City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final
City Council

Monday, August 17, 2015 | **7:30 PM** | **Council Chambers**

Roll Call

Present: 8 - Mayor Max Bacon, Mayor pro tem/Councilmember Melleny Pritchett, Councilmember Andrea Blustein, Councilmember Teri Anulewicz, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Wade Lnenicka and Councilmember Ron Fennel

Also Present: 11 - Scott Cochran, Terri Graham, Toni Jo Howard, Ken Suddreth, Heather Corn, Dat Luu, Russell Martin, Tammi Saddler Jones, Amy Snider, Scott Stokes and Eric Randall

Call to Order

Mayor Max Bacon called the August 17, 2015 meeting of the Mayor and Council to order at 7:30PM.

1. Invocation and Pledge:

Pastor Shell Osbon of Life Church Smyrna Assembly of God (located at 4100 King Springs Rd) was called upon by Mayor Bacon to give the invocation and lead all in the Pledge of Allegiance

2. Agenda Changes:

Mayor Bacon Announced that Item 4A would be tabled to the September 8, 2015 Mayor and Council meeting.

3. Mayoral Report:

City Clerk Terri Graham provided general election information regarding qualifying dates, qualifying fees, and qualifications for a candidate.

4. Land Issues/Zonings/Annexations:

A. **Public Hearing** - Zoning Request Z15-007 - Rezoning from R-20 to RAD-Conditional for the development of fifteen single-family homes - 5.61Acres - Land Lot 338 - 3744 Plumcrest Road - Venture Homes, Inc. -

Sponsors: Fennel

Councilmember Fennel remarked that it was at the request of the applicant that this item be tabled until the September 8, 2015 Mayor and Council Meeting in order to allow for a public meeting on September 2, 2015 at 7:00pm at Brawner Hall, prior to

the next Mayor and Council meeting. There has been quite a lot of public comment regarding this item and the developer wished to meet with the community in order to allow for addiitonal comments and concerns to be addressed.

A motion was made by Councilmember Ron Fennel for item 2015-168 Public Hearing - Zoning Request Z15-007 - Rezoning from R-20 to RAD-Conditional for the development of fifteen single-family homes - 5.61 Acres - Land Lot 338 - 3744 Plumcrest Road - Venture Homes, Inc., to be tabled to a date certain, September 8, 2015 to allow for a community and public meeting at Brawner Hall on September 2, 2015, seconded by Councilmember Teri Anulewicz. The motion carried by the following vote:

Aye: 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

B. **Public Hearing** - Zoning Request - Z15-013 - Rezoning from Limited Commercial to R-15 for the construction of a single-family home - 0.363 Acres - Land Lot 520 - 2645 Hickory Hill Drive - Joseph Kusky

Sponsors: Anulewicz

Interim City Administrator Toni Jo Howard was asked to read the following background information by Mayor Max Bacon: Mr. Joseph Kusky was requesting a rezoning for the property at 2645 Hickory Hill Drive from Limited Commercial to R-15 for the construction of a single-family home. Mr. Kusky plans to demolish the existing home on-site and construct his new personal home. The zoning request was heard by the Planning and Zoning Board at the July 13, 2015 meeting and recommended for approval by a vote of 7-0.
The Senior Planner for Community Development came to the podium and gave an overview of this request. Mr. Rusty Martin stated that this was a straight forward request of what Ms. Howard had stated. Tearing down and old existing house to rebuild a new home to reside in. Community Development recommended approval of the rezoning the subject property from LC to R-15-Conditional for one single-family home at a density of 2.75 units per acre with the following conditions:
Standard Conditions
(Requirement #2, 3, 4, 5, 8, 9, 10, 12, 16 and 17 from Section 1201 of the Zoning Code is not applicable)
1. All utilities within the development shall be underground.
2. 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. The grass buffer may be waived if it is deemed unnecessary by the City Engineer.
3. No debris may be buried on any lot or common area.
4. 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.
5. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
6. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
Special Conditions
7. The development shall maintain the following minimum setbacks:
Front - 35'
Northern Side - 10'

Southern Side - 7'
Rear - 30'
8. The home shall have a minimum floor area of 1800 sq. ft.
9. The driveway shall have a minimum length of 22' from building face to back of sidewalk.
10. The new proposed home shall not exceed two-stories in height.
11. The right-of-ways along Hickory Hill Drive shall be increased to 50 feet. Therefore a dedication of approximately 10' feet is required along Hickory Hill Drive.
12. The developer shall provide a 5' sidewalk with a 2' grass buffer along Hickory Hill Drive for the length of the development.
13. The applicant shall provide a drainage easement to convey stormwater across the property. The City Engineer shall review and approve the size and location of the easement.
14. Approval of the subject property for the R-15-Condition zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 6/12/2015.
15. The applicant shall be bound to the elevations submitted and dated 6/12/2015. Approval of any change to the elevations must be obtained from the Director of Community Development.
The applicant, Mr. Kusky came forward and stated this zoning request was to remove the existing home, build a new home that he and his family intend to live in. The home chosen with the architectural plan is slightly large thus requiring the request for the three foot setback.
There were no questions for the applicant and Councilmember Teri Anulewicz welcomed the Kusky family to the neighborhood.

A motion was made by Councilmember Teri Anulewicz to approve 2015-223 a zoning request Z15-013 for a rezoning from Limited Commercial to R-15 for the construction of a single-family home on 0.363 Acres in Land Lot 520 located at 2645 Hickory Hill Drive the applicant is Joseph Kusky, seconded by Mayor Pro Tem/Councilmember Melleny Pritchett. The motion carried by the following vote:

C. **Public Hearing** - Zoning Request Z15-014 - Approval of a zoning amendment to modify the currently approved site plan and building elevations - 12.62 Acres - Land Lot 559 - Northeast corner of the intersection of Atlanta Road and Spring Road - Halpern Enterprises, Inc.

