

Pre-Council Meeting - Preliminary
March 18, 2019
6:00 PM

Present: *Mayor Max Bacon* *Tim Gould* *Andrea Blustein*
 Maryline Blackburn *Derek Norton* *Charles “Corkey” Welch*
 Susan Wilkinson *Ron Fennel*

Also Present: *Tammi Saddler Jones (City Administrator), Scott Andrews (Assistant City Administrator), Scott Cochran (City Attorney), Terri Graham (City Clerk), Ken Suddreth (Director of Community Development), Rusty Martin (Senior Planner), Kevin Moore (City Engineer), Kristin Robinson (Finance Director), Christy Ullman (Executive Assistant to the Mayor and Council), Ashley Youmans (Management Fellow), and Tina M. Monaghan (Deputy City Clerk)*

Mayor Max Bacon called the Pre-Council Meeting to Order at 6:00 PM.

City Administrator Report

City Administrator Tammi Saddler Jones welcomed back Mr. Rusty Martin who recently welcomed a baby girl to the family.

Ms. Saddler Jones asked Finance Director Kristin Robinson to speak about sanitation.

Ms. Robinson explained that there has been a commercial customer with a business in Smyrna and two other cities, concerned about the cost of sanitation and recycling. Research indicated that while the City’s mark up is higher in some areas, it is lower in others. The customer would like to get service independent of the City. The customer has higher than normal pick ups compared to similar businesses in the City. Ms. Robinson made some suggestions to the customer including less pick ups and waiting until the compactor is full before having it picked up.

The Mayor stated that companies have asked in the past to get service independent of the City but that means more trucks and therefore more damage to the roads.

As of March 1st, Advanced Disposal had a 3% rate increase which was in the contract and comes to approximately \$6000. This rate increase has not been passed on to the sanitation customers. This means that profit will decrease approximately \$5400 a month. Ms. Robinson suggested making some adjustments to existing rates and then accounting for the increase beginning on July 1st.

Mr. Fennel received an email from this customer some time ago. He went on to explain that the Advanced Disposal contract is currently in its third extension and felt that the upcoming bidding process would be a good time to see about better rates.

Ms. Saddler Jones announced the Assistant City Administrator Scott Andrews would be out of the office at a training conference Wednesday, March 20th through Friday, March 22nd.

Review of the Agenda for the March 18, 2019 Council Meeting

Mayor Bacon opened discussion of the agenda. He stated that he will have kids from Griffin Middle School doing a presentation during the Mayor's Report.

The Mayor asked if the first public hearing was still going to be tabled. The answer was yes.

Mr. Suddreth explained that items B through D were the same property and go together. The only change from the Committee of the Whole meeting was that the applicant no longer needed a variance for the side yard because they decided to stay with the required ten feet rather than the initially proposed seven and a half feet.

Ms. Wilkinson asked City Engineer Kevin Moore to talk about some stipulations that he added to the request in reference to storm water drainage since the property is in a downstream area. Mr. Moore confirmed that he set the stipulations at the highest level according to our ordinance.

Mayor Bacon opened discussion for the Privilege License for On the Range which would be the new restaurant in Adventure Outdoors. He said that he tried to utilize Google Earth to determine how close other establishments that serve alcohol were to the business since it was a concern of some.

Mr. Suddreth let everyone know that the applicant would be present and was fully ready to present his plans as well as answer any questions that they might have. He also stated that he pulled some information pertaining to similar situations from other Cities and States to provide additional information on how firearms were handled in places where alcohol was served. It was found that some check weapons while others swipe drivers licenses to keep track.

The Mayor asked if anyone had spoken with Jay Wallace, owner of Adventure Outdoors.

Mr. Gould said that he stopped by and spoke with Mr. Wallace. Similar controls would be used with the restaurant that are already in use with the banquet facilities that are on site.

Ms. Wilkinson said that she thought the store was usually closed when there was an event at the banquet and that there were separate entrances/exits as well. She asked the City Attorney if the privilege license covers the whole property at that address or just the restaurant. Mr. Cochran said that it applies to the address but there are other rules and ordinances that dictate where alcohol can be served within that address.

Mr. Fennel asked for clarification regarding whether or not the applicant of On the Range was a separate owner from Adventure Outdoors. Mr. Cochran stated that the applicant is a separate owner and a lessee of the space within Adventure Outdoors.

The Mayor asked about the hours of operation. Mr. Gould said that the store closes at 8:00pm.

