equivalent to the funds required for sidewalks. Sidewalks would be required, unless in the Community Development Director's discretion there is an appropriate alternative, in which case, the condition of the alternative would be met on the basis that we are working on developing an ordinance that will address this. This would still have to come before Mayor and Council to lift the requirement of the sidewalk if there is the equivalent of what we will have in the ordinance later.

Councilmember Lnenicka expressed concern that would allow any staff member to collect funds without a planned designated approved fund. The Council needs to work with staff to get an ordinance passed.

With the language Mr. Cochran entered for an upcoming ordinance that would direct and therefore control, Councilmember Ron Fennel seconded the motion. The motion carried by the following vote.

Aye: 5 - Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

Absent: 2 - Mayor Bacon and Councilmember Blustein

C.

Public Hearing - Zoning Request Z14-019 - Rezoning from RM-12 to RAD-Conditional for the development of 194 single-family homes - 47.396 Acres - Land Lots 274, 303 and 304 - 490 Windy Hill Road -

Smyrna Residential, LLC

Sponsors: Wilkinson

Mr. Taylor gave the background on the zoning request. This parcel is the property that the City purchased in 2010 formerly known as Hickory Lakes Apartments. Smyrna Residential, LLC is requesting rezoning from RM-12 to RAD-Conditional for 194 single-family detached residences on 47.396 acres at a density of 4.09 units per acre. No land use change from Urban Residential is required for rezoning. The Planning and Zoning Board heard the rezoning request at the July 14, 2014 meeting and made a recommendation for approval with stipulations by a vote of 7 - 0.

Mr. Ken Suddreth stated that there has been a lot of discussion over the years on this property. This is the zoning part of what is now called Smyrna Grove. The apartment complex there had over 700 apartments and this zoning will be for 194 single-family homes in a subdivision. The future development map does not need to be changed; only the zoning will have to be changed. Staff recommends approval with the following conditions:

Standard Conditions: (Requirement #2, 16 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 adjacent to 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 residential lots shall provide the following at the time of certificate of occupancy: either two 3" caliper trees or one 2" caliper and one 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

16. Minimum floor area shall be 2,000 square feet.
17. The development shall maintain the following setbacks:
 - Alley Access Homes: Front - 10'; Side - 5' (Minimum 10' Between Houses); Rear - 15' (except lots 146 - 150, which shall have 14' rear setback)
 - Right-of-Way Access Homes: Front - 10'; Side - 5' (Minimum 10' Between Houses); Rear - 10'
18. All driveways shall have the following minimum lengths:
 - Alley Access Homes: 20' from building face to back of curb.
 - Right-of-Way Access Homes: 22' from building face to back of sidewalk or curb (if no sidewalk is present).
19. Gate entrances shall include adequate space to safely stack three automobiles. A turnaround shall also be provided to allow visitors who are denied entrance in to the subdivision a way to enter the exit lane. The developer will install an emergency gate access system, subject to approval by the City Fire Marshall.
20. The developer shall provide 10' multi-use trail along Windy Hill Road.
21. The mandatory homeowners association must include rules that regulate and control the following:
 - Each unit shall have a two-car garage.
 - No outside storage shall be permitted, with the exception of firewood and lawn furnishings, or as otherwise prohibited in the protective covenants.
 - All garbage containers must be screened from view of all public rights-of-way.
22. Approval of the subject property for the Residential Attached Detached (RAD) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 6/13/2014 created by Paradigm Engineering Services, Inc.
23. The applicant shall be bound to the elevations submitted 6/13/2014 and created by GMD Design Group of Georgia. Approval of any change to the elevations must be obtained from the Director of Community Development.

Mayor Pro Tem/Councilmember Melleny Pritchett announced the Public Hearing and two citizens came forward to comment. City Attorney Scott Cochran swore in Stephanie Simmons and Jill Evans.

Stephanie Simmons, 3423 Marcia Drive, Smyrna spoke in favor of the new development. She is excited about the development that promotes family and a long term investment in the community. She applauds the opportunity these single family homes will bring.

Jill Evans, 371 Hickory Acres, is very pleased that the City purchased the former apartment complex. She is happy to see the development of the single family homes. She commended Ms. Wilkinson for keeping the neighbors informed of the change. She is concerned about run-off. She is in favor of the request.

The attorney for Smyrna Residential, LLC, Mr. Kevin Moore, who represents the applicant, came forward. He thanked the citizens for their comments. He reiterated the importance of these homes being single-family detached homes. He reminded that they are reducing the number of units on the property from 723 apartment homes to 194 single family homes. This is 47.3 acres in a location where one side of Windy Hill Road has commercial uses and the other side will be homes. There are two areas of very usable green space, one of which is a passive park, and then there is a more active park area. The active park will include the newly designed lake, pool, pavilion and clubhouse.