Sponsors: Anulewicz and Kemp

Ken Suddreth, Community Development Director called to give background. Subject property was approved for rezoning from GC and LI in 2007 to MU for the construction of 300 multi-family units, approximately 141,000 square feet of specialty retail, 29,000 square feet of office, and 40,000 square foot food store with an underground parking deck. Approved plan included public funding through TAD and was public/private partnership. In 2008 UDC approved the architectural plans for the proposed Jonquil Village. After land development started the economy changed and development came to a halt. In 2012 Branch Properties proposed a site plan amendment that Planning and Zoning Board and Mayor and Council voted to deny. Current proposal includes 290 multi-family units with structured parking, 45,000 square foot food store, and 15,000 square feet of restaurant/retail with surface parking. No land use or zoning change needed for the proposed change to the approved site plan. Proposed plan will be financed with private funds. UDC reviewed the proposed plan and recommended approval with several conditions. Planning and Zoning Board has the ability to include staff and UDC recommendations in their motion if warranted. The ratio was listed as 65% one bedroom, 5% 3 bedroom and 30% two bedroom. Additionally the applicant wanted to amend the list of appropriate

interior finishes as well as discuss the wording regarding fast food establishments. The item had been presented at the Urban Design Commission meeting and their recommendations had been incorporated into the shown elevations.
Staff recommends approval with conditions. Any conditions approved supersede the original approval. Conditions read. Applicant requested that the specific number of one bedroom, two bedroom, and three bedroom apartments not be conditioned, but only that a maximum of 290 units can be built.
Conditions read:
1. The stipulations and conditions set forth herein shall replace and supersede in full any and all prior stipulation and conditions, in whatsoever form, which are currently in place concerning the subject property.
2. The subject property consists of 12.62 acres of total site area, which shall be developed as a mixed-use development including, but not limited to, the following: Class A amenities apartments, restaurants, retail and ancillary permitted uses allowed under the MU zoning district.
3. The approval of the zoning amendment shall be in substantial conformity to the zoning plan submitted on August 6, 2015, titled Jonquil and created by B+C Studios. However, the area identified in Exhibit "A" attached (outlined in red) is still under consideration by staff for parking and/or open space and will be resolved prior to the issuance of a commercial building for the grocery store.
4. The approval of the zoning amendment shall be in substantial conformity to the building elevations and renderings submitted on August 6, 2015 titled Jonquil and created by Wakefield Beasley and Associates. In addition, the developer must receive approval of the building architecture from the Urban Design Commission prior to the issuance of the commercial building permit.
5. The minimum floor area for attached dwelling units, condominium units and other multi-family units may not be less than an average of 900 square feet. (Section 720.9(2) of the Zoning Ordinance).
6. The final design and use of the plaza area located at the intersection of Atlanta Road and Spring Road between Retail Building "A" and Retail Building "B" is still under consideration by staff for use as public gather space and shall be completed prior to the issuance of the commercial building permit for this parcel.
7. Prior to the issuance of a building permit, the developer shall submit Master Protective Covenants for the entire development, which will include all components of the development. Concurrently therewith, a Master Association shall be formed which will include all components of the proposed development. The Master Association will be responsible for the oversight, upkeep and maintenance of all entrance areas, common areas, community buildings and structures, open space areas and similar features contained within the overall development (i.e. walking trails, sidewalks, plazas and street furniture, etc.).
8. The Master Association shall have architectural design regulations which will control such items as signage and other usual and necessary Covenants and Restrictions to protect the quality and integrity of the development.
9. A third party management company and/or the developer (or their successor) responsibility of all commonly owned properties and all amenities within the proposed development. They shall also be responsible for the management of all association monies as well as ensuring that the Association is properly insured.
10. The retention/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 ten percent (10%) reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.
11. All utilities within the development shall be underground.
12. The developer shall be responsible for all water and sanitary sewer improvements deemed necessary by the Public Works Director. At a minimum and not limited to, the following water and sanitary sewer improvements shall be made:
a. The extension of the city water main along Spring Road.

13. 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. At a minimum and not limited to, the following transportation improvements shall be made:
a. The access drive on Spring Road shall be limited to right in/right out;
b. The completion of the Spring Road 10' multi-use trail from the pedestrian bridge to Atlanta Road. The multi-use trail shall match the existing trail along the Atlanta Road frontage;
c. The southern access drive on Atlanta Road shall be limited to right in/right out;
d. The applicant/developer shall be responsible for the installation of the traffic signal and associated crosswalk work in accordance with the Atlanta Road Trail and Streetscape project; and
e. The northern access drive shall be a signalized intersection with the design of the intersection to be approved by the City Engineer.
14. The developer shall dedicate enough right-of-way along Atlanta Road to get the existing multi-use trail entirely onto the public right-of-way.
15. The developer shall provide both pedestrian and vehicular inter-parcel access with the city owned property to the north.
16. No debris may be buried on any lot or common area.
17. The developer will install decorative streetlights within the development equivalent to Georgia Power style posts and light fixtures used in the Market Village. These lighting fixtures are 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".
18. 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.
19. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect.
20. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
21. All entrance signage shall be ground-based, monument-style signage with finish material and colors in substantial conformity to the architectural style embodied in the mixed-use development and the sign renderings submitted on 8/6/2015.
22. Parking for the restaurants, commercial, retail and apartments within the development will be provided by means of surface and structured parking as shown on the submitted site plan, which will employ "shared" parking among the respective components and will provide sufficient and adequate parking for the total development.
23. All air conditioning condenser units, transformers and any other utilities shall be fully screened from view from any public right-of-way. The utility units components placed on the roof of the buildings may be screened by parapets and the utility components at ground level may be screened by landscaping.
24. All landscaping shall be installed and maintained by a professional third-party group.
25. Concrete sidewalks shall be permitted for use around the commercial buildings as shown on the site plan submitted and dated 8/6/2015. All other sidewalks and crosswalks connecting to the Atlanta Road and Spring Road multi-use trails and between the different buildings shall be constructed with the use of brick pavers and match the pattern of the multi-use trail along Atlanta Road. The design of these crosswalks and sidewalk shall be subject to the review and approval of the City Engineer.
26. The developer shall provide a bike sharing station along Spring Road. This bike sharing station shall be constructed in accordance the city's bike sharing program. The location of this facility shall be reviewed and approved by the City Engineer.
27. The non-residential components shall contain a maximum floor area of 65,000 sq. ft. which will include a grocery store, restaurants and other retail uses.

