



# City of Smyrna

A. Max Bacon City Hall  
HR Conference Room /  
First Floor  
2800 King Street  
Smyrna, Georgia 30080

## Meeting Minutes - Draft Committee of the Whole Work Session

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Thursday, December 1, 2022

6:30 PM

A. Max Bacon City Hall - HR Training Room

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### Roll Call

**Present** 5 - Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Susan Wilkinson, Mayor Pro Tem / Councilmember Tim Gould, and Councilmember Lewis Wheaton

**Absent** 3 - Councilmember Latonia P. Hines, Councilmember Travis Lindley, and Councilmember Charles Welch

**Also Present** 1 - Scott Cochran

**Staff** 12 - Joe Bennett, Dustin Davey, Richard Garland, Dat Luu, Brian Marcos, Russell Martin, Eric Mohrmann, Heather Peacon-Corn, Eric Randall, Kristin Robinson, Carol Sicard, and Joey Staubes

### 1. Call to Order

Mayor Derek Norton called to order the December 1, 2022 Committee of the Whole Meeting held at A. Max Bacon City Hall in the HR Training Room at 6:30 PM.

### 2. New Business

#### A. [COW22-84](#) Discussion regarding 2023 Merit Increases - Kristin Robinson / Carol Sicard

Joe Bennett, City Administrator, discussed the Classification & Compensation Study that was presented in October 2021. There was specific guidance on how to maintain pay grades, etc. going forward. Key points were to look at the Consumer Price Index (CPI) or the Employment Cost Index (ECI) yearly and use one of those as a reference point to adjust pay bands or consider raises. Now, a year later, the CPI increased 8.2% and the ECI increased 4.6%. A sampling of public safety pay grades was taken - Marietta is currently working on pay grades; Cobb County is making a significant change in their pay structure; Acworth is making significant changes as well.

The Special Committee of Budget met and came up with three potential options:

1. Cost of Living Adjustment (COLA) based on ECI only;
2. 4.6% based on ECI plus merit increases;
3. Option of additional \$2k for public safety.

The current breakdown of merit increases:

- Receive 2 on Performance Appraisal = 1.5% merit increase
- Receive 3 on Performance Appraisal = 2.5% merit increase
- Receive 4 – 5 on Performance Appraisal = 3.5% merit increase

Human Resources suggests changing this scale to tighten the numbers and reflect increases that are more consistent and level. They also discussed that they could split

the COLA and merit increases so that they are given at different times throughout the year. But for purposes of the current increases, they will move forward with the merit increase levels as they are currently set up.

Discussion took place on how many resignations have taken place and where those employees are going.

**B. [COW22-85](#)**

**Discussion to replace Mayor and Council computers using ARPA funds -  
Dat Luu / Kristin Robinson**

Dat Luu, Assistant IT Director, explained that the City Clerk's Office is transitioning from Legistar to PrimeGov. The new system requires new computers in Council Chambers for Mayor and Council. The computers that are currently in Council Chambers, however, are nearly 10 years old and need to be replaced regardless. Kristin Robinson, Assistant City Administrator/Finance Director, stated that along with these new computers there was an additional cost to add two more screens in Council Chambers as part of the upgrades in there, so if the Council is amenable, they would like to make an amendment to the budget and use ARPA funds to fund this portion of the project as well.

**C. [COW22-86](#)**

**Discussion regarding Downtown Park - Joe Bennett**

Joe Bennett, City Administrator, explained that for the past several meetings he has discussed the grade issues along Atlanta Rd. for the downtown park. In order to have useable space for the park, additional grading would need to occur. He presented suggestions from Parks and Recreation Director Richard Garland of design concepts for a small stage and playground area for the park adjacent to the proposed brewery. Along with the grading issues, other issues were discussed - retaining walls, finishes, trees, tree removal, and adding more trees. The estimated extra cost for these additions and upgrades covers the grading, the stage, the walls, the new sidewalk, and the finishes. Because of the ability to use ARPA Funds during both the previous and current fiscal years, and because there are several unfilled positions throughout the City, there is a healthy reserve balance. Funding would be out of the fund balance (reserves) in the General Fund.

Mayor Norton mentioned that he spoke to Councilmembers Hines and Lindley separately, and they both expressed their support for this. He also spoke to Councilmember Welch who does not support this. Councilmember Wheaton stated that the project is going forward, and it only makes sense to have it be more consistent with the surrounding spaces. Councilmember Pickens agreed with Dr. Wheaton's assessment. Councilmember Wilkinson stated she agrees with Councilmember Welch. Mayor Pro Tem/Councilmember Gould said that the park is going to be there for a long time, so it is important to get it right. Mayor Norton asked that this be added to the December 5, 2022 agenda.