Councilmember Susan Wilkinson asked about the amenities which are not on the site plan, with a pool, tennis courts and clubhouse. She asked that an amenity package be added as stipulation #24. Mr. Moore stated it is the applicants intention to add amenities. Ms. Wilkinson also asked if it is possible to limit rentals in the development. Mr. Moore stated they do not feel this is something they can agree to because they received a negative response about this from the lending community. Ms. Pritchett stated this is something that can be controlled by the HOA. Mr. Moore stated he understands the concern, but he does not believe that this community will attract investors who will want to buy homes for rental properties.

Ms. Pritchett asked Mr. Cochran for an explanation. He stated that the lenders for the project and lenders for homeowners would be reluctant to loan money on a property with this restriction. This request is not the norm and is extraordinary and would cause problems with the development. From a practical standpoint, this would be very difficult to enforce. Mr. Suddreth agreed that years ago, this restriction was occasionally stipulated but it has not been done in years. It is acceptable for an HOA to make this as part of their covenants.

Councilmember Ron Fennel stated his opposition too having a zoning stipulation about rental units. He believes this would need to be a decision that the homeowners themselves would need to make in an HOA. Mr. Fennel thanked those who have worked to make this possible. He reminded that this zoning is the second largest investment in Ward 5 for the City of Smyrna and is a changing moment for this area of the City.

Councilmember Susan Wilkinson asked about the gates during construction. Mr. Moore stated that during the first phases of construction, there will be entrance gates because of its size and a past history so it will need gates for security as it is developed. The gates will be removed and the roads will be public. The gates will not be permanent.

Ms. Wilkinson asked about the sidewalks on the exterior roadways. Mr. Moore stated that sidewalks will be added to meet the City's requirements. There is also a 10' multi-use trail on the Windy Hill Road. These sidewalks will be implemented at the developers cost.

Ms. Wilkinson asked whether the developer will adhere to the tree ordinance. Mr. Moore stated stipulation numbers 12 and 15 will cover the ordinance. Ms. Wilkinson stated that a resident, who is an arborist, requested to see more trees planted that are more native.

Councilmember Teri Anulewicz is very excited about the transformative halo effect of this project. This will bring a great value to the City. This will dictate what will happen on Windy Hill and South Cobb Drive. She supports this development.

Councilmember Charles "Corkey" Welch adds we may not be able to look at the financial decision of the past council when they decided to purchase this property and

say it was a financial gain, but the opportunity for growth in the area will be worth it.

Councilmember Susan Wilkinson commented regarding the smaller size lots and whether this would set precedence. She stated that Mr. Cochran told Council that the downsizing from RM12 down to RAD would not set precedence.

A motion was made by Councilmember Susan Wilkinson to approve 2014-213 Zoning Request Z14-019 the rezoning from RM-12 to RAD-Conditional for the development of 194 single-family homes on 47.396 Acres in Land Lots 274, 303 and 304 at 490 Windy Hill Road the applicant is Smyrna Residential, LLC. This is with the addition to stipulation #24 which addresses amenities.

Councilmember Wade Lnenicka addressed the public and council, thanking staff and other key participants for their work on this project. There have been many projects that have been proposed and there has been a great deal of work that has been done to find the right proposal for the property. He also included in his thanks, the task force that was formed by the Mayor a year and a half ago. Mr. Lnenicka discussed the reasons he will support this motion.

Mayor Pro Tem/Councilmember Melleny Pritchett stated that she supports this zoning request and the new development. The Council made a difficult decision in 2010, but she believes it was the right decision to tear down the apartments so that something else could be developed there. She thanked Kevin Moore, Gordon Morton and the other people who worked on this project to make it possible.

The motion was seconded by Councilmember Ron Fennel. The motion carried by the following vote:

Aye: 5 - Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

Absent: 2 - Mayor Bacon and Councilmember Blustein

D.

Approval of extended work hours for the construction of the new Zaxby's restaurant at 1420 Spring Road - 1.102 Acres - Land Lot 558 - 1420 Spring Road - Chicken Coup III RE, LLC

Sponsors: Lnenicka

Mr. Taylor gave the background on the request. Zaxby's is requesting a variance from the provisions of the Noise Ordinance for the entirety of the development period to complete their new restaurant at 1420 Spring Road. Zaxby's variance request includes two parts: 1. Allow construction to begin at 3 a.m. on August 19th for the pouring of a cement slab. 2. Extend the work days by two hours for the duration of the project. The proposed new work hours would be 7 a.m. to 8 p.m., Monday through Friday; and 9 a.m. to 8 p.m. on Saturdays. Staff recommends approval on the second request to extend the work days, but does not recommend approval of the first request to pour the cement slab, with stipulations.