28. Dumpsters shall be positioned so as to prevent visual intrusion from streets, connection points to community spaces and wherever possible with screening by landscaping, walls and/or vegetation. Dumpsters shall have rubber lids and bumpers to minimize noise during emptying. At grade trash compaction shall also be allowed and screened as appropriate in accordance with the City's regulations.
29. There shall be no outside paging systems, phone bells or loud speakers. However, outdoor music systems and outdoor musical performers shall be allowed.
30. The following uses shall be prohibited:
a. Video arcades as a primary use;
b. Adult-themed book and novelty stores as a primary use;
c. Automotive sales, repair and/or service facilities;
d. Movie theaters;
e. Gas stations and convenience stores with gas sales;
f. Fast food establishments such as McDonald's, Wendy's and the like;
g. Pawn shops;
h. Automotive wash services;
i. Boat sales and repairs;
j. Boarding and breeding kennels;
k. Dry cleaning plants;
l. Farm equipment sales and services;
m. Lumber, hardware and other building material establishments;
n. Mobile home and travel trailer sales;
o. Motorcycle sales and services;
p. Check cashing establishments;
q. Service stations;
r. Station terminals for bus and rail passenger service;
s. Taxi stands;
t. Theaters;
u. Tattoo parlors;
v. Massage parlors;
w. Pool halls; and
x. Package stores (except in the context of wine/spirits sold in a market or specialty shop).
31. The maximum number of residential units shall not exceed 290 Class A amenititzed multi-family units. One hundred percent (100%) of the said units shall be constructed so that the units can be modified to individually owned condominium units in the event of future favorable market conditions.
32. All apartment units shall be maintained in a Class A/First Class manner.
33. The multi-family units shall include the following interior finishes:
i. Minimum nine-foot (9') ceilings;
ii. Forty-two inch (42") upper cabinets in the kitchen;
iii. Crown molding in the main living area (i.e. living room & kitchen);
iv. Pendant lighting shall be utilized in the in the kitchen area of the units and spot track lighting shall be used in both the kitchen and dining areas of the units;

Kevin Moore, attorney on behalf of applicant presented an overview of the project and acknowledged the critical placement of the highly visible project. Halpern is currently in active construction at Belmont. He commented that the 2007 plan included a significant amount of public funding that the proposed plan does not require. That proposal also lacked significant commercial retail space and was voted down. This proposal contains substantial retail. Halpern delivers on promises, such as the current project at Belmont. They intend to build a higher quality mixed use property and bring back that corner to the previous retail success it shared. A grocer of the caliber being brought in is needed in the downtown area. There are many other cities that want the kind of grocer being put here and cannot get them. They have moved the grocer to the middle of the project with access at the new light that will be

installed at Church St and Atlanta Road.
In regards to the apartments, the one bedroom and two bedroom apartments are geared toward millennials, who rent by choice. They enjoy living in a community within walking distance to many restaurants and shops. This is a highly desirable market for millennials. The multi-family component has certain interior finishes. Quality is demanded and sets a level of expectation. Design changes occur and there needs to be some different wording so that future expectations can be met instead of only tile in baths and kitchens or engineered hardwood. For the item regarding fast food establishment, Halpern does not want that look but does want a fast food that is not McDonalds, Wendy's, etc. Perhaps a Five Guys Burgers is more in line with the wanted type. They would like the wording changed to 'no fast food with drive through window' in order to exclude the McDonald's, Wendy's and Burger Kings. The entire project team is present to answer any and all questions. Everyone from designers up to the owners are present.

Mayor Bacon asked if Council had any questions. Councilmember Wilkinson asked what the difference was between faux hardwood and engineered hardwood. Mr. Moore responded that designers prefer the term engineered hardwood. The difference is engineered hardwood is not a vinyl product like faux hardwood.

Councilmember Fennel remarked that in his previous home, he installed bamboo flooring into his two bathrooms and that is considered to be an engineered hardwood.

Councilmember Anulewicz noted that there was a significant difference between fast food and fast casual restaurants. She does not want the condition to preclude a Jim N' Nicks or a Starbucks. Subway would also be considered fast casual as would Chipotle.

Councilmember Blustein remarked that the first week Zaxby's was open it was as if Smyrna had never had a drive through restaurant before. She feels the clarification is important to the community.

Councilmember Anulewicz also asked about the renderings of the restaurants that showed rooftop decks. Would the buildings be built that way regardless of the tenant? Mr. Moore responded that although those restaurants had not been selected yet, they would include the rooftop seating. Halpern would commit to that. She also noted that the freestanding restaurant would not have a rooftop deck. She had additional questions about tree size to be installed and Halpern agreed that no less than a 4" minimum tree would be installed.
Councilmember Corkey Welch asked Mr. Moore if the owner was willing to accept the condition of no drive thru fast food.

Mayor Bacon opened the item for public hearing and Mr. Howard Martin, of 3435 Lee Street came forward. He has been a Smyrna resident for 51 years. He stated that the City had spent millions of dollars to tear down apartments only to approve them for this project. Do not need apartments. We need retail stores. We have a Kroger shopping center with numerous empty retail spaces. Market Village promised retail stores and yet there is no place to buy clothes or shoes. He wants to know how our current infrastructure will accommodate all these new residents. If the City has to add a new water line who will pay that bill?

Sue Levin of 1294 Cliffwood Drive. She thanked the Mayor and Council for serving and giving the citizens such a great City. She feels Smyrna is doing well with buying and selling of real estate because people want to live here. She feels there is a need for more homes and that one bedroom apartments will not have enough room. She feels that apartment millennials would not be having kids and staying here or voting.

She thanked Mr. Suddreth and Mr. Moore for their presentations as it answered a lot of the questions she had.

Patricia Weaver of 3089 Lee Street asked Mr. Suddreth what the smallest apartment size would be and he responded 900 square feet. She has nieces and nephews that are millennials and all the ones she knows do not live by themselves. They want and can afford the extra space. In a one bedroom, the living room is in proportion to that single bedroom and it leaves no space for guests. Mr. Bennett Sands of Wood Partners remarked that the average one bedroom was 900 sq. ft. but the smallest was 732. sq. ft. In term of millennials, they have different housing choices. The two bedrooms would cater to roommate situations because both bedrooms would be master bedrooms as well as both baths be master baths. Roommates do not like to share bathrooms. These apartments would be targeting recently engaged couples looking to make the move to the area but who are not ready for the commitment of a house. The smallest one bedroom would rent for $1,300.00 a month.

Mayor Bacon asked Mr. Sands if they were confident and were not just putting these out there and they would not be able to rent them for that amount of money. Mr. Sands replied that these were $200 less than Belmont's and Belmont's had been easily renting. Belmont is already 20% leased.

Councilmember Blustein asked for verification that these apartments were being built to higher standards so they could be converted down the road to condos and Mr. Sands agreed. He replied that these would be built as a condo project out of the gate. Councilmember Blustein said she was concerned about the ratio of one bedrooms and she doubted anyone would want a one bedroom condo down the road. Mr. Sands remarked that they feel it is a marketing strategy to offer one bedrooms in an area where they are not common. This project would be the only one in town with a good supply of one bedroom's. Councilmember Wilkinson asked how many one bedrooms were at Belmont and the reply was roughly 60%.