**3. Review of the current Mayor and Council Agenda**

**A. [COW22-83](#)**

**Review of the November 21, 2022 Mayor and Council Meeting Agenda.**

- Community Development Director Russell Martin discussed item 2022-481 Public Hearing - Appeal the denial by the License and Variance Board for Variance Request V22-055 - Allow encroachment into the 75-foot impervious surface area setback - Lot 696 - 1921 Sadler Drive - Eddie Karr by Wayne S. Melnick who resides at 1921 Sadler

Drive SE, Smyrna, GA 30080 as filed with the City Clerk's office on September 1, 2022 at 4:12 PM via electronic email. He stated that they have had two meetings since they came before Mayor and Council previously. The applicant provided an option to cut out a piece of their driveway and put pervious pavers down. The slope of the driveway is too steep to allow for appropriate infiltration, so it is not an option because it does not offset the impervious surface area. Along with the City Engineer and the applicant's engineer, it was determined that there is no meaningful mitigation for this situation. Mr. Martin expressed that his office has attempted to work toward making this work for the homeowner, but there is no feasible solution, and the City does not want to set a bad precedent. It was reiterated that the standard condition states they have to have a mitigation plan, and there is no acceptable mitigation plan in place.

- Community Development Director Russell Martin stated that representatives from the Atlanta Regional Commission (ARC) will be at the Council meeting on Monday to discuss the 2040 Comprehensive Plan update. The City is required to hold a public hearing before submitting to the Department of Community Affairs (DCA). The DCA should take between 30-60 days for their review during which time the City is able to make adjustments, then it will come back to the City and go before Council for formal adoption.

- Community Development Director Russell Martin stated that the Conlan Company, the general contractor for the construction of 1885 Mitchell Road, is requesting an extension of normal work hours for the completion of concrete pouring and finishing. The project consists of constructing a 191,806 sq. ft. industrial building with loading docks.

The applicant is requesting the following work hours:

- Monday through Saturday – 10 p.m. to 7 a.m. from December 15, 2022, to February 15, 2023 with a total of 30 pours.

The applicant anticipates the work to be done between the dates of December 15, 2022, and February 15, 2023, between the hours of 10 p.m. to 7 a.m. The work will be done intermittently, with most weeks having 2 to 3 scheduled pours, most of which should not take up the full time between 10 and sunrise. Due to concrete availability and weather conditions the applicant is not able to provide a more precise timeline. The applicant anticipates about 30 total pours for panels and slab. The footing pours could be done during the day, as they are smaller and do not require finishing. The noise will be from concrete pouring and finishing, and trucks entering/leaving the site. It should not get above 85 decibels.

The subject property is located at the intersection of Mitchell Road and Oakdale Road. The property is bounded on all sides by commercial and industrial development and is adjacent to I285. The closest residential property in The Enclave at Oakdale Ridge is located approximately 1,300 feet away from the subject property.

Per the City of Smyrna Code of Ordinance Section 46-1(b)(2)(d), noise in excess of 60 dBA for the construction of a structure shall only be permitted between the hours of 7 a.m. to 6 p.m. on weekdays, 9 a.m. to 6 p.m. on Saturday and no work is allowed on Sunday. The intent of the ordinance is to protect surrounding residential properties from the noise created by construction on-site.

- Community Development Director Russell Martin discussed item Z22-011 Public

Hearing - Zoning Request - Z22-011 - Allow a rezoning from R-15 to NS for an 8,000 sq. ft. retail business - 0.91 acres - Land Lot 700 - 3410 Atlanta Road - Grow Smyrna. This item came before Planning and Zoning Commission on November 14, 2022 and was passed by a vote of 6-1. Between 20-30 people came to speak either in favor of or in opposition to this item. Grow Smyrna is requesting a rezoning from R-15 (Residential) to NS-Conditional (Neighborhood Shopping) for the ability to develop an 8,000 sq. ft. retail building for Neighborhood Feed & Seed. The subject property is zoned R-15 and is vacant, however it was formerly occupied with a single-family home. The applicant is requesting to rezone the property to NS-Conditional to allow a zoning district that permits small retail uses.

The City Engineer has reviewed the proposed rezoning and supports a full access drive for the site. A sight distance analysis was provided to ensure there is appropriate visibility for northbound and southbound turning movements at the full access drive. Additional easements may be required if any portion of private property is within the sight distance triangle and existing vegetation within the sight distance triangle will need to be removed. Based on historical sales data, the proposed business will generate approximately 40 trips per day. Given the current zoning of R-15, approximately 2 homes could be built on the subject property. The ITE manual estimates that a single-family home generates 9.52 trips per unit, which equates to 19.04 trips per day. If the property was developed to the 6 units per acre allowed by the Future Land Use Plan, the 6 units would create 57.12 vehicle trips per day. Therefore, the proposed rezoning would have no greater than impact to the road network than a residential use of the property that meets the City's Future Land Use designation of Medium Density Residential (6 units per acre). The zoning proposal should not change the current level of service for Atlanta Road based on the trip generation from the business.

