



**Meeting Minutes - Preliminary  
City Council**

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Monday, August 4, 2014

7:30 PM

Council Chambers

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**Roll Call**

**Present:** 7 - Mayor Max Bacon, Councilmember Andrea Blustein, Councilmember Teri Anulewicz, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Wade Lnenicka and Councilmember Ron Fennel

**Absent:** 1 - Mayor pro tem/Councilmember Melleny Pritchett

**Also Present:** 6 - Eric Taylor, Tammi Saddler Jones, Chelsea Jackson, Ken Suddreth, Terri Graham and Lisa Moore

**Call to Order**

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

**1. Invocation and Pledge:**

The invocation was given by Pastor Christain Salizillo with Life Church Smyrna Assembly of God located at 4100 King Springs Road, SE, Smyrna GA.

**2. Agenda Changes:**

There were no Agenda Changes.

**3. Mayoral Report:**

There was no Mayoral Report.

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

**A. Approval of Waiver for Development Fees for Barrow Enterprises - 0.83 Acres - Land Lot 492 - 2261 Dixie Avenue - Barrow Enterprises**

The Mayor called City Administrator Eric Taylor to give the background. In May 2014, a portion of Barrow Enterprises was annexed into the City of Smyrna. This was a targeted annexation by the City. Barrow Enterprises is requesting that the various fees associated with the building permit for the construction of these new facilities be waived. The fees total \$4524.00 and are as follows: Records Fee: \$350.00; Permit Cost: \$3750.00; Plan Review: \$324.00; Certificate of Occupancy: \$100.00. Based on the value of the new improvements to the property and assuming the property assessment will increase by that amount, the waived fees will be recaptured in the form of additional Smyrna property taxes in approximately 2.5 years. Staff recommends approval.

Ms. Anulewicz stated Barrow is undertaking a substantial renovation and expansion of their business which will be transformative to the area of Atlanta Road and Dixie Avenue. She believes the growth of this business will incite economic growth in that area.

A motion was made by Councilmember Teri Anulewicz for item 4 (A) 2014-240 the approval of a waiver for development fees for Barrow Enterprises it's a target property located at 2261 Dixie Avenue - 0.83 Acres - Land Lot 492, seconded by Councilmember Andrea Blustein. The motion carried by the following vote:

**Aye:** 6 - Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

## 5. Privilege Licenses:

### A. **Public Hearing** - Approval of a Privilege License Request 2014-233 - Beer, Wine and Liquor Package - 1003 Windy Hill Rd. - Rays Five Star Inc. dba Ray's Liquor Store - Sirak G. Kassa as owner/agent - Relocating from 1055 Windy Rd.

Mr. Taylor gave the background for the Privilege License. Ray's Liquor Store has been operating at 1055 Windy Hill Road for a number of years. They are planning to relocate their business to 1003 Windy Hill Rd, which is not currently licensed to sell alcohol. The current owner/agent is Sirak G Kassa, he will continue to be the registered agent responsible for the sale of alcohol at the referenced location. Sirak G. Kassa has a copy of the Alcoholic Beverage Ordinance and has maintained his certification for Alcohol Management. Staff recommends approval.

The Mayor announced the Public Hearing for anyone that wished to make a public comment and no one came forward to speak. The Mayor called for the applicant to come forward and be sworn in by City Attorney Scott Cochran. Ms. Anulewicz reminded Mr. Kassa that the Smyrna Police does do compliance checks to make sure that alcohol is not sold to minors. Mr. Kassa said he was aware of the sting operations. Mr. Fennel thanked him for maintaining his business in Smyrna and for making sure that his employees follow the alcohol sales rules.

A motion was made by Councilmember Teri Anulewicz to approve item 5 (A) which is privilege license 2014-233 the approval of a privilege license request for Beer, Wine and Liquor Package located at 1003 Windy Hill Rd. - Rays Five Star Inc. dba Ray's Liquor Store - Sirak G. Kassa as owner/agent - this store is relocating a few doors down the road from 1055 Windy Rd, seconded by Councilmember Ron Fennel. Motion carried by the following vote.

**Aye:** 6 - Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

## 6. Formal business:

### A. Approval of a Non-Exclusive Agreement between the City of Smyrna and Gas South for the Municipal Alliance Program and authorized the Mayor to sign all related documents.

Mr. Taylor gave the background on the Municipal Alliance Program offered by Gas South which provides municipalities the opportunity to offer its residents a two-cent

per term discount off of each of Gas South's available standard rate plans and a waiver of account establishment fee of \$60. The discounted rates and waived fees are available to new and existing Gas South customers living within the city limits. In return, the City will receive a \$12 upfront "finders fee" for each new residential account opened and \$24 for each new commercial account. This is a non-exclusive agreement so that if the City is approached by another company under a similar circumstances, it can offer the same opportunities. Staff recommends approval.