Alex Backry of Shawnee Trail thinks that the City needs more shopping. He remarked there is no place to buy a pair of shoes in Smyrna. He thinks the development should stay only commercial. He noted that Council previously turned down apartments for this corner. This shopping center will not blend and the railroad tracks would be loud. The citizens pay the salaries and taxes, not the developers, so he thinks Council should listen to what the majority is saying. That is what open government is about.

Cathleen Cohen of 3258 Woodmill Trail, said she and her fiancé are millennials that moved up from Morningside in Midtown to purchase a home and start a family. They specifically moved to Smyrna to be part of a community. When millennials move into a one bedroom apartment they want amenities. In Market Village there are only three bars and these people like to go out with friends and family.

Rudy Caruthers has been a resident for 20 years. She wants this development. Currently she lives in Vinings Point and has Millennial children who want apartments. They do not want homes with yards and upkeep. They want to play and go and have a good time. And they have money to spend. She would like to see more restaurants. She chose Smyrna because it was an area a person could grow with. You will never get her out of Smyrna. She wants to bring younger people here to the area to put down roots.

Mike Mitchell of 1181 Church Street heard about this proposal and does not want this Council to restrict people from coming here. These apartments will bring 500 potential new residents that we are wanting to keep out with all their money and spending. We need to insure the success of the community. He requests that the Council does not

restrict people from coming to our community. Let this happen and let this City grow.

Lisa Lewis has houses on Church Street and Davis Street. She has seen a lot of change. She remarked that she used to be able to get to work on time and now she cannot leave her house and get to work on time because of the local traffic. If she is traveling she will stay in Buckhead and take Marta to get to the airport to avoid traffic. She stated she predicted her former boyfriend's crash of his construction business at the beginning of the recession. She complained about the way people dress who go to Atkins Park. She said we do not need more children in Smyrna and wants to know why we are building communities for children. She does not want to see anymore community college rejects come to live in Smyrna.

Lindsey Chassen was previously a renter in Atlanta. Her fiancé purchased a home in this area. She has been impressed by what she heard at the Planning and Zoning Board meetings. She feels it is a good move to be productive with land that has been empty for too long and is looking forward to being able to go to a closer grocer and walk to retail and restaurants. She extended her thanks to Halpern and is very excited about what is being brought to the area. She feels that millennials are not buying right now so apartments are important. Rooftops and parking spaces and the economics do not make sense without the apartment rentals.

Jeff Carter, King Springs Road. Smyrna is more than a grocery store. Apartments are good in the right development. Currently there are 16,818 apartment units in Smyrna, and another 290 will not break the bank. He met his wife at Market Village. It is an area you can sit down and socialize. He'd like to send Halpern back to the drawing board to adjust seeing the side of the grocery store and a six deck parking garage. This development is more like what they are putting in at Braves Stadium. The last plan was sexy. Everything meshed together. Halpern may hear the citizens and say this is a mix of uses. Put Scott Cochran to work and send them back to drawing board. Smyrna is more than a grocery store.

Councilmember Anulewicz commented that the last plan included $20 million of public funding.

John Dirkey. Park View Village, is in support of the plan. There is no need to rehash issues. He'd like Council to approve this plan and move on. Halpern brought a plan and they agree to the conditions and want to make it pedestrian friendly. The planning and Zoning Board approved this plan and it does address some major issues. He disagrees with the statement that apartments breed crime. The shown elevations are of design style that is in accordance with Market Village. He stated he is In favor as presented and requests Council approves it.

Linda of Argyle Estates. What is going to be built is a question of semantics. She lives close to a farmers market and retail stores. Traffic has not really been looked at and she knows what it is like in Spring Village. There is a major light at Campbell and Spring and it is backed up all the time. This is not working at Spring Village. Regarding apartments and condos; this was not posted properly because if it had been she would have gone to those discussions.

Tori White of Ashwood Drive Way thanked Council for the job they do. She loves her dog Fin. She has lived in Midtown and spent 6 years in law school before she chose Smyrna. Part of her decision was that she knew she wanted a German Shepherd and that a dog of that size would need a yard and a neighborhood to walk and play. She was purposeful in her want of this animal since she has no children. She chose this community because it is Smyrna. We want to preserve the greatness that Smyrna is. The braves are coming and we need to be purposeful. Something zoned previously in

2007 and 2008 should not now be throw down the throats of this neighborhood five years later. A dog's average life is 10 years and most of the people speaking have invested 10, 15, even 20 years into this community and they have invested for their families and children and they want this Council to be purposeful about their children. The community represents that.

Maggie Shannon of Nancy Circle. As an architect, she questions what happened to this site. She would like Halpern to go back to the drawing board and put Publix up on the street and make it more accessible for pedestrians. We are not representing Smyrna with this project. This is much more of a mixed use and not so many parcels. We deserve more. So not sexy.

Rod Miller of 3236 Millwood Trail and owns three rental properties in Ward 3. He has a couple of questions. What was approved in 2007/2008? He recalls a tremendous amount of discussion regarding the approval of apartments/ luxury apartments with a condo conversion. Mr. Suddreth replied that it went through a variation and was approved as apartments with a condo conversion. The staff listed it as luxury apartments.

Mayor Bacon replied that when the proposal went before the school board for TAD it was for owner occupied condos. But the developer never could close on the property so it never got to that point.

Councilmember Teri Anulewicz remarked that the initial conversation was for condominiums but the initial vote was for apartments built to condo standards and asked for that clarification from Mr. Suddreth. Mr. Miller asked who in the City is responsible for insuring that the provisions for the development are adhered to?

Mayor Bacon responded that there are many departments: Public Works, Community Development, the City Engineer just to name a few. Mr. Miller feels there have been repeated violations that are not being managed by the city in other developments. He also inquired as to why there has been no discussion regarding construction traffic. He feels there should be some restrictions to construction traffic especially to the main roads of Atlanta Highway and Spring Road. Mayor Bacon asked why the trucks were using side streets?

Mr. Suddreth wanted to clarify the process. Not every i and t has to be crossed in a zoning condition, because we already have certain regulations. They have to follow the conditions, the mechanism to insure that is coordinated through Community Development but it involves multiple departments. Public Works, Marshals, Traffic Engineer, Fire Department and Fire Marshall, Building Inspectors and Soil Erosion people. Several departments participate in a plan review. If something does not meet our requirements either from a zoning standard or from something in one of our ordinances, it will be redlined and not approved. The conditions we attach to zonings are ones outlined in ordinances. They are repeated because they are important.