Community Development recommends approval of the extended work hours from 7a.m. to 8 p.m., Monday to Friday and 9 a.m. to 8 p.m. on Saturdays with the following conditions: 1. All lights used for the extended business hours shall be directed in a manner not to affect surrounding residential properties. All light shall be kept on-site and shall not escape the perimeter of the site. 2. Zaxby's and their contractor shall mitigate noise disturbance between the hours of 6 p.m. and 8 p.m. on weekdays, and on Saturdays from 6 p.m. to 8 p.m.

Mayor Pro Tem/Councilmember Pritchett called for a Public Hearing and no one

came forward to speak. Mr. Lnenicka met with homeowners at the Montclair Townhomes. The owner of the Zaxby's came to the meeting and showed the site plans and answered questions. Generally, the community is excited about the new business. Mr. Lnenicka supports the staff recommendations and stipulations .

A motion was made by Councilmember Wade Lnenicka to approve 2014-262 to extend work hours for the construction of the new Zaxby's restaurant at 1420 Spring Road on 1.102 Acres in Land Lot 558 at 1420 Spring Road, Chicken Coup III RE, LLC is the applicant, which would begin immediately from Monday through Friday 7 AM - 8 PM and on Saturdays 9 AM to 8 PM, seconded by Councilmember Teri Anulewicz.

Councilmember Lnenicka adds that if all goes well with regards to weather and construction, Zaxby's hopes to be open around October 10, 2014. The Council wishes them good luck and appreciate their efforts to work with us on this project.

The motion carried by the following vote:

Aye: 5 - Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

Absent: 2 - Mayor Bacon and Councilmember Blustein

5. Privilege Licenses:

There were no Privilege Licenses.

6. Formal business:

A. Approval of Ward 1 Appointment to the Planning and Zoning Board (Ron Roberts) - term to expire 12/31/2015

Sponsors: Pritchett

A motion was made by Councilmember Charles (Corkey) Welch to approve the Ward 1 Appointment to the Planning and Zoning Board of Ron Roberts residing in Argyle Estates for a term to expire 12/31/2015, seconded by Councilmember Teri Anulewicz. Motion carried by the following vote:

Councilmember Susan Wilkinson, although present, had stepped away from her seat and was not present for the vote.

Aye: 4 - Councilmember Anulewicz, Councilmember Welch, Councilmember Lnenicka and Councilmember Fennel

Absent: 3 - Mayor Bacon, Councilmember Blustein and Councilmember Wilkinson

7. Commercial Building Permits:

A. Issuance of a commercial building permit for Building B of the Old Ivy Village Shopping Center - 4.369 Acre Tract - Land Lot 677 - 4320 East/West Connector - Columbia Properties, Inc.

Sponsors: Lnenicka

Eric Taylor gave the background for Item A, which is the issuance of a commercial

building permit for Building B of the Old Ivy Village Shopping Center, a 4.369 Acre Tract at 4320 East/West Connector by Columbia Properties, Inc. The building will have 8,500 sq. ft. of floor area, with an estimated cost of construction of \$698,000.00. Joe N. Guy Company will be the general contractor for the project.

Item B is the issuance of a commercial building permit for the Sprouts Farmers Market at the Old Ivy Village Shopping Center. The building will have 28,103 sq. ft. of floor area, with an estimated cost of construction of \$2,800,000.00. Joe N. Guy Company will be the general contractor for the project.

A motion was made by Councilmember Wade Lnenicka to approve 2014-257 Issuance of a commercial building permit for Building B of the Old Ivy Village Shopping Center on a 4.369 Acre Tract in Land Lot 677 at 4320 East/West Connector, Columbia Properties, Inc is the applicant, seconded by Councilmember Ron Fennel. The motion carried by the following vote:

Aye: 5 - Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

Absent: 2 - Mayor Bacon and Councilmember Blustein

- B.** Issuance of a commercial building permit for the Sprouts Farmers Market at the Old Ivy Village Shopping Center - 4.369 Acre Tract - Land Lot 677 - 4330 East/West Connector - Columbia Properties, Inc.

Sponsors: Lnenicka

A motion was made by Councilmember Wade Lnenicka to approve 2014-258 Issuance of a commercial building permit for the Sprouts Farmers Market at the Old Ivy Village Shopping Center on 4.369 Acre Tract in Land Lot 677 at 4330 East/West Connector - Columbia Properties, Inc. is the applicant, seconded by Councilmember Ron Fennel. The motion carried by the following vote:

Aye: 5 - Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

Absent: 2 - Mayor Bacon and Councilmember Blustein

8. Consent Agenda:

City Administrator Eric Taylor read aloud the Consent Agenda.