Ms. Anulewicz stated several other metro-Atlanta cities have very successfully implemented this program. Residents and the city will benefit from this Gas South Agreement. Mr. Phil Weatherly from Gas South came forward to discuss the program. They are working to be a valued, trusted partner in the communities they serve. Gas South is looking forward to developing an effective program in the area.

A motion was made by Councilmember Teri Anulewicz to approve item 6 (A) 2014-242 which is the approval of a Non-Exclusive Agreement between the City of Smyrna and Gas South for the Municipal Alliance Program and authorized the Mayor to sign all related documents, seconded by Councilmember Charles (Corkey) Welch. The motion carried by the following vote:

**Aye:** 6 - Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

**B.** Approval of Ward 5 appointment to The Tree Board Danny Figueroa term to expire August 2016

A motion was made by Councilmember Susan Wilkinson to approve 2014-248 the approval of the Ward 5 appointee to The Tree Board, Danny Figueroa with a term that will expire August 2016, seconded by Councilmember Charles (Corkey) Welch.

**Aye:** 6 - Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

**7. Commercial Building Permits:**

There were no Commercial Building Permits.

**8. Consent Agenda:**

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

**Aye:** 6 - Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

**A.** Approval of the July 21, 2014 Mayor and Council Meeting Minutes

**B.** Approval to purchase a 2015 Ford Explorer via the State Contract in the amount of \$24, 943.00

## 9. Committee Reports:

Councilmember Andrea Blustein commented on the successful Smyrna Birthday celebration.

Councilmember Teri Anulewicz was out of town and unable to attend the Birthday celebration. She heard from many people that it was a wonderful event. There are several activities remaining this summer as Food Truck Tuesday and the Fresh Market continue. Cobb County Schools are back in session, but summer activities in Smyrna are still ongoing.

Councilmember Corkey Welch has received many phone calls about the Concord Road construction. Some of the businesses are struggling because the construction and he encouraged people to support those businesses.

Councilmember Susan Wilkinson discussed upcoming events for the Smyrna Library. The Friends of the Smyrna Library are having their annual Ice Cream Social on Sunday, August 10th from 2:00 - 4:00. Used books and tote bags will be on sale. In September, the Library is sponsoring a "One Book, One Community" program which will include events and activities relating to the book "Until Tuesday."

Councilmember Wade Lnenicka announced that Teri Simon Studios had its grand opening on Saturday, July 26 at its new location at the corner of Dunn Street and Concord Road. Mr. Lnenicka welcomed Campbell Middle School's new principal, Dr. Jonathan Tanner. He encouraged citizens to be involved in the local Smyrna schools. Thursday, Clay National Guard Center will dedicate a wall honoring all Georgia Soldiers who have been killed in the global war on terror near the National Guard Center at Dobbins Air Force Base. This Sunday, Keep Smyrna Beautiful will celebrate its 30 year anniversary. He thanked all the volunteers that have made the program a success. Monday, August 11th, Mr. Lnenicka will attend the Montclair HOA meeting. Mr. Lnenicka discussed Emory Adventist Hospital, which will close in October. He believes this will be a huge loss for the community. The hospital was very involved in the community. A number of councilmembers are discussing the future of the facility.

Councilmember Ron Fennel echoed the sentiments of Wade Lnenicka regarding Emory-Adventist. Mr. Fennel stressed car seat safety and encouraged citizens to stop by the fire department to learn how to install a car seat. He reminded all of the "If you see something say something" slogan reminding people to call the police when needed. School is back in session and school buses are now installed with cameras to deter cars from passing buses.

Mayor Bacon commented about the closing of Emory Adventist Hospital. It is his hope that we get another hospital at the facility. There were 28,000 people who used the emergency room last year. The hospital has been a big part of our community.

## 10. Show Cause Hearings:

There were no Show Cause hearings

## 11. Citizen Input:

The Mayor called Howard Martin of 2435 Lee Street to come forward for Citizen's input. He discussed his opposition to the proposed Domestic Partnership Benefits policy. He believes that instead of offering these benefits, the City should increase

fire and police pay. He does not believe that this policy should be brought to a vote.

Mayor Bacon called Gary Nelson of 872 Chrysler Avenue, for comment. Mr. Nelson was concerned about an ice cream truck that has been parked in his neighborhood for over five years. He stated that he has called the Marshal's office and his councilperson, but has been informed that since the truck has a valid tag, it can be parked there. He mentioned there were other illegally parked vehicles in the neighborhood as well.

Mr. G. Mercurius with Associated Design Group also approached to speak to the Mayor and Council. He stated he was a former chairman of Emory Adventist Hospital and discussed the loss of the hospital to the community. He hopes that the campus will be preserved.

## **12. Adjournment:**

Mayor Bacon adjourned the meeting at 8:10 PM.