Carol Main, Vinings North Trail. A 20 year resident and homeowner. She used to live in apartments at Vinings Corner. She mentioned other apartments. She requested that this Council table this proposal for the community citizens to review what is going on. Her concerns are that in 2007 apartments were approved. She showed a picture of the flyer from 2007 announcing condos at Jonquil Village, not apartments. We do not need to treat Jonquil the same as Belmont. It is the gateway to the Village Green. The proposal in 2008 is very different. The original proposal had underground parking to allow more green space in Market Village. It never incorporated a six story parking deck. There were more stores. With the Braves coming, what an opportunity for us to

be able to draw people to this area. We need to focus on the need for retail and restaurants in order to draw those people. High end renters do not want to live parallel to railroad tracks. In 2004 Smyrna published documents called Smyrna Livable Centers Initiative. Smyrna recognized that the railroad noise would be a deterrent to what is being built at Jonquil. They spoke about the need for a parking deck but having it built parallel to the tracks to help with noise. Where are all the dumpsters going? How high is the parking deck in comparison to the apartments? She asked Council to table this until a better plan is presented.

Mary Rose Barnes, Oakdale Park. She has deep concerns about environmental, logistical and safety details of the proposed project. There has been no mention of scheduled construction. City Engineer intends to modify the detention. However a small detention pond cannot handle the storm water from a 13 acre project. Underground detention should be stipulated. In addition, since a portion of this track had a service station and garage and filtration system should be installed. The Church Street light should have a left turn light. She agrees with City Engineer and should include pork chops as well as be illuminated from people inadvertently jumping curbs at night. Halpern remarked when asked that municipalities no longer require decel lanes. It is customary for shopping centers to have decal lanes for traffic control and safety. This Stipulation on #13 is mute and will not guarantee decel lanes. The County would require those lanes if this project was in the County. This community does not need the imposition of 290 apartments. Without appropriate safety precautions, this project would be a detriment.

Steve McCoy, 1555 Roswell Street, lives in Williams Park. He was invited to previous meetings with the former developers. This is our one and only chance to get this right. Back in 2007/2008 was in favor and was not opposed to apartments. Need those people to work in the shops and apartments. He was not sure who was on the Urban Design Committee, but he questions Halpern and this looks like every other shopping center. Halpern does great work and has the talent to design something to be proud of. The traffic will be a nightmare and a traffic study needs to be addressed. There are already problems especially for the railroad intersection at Spring Road and Atlanta Road. This development does not look like Market Village. He wants to support this project. He asked when was the last time apartments were converted to condos? It is not going to happen. Send them back and allow them to not wait another year to resubmit a plan.

Al Graves, 1079 Pinehurst Drive SE. He was surprised by this project coming up again and thought the apartments were put to bed. He is not opposed to apartments as a solution to someone's problems. He is opposed to any housing at Jonquil. That is the last effort the City has to establish a viable commercial project on the gateway. For more months than he can remember, a moratorium on apartment building was in place in the City. Suddenly we became aware of the ratio of apartments and wanted more single family homes. If this is approved, goodbye to any commercial development. Turn down this development because any housing should be null and void.

Mayor Bacon asked if there was any further comment and no one else came forward. He then asked either Steve West or Kevin Moore to speak about the retail/commercial side of this project. How come this cannot be more like the Avenues? How come Trader Joe's and Whole Foods are not here in the City? He asked for them to speak to those questions.

Mr. Steve West thanked the Mayor and Council for serious consideration on this proposal because it affects many people. These people are passionate about this town and whether they agree with all plans and proposals they recognize that they

want what's best for their City. He has spent his entire career working on Belmont Hills (26 years). Halpern is a long term company, does as good a job as they can to try and not make mistakes. Halpern did not lose any properties during the recession to the banks. There are other reputable and desirable retailers that, for a variety of reasons, do not find Smyrna to be a fit. If this could be an Avenues type project they would be building that in this space. It is not possible for this space. So they reached out to Woods for the apartments as an addition to the project.

Mayor Bacon asked if there was proper infrastructure for sewer and storm water and the answer was yes.

Councilmember Wilkinson has concerns about one bedrooms and whether they would ever be converted as well as the traffic issues. She has noted a lot of changes since a traffic study done.

Councilmember Anulewicz very, very much appreciated the time and thoughtfulness the speakers put into their comments and she noted that she knows this item is not something anyone is approaching lightly including herself because she is also a resident of this area. It was noted that the 2007 plan had apartments and was funded with $20 million dollars of public funds. It was a sexy plan, it was a wonderful plan, but she does not feel that type of plan could exist today without the public funding. She does not think the public is willing to fund this type of project. There has been ample time for public input. There was an open house; there has been an Urban Design meeting, a Planning and Zoning meeting and several phone calls and emails between residents and Council officials. All documents have been available to review in person as well as electronically. As a council we cannot base our vote on a head count; it is not only unethical it is illegal. It will come to no one who has followed this project over the years that she has supported apartments since the beginning. The reason why is we need this type of housing in Smynra. People want to live somewhere where they have amenities that are within walking/biking distance. She does not agree that people who rent are transient drug dealers. There is a lot of data that supports why there is not a need for
condos. The millennials are at a lower rate of income than the Generation X-ers were back in 1995. 43% less to be exact. There is also a mountain of student loan debt owed by these same people, an average of $35,000 in debt which precludes an immediate home purchase. They need and want to rent. She makes decisions based on data and she has found a lot of data that supports rental density. Even car purchases are larger and longer in order for people to be able to afford a car payment. She also feels a City needs to respect property rights. They are obligated not to just consider the current zoning but also to consider what they are voting on. She has
reservations about a government entity changing the value of a property. That is treacherous ground; she is not personally willing to go down this road. There were a lot of things loved about the 2007 project but rooftops beget retail. We need more restaurants, bars, shopping, etc., but they will not come without the rooftops.
Based on all these things she will move to approve this item.