In light of the conversation being had, City Attorney Cochran explained that they are entitled to a license as long as they meet all of the code requirements. The vote is to determine whether or not they meet the City's requirements. He suggested that they may want to address an ordinance in the future that addresses this type of scenario.

Ms. Blustein asked if there would be a problem if the near by church reopened. Mr. Cochran explained that the decision was to be made based on conditions at the time the application was filed and as of that time, the church was not open.

Ms. Blustein expressed concern that the restaurant is inside of the gun store rather than outside or next door where she felt it would be better suited. She asked if it was member only like some other similar establishments have been found to be.

Mr. Norton stated that he felt better because there was a way to track those that drink inside the store. Anyone could come in having drank alcohol elsewhere and there would be a lessor chance of that being noticed.

Ms. Wilkinson asked Mr. Cochran if the distance requirements were met. The answer was that measurements were taken, and requirements were met. City ordinance states 600 feet for a school and 200 feet for a church. The distance is not how the crow flies but the safest route that can be walked.

Mayor Bacon asked Mr. Cochran if all of the requirements have been met and the answer was yes.

For clarity, Ms. Wilkinson asked for further detail in regards to the school distance aspect of the ordinance. Mr. Cochran stated that the ordinance is the nearest point of entry to the property line however it has to be a reasonable line of travel. Distance limit is dependent upon the license being applied for.

In conclusion the Mayor asked if both school and church distance requirements were met. The answer from the City Attorney was yes.

The Mayor asked Ms. Robinson if she had any further detailed information about the TAVT Ad Valorem from Cobb County. Their current system does not allow for estimating of fees and their answers in general were vague. Estimates based on current percentages and amounts indicates that there will be a \$800,000 to \$1,000,000 loss of revenue to the City.

Mr. Fennel clarified that this was something done by the legislature in the 2018 session.

Ms. Robinson stated that there was another item in the current legislature which could lead to more changes.

For clarification, Mr. Fennel reiterated that the agenda item was something that was already passed and there was no choice other than to comply.

Ms. Saddler Jones mentioned that Councilmember Wilkinson had a problem with the Committee of the Whole minutes from the February 14, 2019 meeting.

Mayor Bacon asked what her concerns were.

Mr. Fennel asked Ms. Wilkinson how she wanted to handle her concerns. Did she want to remove them from the consent agenda?

Ms. Wilkinson said there was a discussion that took place which was not included in the minutes and it was important. The subject was the variance request for the town homes next to the deaf church. The information was relating to the church.

The Mayor wanted to know if the February 18th meeting minutes had already been approved and they had been at the March 4th meeting.

The missing information according to Ms. Wilkinson included when the church was annexed into the City, the rear setback at the time it was annexed, the date the church purchased the property, the date the church went through the permitting process for the renovations, and that the church was not required to come into compliance.

The Mayor asked City Attorney Cochran if the minutes were required to be exact. The reply was that the only legal requirements were to include the issue, the vote, who makes the motion and the second, and the end result.

Ms. Saddler Jones stated that the minutes were not complete in time to be voted on at the March 4th agenda which is why there were included on the March 18th agenda.

Mr. Cochran stated that if specific changes were to be made, he suggested listening to the meeting before voting on the minutes.

Mayor Bacon said that they could either vote against the minutes or vote to pull them out from the consent agenda.

Ms. Wilkinson felt that if the minutes were not going to accurately reflect what was said then what was the point of the minutes. They don't have to be minute for minute or word for word, but they should actively reflect what was said.

City Attorney Cochran said that Elsa does a lot more than he does for the minutes.

Discussion was had how Ms. Thompson does a lot more than is required or expected in the minutes. Mention was also made by several that doing the minutes is a time consuming task. Ms. Saddler Jones stated that a lot of time is put into the minutes.

Ms. Blackburn felt that the minutes were one sided and that pertinent information was left out.

Ms. Wilkinson said that the information that was left out played a role in how she made her decision and feels like the information that she mentioned should be included.

Mr. Fennel asked Ms. Wilkinson what she would like to do.

Mayor Bacon expressed that if one part of the minutes are going to be exact then all minutes need to be done verbatim and that one cannot pick and choose what details to include.

Mr. Welch felt that adding the information was not going to have an impact either way and that much time was wasted on the issue.

Ms. Blackburn reiterated that she felt the minutes were one sided on the issue of the deaf church.

Mayor Bacon adjourned the Pre-Council Meeting at 6:56 PM.