There have been concerns raised regarding the proposed entrance and its impact to the Devonshire neighborhood and children using the Atlanta Road corridor for school. The proposed full access entrance will not impact the existing deceleration lane for the Devonshire neighborhood. In addition, the full access drive will have a fully striped crosswalk and stop bar for pedestrian crossing. Finally, the current design should not impact the school bus pick up and drop off because the stop shall remain in the deceleration lane and will stop all traffic on Atlanta Road due to no median in the roadway. Also, the opening for the business is at 9:30 am, which is after the bus pick up in the morning.

The Comprehensive Plan identifies Atlanta Road as a priority redevelopment corridor on the Policy Map and Priority Redevelopment Areas Map. Community Development has reviewed the proposed development against the requirements of the Zoning Ordinance with respect to the use as a retail business in the NS Zoning District. The proposed development meets most of the zoning requirements for a retail business however, variances are required for the following:

1. Allow an increase in a retail building size from 5,000 sq. ft. to 8,000 sq. ft. (Section 711.13 of the Zoning Ordinance) (Staff Supports);
2. Reduction of required parking spaces from 44 to 20 spaces. (Section 906.10 of the Zoning Ordinance) (Staff Supports); and
3. Allow reduction of the rear setback from 50 ft. to 30 ft. (Section 802 of the Zoning Ordinance) (Staff Supports).

A rezoning to GC (General Commercial) would eliminate the need for a variance for the

size of the building. However, staff supports the variance for the NS zoning district given that GC allows all commercial and retail uses, while NS is much more restrictive regarding the allowable uses and eliminates the amount of uses that a potential owner would be entitled to if the zoning is approved. Rezoning the property to NS as opposed to GC would reduce the number of permitted uses from 105 permitted uses down to 17 permitted uses.

The proposed conditional zoning ties the zoning of the property to the site plan and building elevations approved during the rezoning process. Should the applicant decide not to move forward with the approved plan and decide to change the plan, they would be required to come back to the Mayor and City Council for approval of the change, which would require a formal public hearing on the proposed change. Community Development staff is supportive of the change in zoning from R-15 to NS Conditional.

They are working with the neighboring church for overflow parking, and a letter of support should be submitted soon.

The City Engineer has reviewed the proposed rezoning with respect to stormwater management and stream buffer issues. Stormwater management will be provided by a detention facility at the front of the property. The stormwater from the site will be managed within the proposed detention facility and will then be discharged into the City's stormwater system in Atlanta Road. There are no stream buffers affecting the property.

Eric Randall, Public Works Director/City Engineer, stated Grow Smyrna has provided an updated site distance analysis. He also discussed sidewalks and crosswalk paths that need to be considered because of concerns about school traffic, especially in the afternoons. Many comments that were heard relate to traffic access, volume, and speed. Mr. Martin stated that another issue that came up is that parents not from the neighborhood park in the pool house area to wait for their kids, and they worry that this will be default overflow parking for the Feed-N-Seed.

This item will need to be tabled.

- Fire Chief Brian Marcos and Deputy Fire Chief Eric Mohrmann discussed item D. CON2022-13 Approval of the contract with Dynamix Consulting Group Personal Services (PO Box 68, Lake Alfred, Florida, 33850) to perform a Community Risk Assessment in phases as outlined in the attached Scope of Work document for a fee not to exceed \$47,500.00 and authorize the Mayor to sign and execute all related documents. This is a nationally recognized accredited agency. From a community risk assessment perspective, Dynamix will look holistically at the City of Smyrna demographically, how effective the department is, what goals are being achieved, etc. This will be very specific to the City of Smyrna. No assessment like this has been done before. This piece of it will take about 3 - 4 four months. The accreditation process will take around 18 months. This will be funded out of records management.

- Councilmember Wilkinson stated that Tonya Brinkley has reached out to her several times expressing interest in being on the Smyrna Housing Authority.

#### **4. Other Business (as needed)**

- A. [COW22-79](#) City Administrator review of Projects and other City Business.

Joe Bennett, City Administrator, reported on the following:

- North Cooper Lake Park restrooms should be completed within the next couple weeks.
- There will be an onsite meeting on December 8, 2022 for the Ward 7 Splashpad.
- Two additional screens have been installed in Council Chambers. That portion of the project is complete.
- Green Energy Front - all City Hall has been retrofitted to LED.
- The HVAC controls - issues in Community Center and Library and some of PD: most roof units are originals. There are valves and other parts not functioning. The Infrastructure Committee met with GA Power. They are awaiting suggestions.
- Red Light Cameras - Two intersections: E/W Connector @ S. Cobb Dr. and Cumberland Blvd @ Spring. Currently in the permitting process.
- Finance received the Excellence in Financial Reporting Award again.
- Parks and Recreation received a programming award for Mother/Son Nerf Wars.
- January 17, 2023 is the go live date for PrimeGov. More information will come from the City Clerk's office.
- Jennifer Bennett named on the Cobb Travel and Tourism Board.
- December 9, 2022 is Shop with a Hero event.

**5. Executive Session (as needed)**

**6. Adjournment**

Mayor Derek Norton adjourned the December 1, 2022 Committee of the Whole Meeting at 7:55 PM.