Councilmember Fennel asked who seconded the item and Mayor Bacon remarked that Councilmember Pritchett seconded. He went on to make the following comments:
There are several aspects he wanted to speak to. Personal property rights: Each time he has had to review a zoning application he has been reminded that the United States is unique among all countries when it comes to protecting, preserving and defending personal property rights. That a person that buys a property has the right to use it within the confines of certain rules, stipulations and community standards. He will always adhere to that community standard. It's what makes us different and

unique as a country. To that end, we do have community standards here in the City of Smyrna, and we do enforce and urge anyone who owns property to do the same. He stated he does not own this property. No one in this room owns this property. Mr. Halpern, who does own this property has been an invested part of this community for the past 50 years. That investment speaks to his long standing respect for and symbiotic relationship with Smyrna. He is proud that we have a number of folks like that, from auto parts stores, to auto dealerships, restaurateurs to many others who have chosen to be here in Smyrna and every month we get new applications for alcohol permits for one new restaurant or another. It is encouraging. Council gets a sheet every month of new businesses applying for licenses, building permits, etc. It is encouraging to the City of Smyrna. He has shared this point before that with the advent of Google Maps it is no longer a secret that Smyrna is nearby where everyone wants to be with an unusually wonderful place with a unique set of people that live here. He moved from in town Atlanta to Smyrna. Given that many who testified today have done something similar he noted that they could have chosen Roswell, Sandy Springs, Buckhead but decided to invest here. He is encouraged that so many people have chosen here, but he is not oblivious to the fact there is not one square inch of a developers eye that has not found a space in Smyrna for development. They are looking at every available tract of land and every buildable lot. They are bypassing, Marietta and Roswell and Sandy Springs to build here. We have to understand that we have been discovered and are popular. Many raised comments about the traffic. It is difficult at times. We are getting the westward residents making their way through Smyrna. Windy Hill was contemplated as a relief to a decision made in Marietta on Whitlock. In the next SPLOST we will spend more to try to manage the growth from the west. This project has been said to be a gateway, but our true gateway is at the other end of Spring where the Braves will be plopping down a billion dollars. Emerson Center will be up for consideration in the near future as a gateway project. There will be many other projects such as this up for discussion. We want to get them right. The city does not own this property and we can only respond to the application presented. A proposal has been made and under the law they have to weigh it as what is available as an option. They could build the 2007 project simply by pulling a permit today. This project is less dense, on retail, on housing, on several areas. The traffic will be less on this site based on the numbers done on the 2007 traffic survey. Miss Taylor made some good points on traffic management and decel lanes. Those who pay property taxes here welcome those who want to be part of the discussion by encouraging them to join us. We are in our 25th consecutive year without property tax increases because of the consistent growth we are experiencing. To that end, this project, although it is not exactly what he wants, it is not his money and not his investment. To the standards that have been established in the City, the pattern created and the action taking in 2007 to allow for this site to be developed in a certain way, legally he has no rational to say no to this project. The City has urged the UDC and staff to be as stringent to the look and feel of the project. Some citizens speaking today have suggested 100% retail and as Mr. West has discussed, that is not an option for this site. Secondly, for retail and commercial to be successful you have to have rooftops and have the money to spend. He thinks the combination put together represents these professionals that are in this business. This is the best available product. It is with that understanding and appreciation that he will support this project.

Councilmember Welch said that he agrees with Councilmember Fennel that although this is not a perfect project, neither was the 2007 project. There were things he did not like about both plans but at the same time, he watches and listens to what people say. He knows that Councilmember Anulewicz is a statistical person and he has noted all the facts. He knows the market is there for both apartments and condos. This Council has looked at his project every which way they can and he intends on supporting this project.

Mayor Pro Tem Pritchett thanked everyone for coming and for supporting the City in their decisions. She wanted to explain why she seconded this motion. People asked to have the plan postponed and the plan on the table is what Council was going to vote on. Legally they have to vote. Each one of the members of Council represents approximately 7400 people in each Ward. The Council cannot vote based on peoples dislikes, whether it is traffic, apartments, etc. Council has to do what the law tells them they can do. She has had many correspondences with citizens who are excited about this development but could not participate in the public hearing. She has taken their positive as well as the negative comments and looked at the project and believes it fits the needs of the City. She also believes in personal property rights. She does believe this will be a good project and she will support it.

Councilmember Blustein made the remark that she wanted to build a boutique hotel with a day spa. This was not an easy decision. She worries about the ratio and as a real estate broker she knows what sells and one bedrooms are not popular. She thanked everyone for coming.

Councilmember Wilkinson has concerns regarding traffic. The plan before had two full entrances and exits and she is concerned about one full entrance and exit. She appreciates all the hard work but has concerns about the reality of one bedroom apartments being converted to condos at any point. She would have liked for Council to have asked for a traffic study to be completed again.

A motion was made by Councilmember Teri Anulewicz to approve item 2015-227 a zoning request Z15-014 for approval of a zoning amendment to modify the currently approved site plan and building elevations on 12.62 Acres in land lot 559 located at the northeast corner of the intersection of Atlanta Road and Spring Road the applicant is Halpern Enterprises, Inc., seconded by Mayor Pro Tem/Councilmember Melleny Pritchett. The motion carried by the following vote:

Aye: 4 - Mayor pro tem/Councilmember Pritchett, Councilmember Anulewicz, Councilmember Welch and Councilmember Fennel

Nay: 3 - Councilmember Blustein, Councilmember Wilkinson and Councilmember Lnenicka

5. Privilege Licenses:

There were no privilege licenses.

6. Formal business:

A. Approval of Concord Road Corridor Development Concept

Sponsors: Welch

Interim City Administrator, Ms. Toni Jo Howard read the following background:
In May, 2014, the Mayor and Council authorized a study that would formulate several development concepts for the remnant right-of-way parcels (approximately 7.5 acres along the north side of Concord Road) that were created by the Concord Road widening project. Proposals to conduct the study were solicited through the City's Request For Qualifications process. Three (3) firms were interviewed and the Sizemore Group, in partnership with Marthasville Development, was awarded a contract in the amount of $29,700 to conduct the study.
Stakeholders (Mayor, council ward representatives and certain city staff) were interviewed. Their thoughts and ideas on what should occur on those parcels along

the subject corridor were received and noted.
Based on the stakeholders feedback, several concepts (linear park, partial development and full development) were formulated. These three (3) concepts were then presented to the Smyrna community in public forums for the purpose of receiving additional citizen comment and feedback. After that feedback was received and documented the results were presented to the Mayor and Council at a Committee of the Whole meeting in January, 2015. Based on the preferences of the stakeholders and the feedback from the public it was determined that the most desirable concept incorporated limited development with a majority of the corridor being preserved for a passive use linear park.
The consulting team was instructed by the Mayor and Council to move forward and refine the preferred development concept.
Staff recommended that the Concord Road Corridor Development Concept be approved. This will allow the implementation of the preferred development plan to proceed.

Councilmember Welch commented about some of the sessions held last year regarding this property and stated that a consultant had been hired to look at the property along Concord Road that was left over after construction. It is 2.5 acres and they looked at a residential development, a commercial park and the residents reviewed and suggested the commercial strip park. Council has looked at the suggestion and tonight, this is a vote for the concept plan.