A motion was made by Councilmember Wade Lnenicka to approve the consent agenda, seconded by Councilmember Teri Anulewicz. The motion carried by the following vote:

Aye: 5 - Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

Absent: 2 - Mayor Bacon and Councilmember Blustein

- A.** Approval of the August 4, 2014 Mayor and Council Meeting Minutes

- B.** Mayor and Council award RFQ 15-002 Brawner Hall Painting Exterior to the lowest bidder Drinnon Painting for \$26,000.00 and authorize the Mayor to execute any related documents.

Sponsors: Lnenicka

9. Committee Reports:

Councilmember Ron Fennel reminded that schools are back in session and he asked that everyone be attentive around school buses and school zones and not use cell phones so that you are highly attentive to activity around the schools. Mr. Fennel called Acting Fire Chief Roy Acree to give a report on the Fire Department. Mr. Acree introduced the six newest members of the Fire Department along with their training instructor, Jason Evangelista. The new firefighters are: Romann Henderson, Talmage Floyd, Ronald Sadowski, Michale Feltz, Jason Haynes and Charles Strickland. The group is about three quarters through the academy. When the process started, there were around 200 applicants and this group has made it through and has exceeded expectations. Mr. Acree gave an update on Ready Smyrna preparedness, Sunday, September 29th; they are asking Smyrna churches in the area to have a preparedness drill. On October 1st at noon, all Smyrna schools, businesses, daycare and assisted living facilities are encouraged to participate in a drill.

Mr. Acree announced the department's first Community Emergency Response Team (CERT) team has been formed in the Oak Hills subdivision in Ward 7. Mr. Fennel asked how a neighborhood can become a part of the CERT team. Mr. Acree answered that they intend to use the Oak Hills team as a pilot program and they intend to have a program developed and ready in the spring. Mr. Fennel asked about the closing of Emory-Adventist Hospital and its effect on the joint emergency operations center which is located at the facility. Mr. Acree hopes that the center will be able to remain open. If not, another option will be explored.

Mr. Fennel called Police Chief Lee to give a report on the Police Department. There have been two armed robberies and both suspects were arrested within minutes. He believes that the arrests were the results of excellent police work. The police have also had some significant drug arrests recently as a result of great work from the department. The Color Guard presented the colors at the Rome Braves game and are hoping to be able to do the same in the future at a major league game. The department is working on a new recruitment video. The Citizen's Academy starts on September 8th. Lastly, September 27 is the semi-annual drug take back program.

Mr. Fennel asked that the Mayor be in everyone's prayers as he had surgery this week. He also expressed his condolences to Jack Halpern on the death of his mother.

Councilmember Wade Lnenicka thanked the Montclair HOA for asking him to attend their annual meeting.

Councilmember Susan Wilkinson called Travis Landrum to give a report on Parks and Recreation. The staff will be attending a conference on grants this week at the Chattahoochee Nature Center. Mr. Landrum will be attending Director's School next week. Ms. Wilkinson stated that Library Director Mary Moore was ill and sent her get well wishes.

Councilmember Charles "Corkey" Welch recognized Virginia Davis for a report on Keep Smyrna Beautiful. She thanked Pat Terry who performed at the 30 year anniversary party. The event was wonderful. The Recycling Center will be open on Saturday August 30th. On Saturday, September 13th, there will be a shredding and shoe collection event at the Wolfe Center. Work love luncheon for outdoor workers is September 24th at lunch time, which honors the department's outdoor workers.

Councilmember Welch called Scott Stokes for a report on Public Works. Mr. Stokes discussed the progress on Concord Road. AT&T and Charter have started moving lines so that Georgia Power can take the old poles down. Mr. Stokes detailed other work projects underway in the City.

Councilmember Teri Anulewicz invited Jennifer Bennett to give a report from Community Relations. Ms. Bennett said there will be 7 weeks left of Food Truck Tuesdays. September 13 is the Taste of Smyrna event. She encouraged all to follow the City on social media.

10. Show Cause Hearings:

There were no Show Cause Hearings.

11. Citizen Input:

Mayor Pro Tem/Councilmember Melleny Pritchett called Mr. Alex Backry for Citizen's Input. Mr. Backry discussed a Domestic Partnership benefit proposal that the Council reviewed at a work session. He suggested the Council hold a Town Hall on the issue and that it be properly advertised. He believes that Smyrna citizens will be opposed to such a benefit.

Ms. Pritchett stated that the Council recently received a first draft of the benefit and needs time to look at and discuss it before it is voted on. She thinks the idea of a Town Hall meeting may be well received.

12. Adjournment:

The meeting was adjourned at 9:45 PM.