Councilmember Anulewicz was pleased to be included in this concept because this development would be in her Ward after the next election. This is a concept plan and it determines that the City wants to move forward with a plan to be partial commercial with a passive park. This is a positive thing for the taxpayers.

A motion was made by Councilmember Charles (Corkey) Welch to approve 2015-147 of the Concept Road Corridor Development plan on Concord Road to include a partial commerical entity and the remaining to be a strip passive park, seconded by Councilmember Teri Anuelwicz. The motion carried by the following vote:

Aye: 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

B. Approval to enter into a contract with Lyman Davidson Dooley, Inc. (Architects, Interior Designers, Planners) to provide Architectural and Engineering services to document and renovate the historic Reed House and have the Mayor sign and execute all documents

Sponsors: Welch

Ms. Howard read the following background:
This item is for the approval to enter into a contract with Lyman Davidson Dooley, Inc. (Architects, Interior Designers, Planners) to provide Architectural and Engineering services to document and renovate the historic Reed House and have the Mayor sign and execute all documents
Councilmember Welch said that he was approached by the Mayor to look at the Reed house and see what repairs and improvements were needed as well as the operation of the home at a future date. He formed a committee of 8-10 people and a long list of ideas was formed for the uses of the home. No matter which uses would be decided on, there were some architectural issues that needed to be addressed such as one bathroom on the main level of the house, minor structural issues on the front porch and evaluate the HVAC of the home. Lyman Davidson and Dooley will

perform a three step process. They are a local company.
1. A working drawing of the home.
2. Review the systems within the home, structural, electrical, plumbing and HVAC as well as restrooms and kitchen. Make a list of necessary improvements to code for public use.
3. A pick and choose by the City to decide what items they want to do to the home based on the decided use.

A motion was made by Councilmember Charles (Corkey) Welch to approve item 2015-271 to enter into a contract with Lyman Davidson Dooley, Inc. (Architects, Interior Designers, Planners) to provide Architectural and Engineering services to document and renovate the historic Reed House and have the Mayor sign and execute all related documents, seconded by Mayor Pro Tem/Councilmember Melleny Pritchett. The motion carried by the following vote:

Aye: 4 - Mayor pro tem/Councilmember Pritchett, Councilmember Anulewicz, Councilmember Welch and Councilmember Fennel

Nay: 3 - Councilmember Blustein, Councilmember Wilkinson and Councilmember Lnenicka

C. Approve Ordinance Chapter 102 Utilities, Article III, Section 102-43, 102-44 and 102-45 General Sewer Use Requirements

Sponsors: Welch

Interim City Administrator Toni Jo Howard read the following background:
This item is for the approval of a new Ordinance 102 Utilities, Article III, Section 102-43, 102-44 and 102-45 General Sewer Use Requirements
Public Works is requesting to establish an ordinance to provide rules and requirements for the general use of sanitary sewer for both commercial and residential customers and rules and regulations for specific discharge of waters and wastes into the City of Smyrna waste water system.
Public Works has reviewed this Ordinance and recommends approval of Ordinance 102 Utilities, Article III, Section 102-43, 102-44 and 102-45 General Sewer Use Requirements.
Councilmember Corkey Welch remarked that these Ordinances which include Items D and E as well.
What has occurred is that Public Works Director Scott Stokes, has gone through our current Ordinances and brought these up to date.

A motion was made by Charles (Corkey) Welch to approve ORD2015-15 to amend the City of Smyrna's Code of Ordinances Chapter 102 Utilities, Article III, Section 102-43, 102-44 and 102-45 General Sewer Use Requirements, seconded by Mayor Pro Tem/Councilmember Melleny Pritchett. The motion carried by the following vote:

**Clerk's note: Teri Anulewicz stepped away from the dais and was absent for the vote.

Aye: 6 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

Absent: 1 - Councilmember Anulewicz

D. Approve Ordinance Chapter 102 Utilities, Article IV, Section 102-46 and 102-47 Sand and Oil/Grease Interceptors

Sponsors: Welch

Councilmember Welch reitterated that this ordinance was an update to the current ordinance.

Clerk's Note: Teri Anulewicz returned to the dais

A motion was made by Councilmember Charles (Corkey) Welch to approve ORD2015-16 to amend the City of Smyrna's Code of Ordinances, Chapter 102 Utilities, Article IV, Section 102-46 and 102-47 Sand and Oil/Grease Interceptors, seconded by Mayor Pro Tem/Councilmember Melleny Pritchett. The motion carried by the following vote:

Aye: 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

E. Amend Appendix D, Design Specifications for Storm Drainage, Roads, Construction Section 5 by deleting Section 5, Water Mains and Service Lines, in its entirety and replacing with Section 5 Water System Design, Maintenance and Hazard Reduction Procedures.

Sponsors: Welch

Toni Jo Howard, Interim City Administrator read the following background:
This is item E, to amend Appendix D, Design Specifications for Storm Drainage, Roads, Construction Section 5 by deleting Section 5, Water Mains and Service Lines in its entirety and replacing with Section 5 Water System Design, Maintenance and Hazard Procedures.
This is the replacement of the existing standards for water mains and service lines and updates system requirements to address system design, maintenance and hazard reduction.
Public Works has reviewed this ordinance and recommends Amending Appendix D, Design Specifications for Storm Drainage, Roads, Construction Section 5, Water Mains and Service Lines, in its entirety and replacing with Section 5 Water System Design, Maintenance and Hazard Procedures.
Councilmember Welch responded that this was another housekeeping item to bring the ordinance up to date from its previous version.

A motion was made by Councilmember Charles Corkey Welch to approve ORD2015-17 to Amend the City of Smyrna's Code of Ordinances ,Appendix D, Design Specifications for Storm Drainage, Roads, Construction Section 5 by deleting Section 5, Water Mains and Service Lines, in its entirety and replacing with Section 5 Water System Design, Maintenance and Hazard Reduction Procedures, seconded by Mayor Pro Tem/Councilmember Melleny Pritchett. The motion carried by the following vote:

Aye: 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

7. Commercial Building Permits:

There were no building permits.

8. Consent Agenda:

Interim City Administrator Toni Jo Howard read the consent agenda items aloud for Council's approval.

A motion was made by Councilmember Ron Fennel to approve the consent agenda as read aloud, seconded by Mayor Pro Tem/Councilmember Melleny Pritchett. The motion carried by the following vote:

Aye: 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

A. Approval of the Mayor and Council Meeting Minutes for August 3, 2015

Sponsors: City Council

B. Approval to purchase 7 (seven) equipped Ford Explorers as part of the FY16 Vehicle Replacement Fund at a total cost of $257,528.80

Sponsors: Fennel

C. Appointment of Brian Marcos and Mary Wallace Moore as Alternate Members for the License and Variance Board

Sponsors: Anulewicz

D. Approval of Use of Smyrna Memorial Cemetery grounds by Smyrna Library volunteers and staff for a storytelling event on Saturday, October 17, 2015.

Sponsors: Wilkinson

E. Approve retroactive use of the Council Chambers for Wednesday, August 5, 2015 for the Cutural Arts meeting

Sponsors: Fennel

9. Committee Reports:

Mayor Max Bacon noted that Interim City Administrator Toni Jo Howard would be leaving the City on Friday. She had been the Finance Director for three years and done a great job as well as stepping in as the City Administrator when asked. The City would miss her and he liked how she always said the right thing with no fluff. He wished her well.

WARD 1: Mayor Pro Tem / Councilmember Melleny Pritchett spoke about the Smyrna Vision Arts and Cultural Council that met at City Hall. She said attendance was tremendous and they currently had 75 paid members. President is Jeff Jones, Vice President is Bill Marchiano, Treasurer is Troy Saither, Secretary Shawn Martin. There were also several members of the group elected as directors and she mentioned their names. They are moving forward and excited and the other groups have met as well but are not as far along as the Arts and Cultural Council.

WARD 2: Councilmember Andrea Blustein remarked that she was very tired and she thanked everyone for coming.

WARD 3: Councilmember Teri Anulewicz did not have a report.

WARD 4: Councilmember Corkey Welch said the Arts and Cultural Council is going to make some things happen in the City. He has attended several of their meetings and looks forward to what is to come.

WARD 5: Councilmember Susan Wilkinson did not have a report.

WARD 6: Councilmember Wade Lnenicka commented on Ms. Howards departure and thanked her for her service to the citizens of Smyrna.

WARD 7: Councilmember Ron Fennel echoed that he has a great deal of respect for Toni Jo as a professional. She understood her role and helped the City to get where we needed. She allowed us to claim our triple A bond status in New York and he has nicknamed her Triple A. As a Smyrna resident he knows he will see her often. He wished her well with her new job. He mentioned that there were two Town Hall Meetings in September.
September 2, 7:00pm at Brawner Hall regarding the remaining questions and answers needed for the rezoning of the Venture Homes Project.
September 22, 7:00pm at the Vinings Estates, Summit Clubhouse regarding the Maxwell annexation and rezoning.
Please thank a public safety officer when you see them for their service.

Toni Jo Howard gave sincere thanks to the City for the opportunities she has had as well as to the department heads she has worked with.

City Attorney Scott Cochran remarked that there are at least 10 places to eat in Downtown Smyrna and he named the restaurants that were present.

Terri Graham, City Clerk wished Toni Jo Howard well in her new career.
She spoke about qualifying dates, times and the costs to qualify. All the information for the election is on the City's website. She listed all the incumbents for this upcoming election. The ability to vote was also discussed and spoke about the ability to register to vote either online or in person at the Cobb County elections.

10. Show Cause Hearings:

There were no Show Cause Hearings.

11. Citizen Input:

Councilmember Ron Fennel took to the podium to declare his intent on seeking an additional term as the Ward 7 Councilperson. He remarked that he is grateful to have the means to be a public servant. He feels it is an important position and he is extremely blessed to move to Smyrna and represent this area. This area is well known because of the nature of the people who live and work here. He is proud to be a part of this community. He will miss the areas moving into Ward 5 he has previously represented. He is proud to represent his Ward and hope to continue to do so.

There were two brief updates given by Councilmember Wade Lnenicka. He addressed conversations he has had with citizens during his campaigning regarding term limits for Mayor and Council. Citizens have asked if he intends to stay in office as long as the incumbent has. He responded that he will not be a lifetime Mayor and stated that he will only pledge to serve no more than two terms as Mayor. He will work with Council to amend the Charter and the Ordinances to limit the term of future Mayors to two terms.

Secondly he spoke about "robo calls" that have been made to citizens. These calls do not state who they are from and at the end of the call there is a alphabetical and numerical sequence spoken that is too rapid for anyone to catch followed by Montgomery Alabama. The call is a survey call and asks demographic questions as well as Mayoral Candidate questions. He wants the citizens to know that the robo calls are not coming from his campaign. He hates robo calls. The robo call in question mispronounces his last name which is a clear indicator he did not initiate these calls. He is flattered that the incumbent is worried enough about the election to use this tactic and he feels it is distasteful to the citizens. He wonders if the results will be shared with him. He suggests that it is time for a new leader and a new vision.

Paul Burns, Local 5030 and a Lt. with the Smyrna Fire Dept., 12 years experience from Station 3, and is here to introduce the new affiliation of Smyrna local 5030 with the International Association of Firefighters. He is the president of the local chapter 5030. The IAFF is a 300,000 local association representing Firefighters all across North America. He remarked that all the IAFF has ever asked is a seat at the table that affects, health, safety, well-being, benefits, their voices can be heard. This group was formed in November of 2014 and Council may see questionnaires from the group before the elections.

Councilmember Blustein asked if they were a quasi-union?

Councilmember Teri Anulewicz announced she intends to run for Ward 3 representative for another term. She wants to make sure Ward 3 residents have a voice in this dynamic community. There ia a cross section and wanted to make sure everyone was contributing to the conversations in Smyrna. She also wanted to improve the local school options and is very proud of Smyrna Elementary. Public education has been rejuvenated. There needs to be a distinct sense of place and with events like Food Truck Tuesdays, the Jonquil Festival, and the Birthday Celebration give a strong sense of place. This is a growing bike and pedestrian community. She is proud they have been able to maintain the millage rate even through the recession. Ward 3 is changing and adding more of Smyrna Heights and she looks forward to meeting those people and she thanked the Mayor, Council and citizens for their time.

Ward 2 Councilmember Andrea Blustein remarked that the last four years has gone by quickly, signing up to run for first time. It is an experience she will never forget and one no one can prepare you for. She had been on the Planning and Zoning Board for 10 years and felt she already knew a lot of the Council members. She has enjoyed the last four years tremendously and hopes that the citizens of Ward 2 will allow her to continue to represent them.

12. Adjournment:

Adjourned 11:12 PM

Mayor Max Bacon adjourned the meeting of the Mayor and Council at 11:12 PM