



# City of Smyrna

2800 King Street  
Smyrna, Georgia 30080

## Meeting Minutes - Final City Council

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Monday, August 15, 2016

7:00 PM

Council Chambers

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### Roll Call

**Present:** 8 - Mayor Max Bacon, Councilmember Derek Norton, Councilmember Andrea Blustein, Councilmember Teri Anulewicz, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Doug Stoner and Councilmember Ron Fennel

**Also Present:** 12 - Mike L Jones, Tammi Saddler Jones, Terri Graham, Ken Suddreth, Russell Martin, Amy Snider, Scott Stokes, Eric Randall, David Lee, Jennifer Bennett, Dat Luu and Ann Kirk

### Call to Order

Mayor Bacon called the meeting of the Mayor and Council to order at 7:00 PM

### 1. Invocation and Pledge:

The invocation was given by Susan Humbert, Life Groups Director from Cumberland Community Church located at 3110 Sports Avenue. She led all in the Pledge of Allegiance.

### 2. Agenda Changes:

#### Suspend the rules to add an item to the agenda

A motion was made by Councilmember Doug Stoner to suspend the rules to add an item to the agenda, seconded by Councilmember Ron Fennel. The motion carried by the following vote:

**Aye:** 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

#### Add item 8 E for the use of Council Chambers for a HOA meeting August 25, 2016

A motion was made by Councilmember Doug Stoner to add item 8 E for the use of Council Chambers for a HOA meeting August 25, 2016 for Vinings North Trail from 6:30 PM to 9:00 PM, seconded by Councilmember Charles Welch. The motion carried by the following vote:

**Aye:** 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

Move from Consent to formal business

A motion was made by Councilmember Ron Fennel to move item 8 E approval of the updated Purchasing Policy from the Consent Agenda to item 6 E Formal Business, seconded by Councilmember Doug Stoner. The motion carried by the following vote:

**Aye:** 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

### 3. Mayoral Report:

#### A. JRM Management Check Presentation to Smyrna Education Foundation

*Bill Watson of JRM Management was in attendance and presented a check for \$6,000 to the Smyrna Education Foundation.*

*A surprise presentation was made by the Smyrna Police Department to Chief David Lee for his dedication and service to the community.*

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

#### A. Public Hearing - Zoning Request - Z15-003 - Rezoning of the subject property from R-15 to RAD-Conditional for the development of two (2) single-family homes - 1.31 Acres - Land Lot 592 - 1514 Hawthorne Avenue - Tuley & Tuley, Inc. This zoning request was tabled from the June 13, 2016 Planning and Zoning Board Meeting at the request of staff.

**Sponsors:** Anulewicz

*City Administrator Mike Jones gave the following background for this item:*

*The applicant is proposing the development of two (2) new detached single-family residence. The density for the site will be 1.52 units per acre. No land use change from Moderate Density Residential will be required for this rezoning.*

*This zoning request has been tabled numerous times since the original Planning and Zoning Board meeting on March 11, 2015. The applicant originally submitted a development plan that proposed the construction five (5) townhome units and one (1) single-family home at a density of 4.58 units per acre. The original zoning request also, included a land use change from Moderate Density Residential to Medium Density Residential. Community Development staff reviewed the request and made a recommendation for denial due to the proposed density and variances. The applicant has redesigned the site, as well as worked through concerns regarding the cemetery. At this point, the applicant has revised the site plan to reflect two (2) single-family homes with the potential dedication of the cemetery to the City.*

*Mayor Max Bacon called the public hearing portion of the item and speakers came forward to be sworn in by City Attorney, Scott Cochran.*

*Mr. Jones then called on Community Development Director Ken Suddreth who gave additional background for the item as well as reviewed the specific conditions. Pictures of the subject property were shown as well as pictures of the adjacent properties.*

*He stated that Community Development recommended approval of the proposed zoning from R-15 to R-12-Conditional for the development of two (2) new single-family residences at a density of 1.52 units per acre with the following conditions:*

*Standard Conditions*

(Requirement #2, 3, 4, 8, 9, 10 and 17 from Section 1201 of the Zoning Code is not applicable)

1. The composition of the homes in a residential subdivision shall include a mixture of elements including; but not limited to: brick, stone, shake, hardy plank and stucco. No elevation shall be comprised of 100% hardy plank siding. The residences whose lots abut external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.
2. The stormwater management facility shall be placed and screened appropriately to be unobtrusive to homes inside and outside the development. The storm water detention plan shall be designed to create at least a 10% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.
3. All utilities within the development shall be underground.
4. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by either the City or the County during construction plan review. Sidewalks shall be provided by the developer inside the subdivision and outside the subdivision adjacent to any public right-of-way consistent with City's requirements for the extent of the development. A grass buffer with a minimum width of 2' shall be provided between the back of curb and sidewalk.
5. No debris may be buried on any lot or common area.
6. The developer will comply with the City's current tree ordinance (unless noted elsewhere). All required tree protection measures shall be adhered to by the developer during construction.
7. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
8. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
9. All single-family and/or duplex residential lots shall provide the following at the time of certificate of occupancy: either four 3" caliper trees or three 4" caliper trees. The following species of trees may be used: Nuttall Oak, Swamp Chestnut Oak, Allee Elm, and Village Green Zelkova. Other species may be used if approved by the City.

*Special Conditions*

10. The development shall maintain the following setbacks:

*Lot #1*

*Front - 12'*

*Interior Side - 5"*

*Exterior Side - 10'*

*Rear - 30'*

*Lot #2*

*Front - 12'*

*Interior Side - 5"*

*Exterior Side - 10'*

*Rear - 10'*

11. Driveway - 22' minimum length from building face to back of sidewalk.
12. The right-of-ways along Hawthorne Avenue shall be increased to 50 feet. Therefore, a dedication of approximately 5' feet is required along Hawthorne Avenue.
13. The developer shall provide a 5' sidewalk with a 2' grass buffer along Hawthorne Avenue for the length of the development. This sidewalk shall connect to the existing sidewalks on either end of the development.
14. If there is to be a common detention facility for the two homes, the developer shall provide protective covenants on all lots. These protective covenants shall be supplied to the city prior to the issuance of a building permit.
15. If an above ground detention facility is located near the public right-of-way, any visible portion of the wall of the detention facility shall be clad in either brick or stone.
16. Approval of the subject property for the R-12 zoning district shall be conditioned

upon the development of the property in substantial compliance with the submitted site plan dated 6/30/2016 created by Paul Lee Consulting Engineering Associates, Inc..

17. The applicant shall be bound to the elevations submitted and dated 6/30/2016. Approval of any change to the elevations must be obtained from the Director of Community Development.

Mr. Suddreth offered to answer any questions had by Council.

Mayor Pro Tem / Councilmember Teri Anulewicz commented that this had been talked about for a very long time and noted the church that used to reside on the property burnt down over ten years ago. She is pleased to see this development get to this point.

Kevin Moore was present on behalf of the applicant. He noted that this had been ongoing but time had not been a bad thing as the current plan was a win-win for the applicant, the church and the cemetery. He remarked that appropriate studies had been completed as well.

Mayor Bacon open the Public Hearing and a few people came forward to speak.

Mr. Bud McCullom questioned the deeds and sale of the property dating back to 1956. City Attorney as well as Mayor Pro Tem Anulewicz both replied that the research had been done and the sales and deeds were current and in order. There was also assurance that nothing would be built on top of any graves. Mr. McCullom had concerns that there are graves in the same area that are unmarked.

Mr. Keith Bentley, Williams Park HOA President. He remarked that his neighborhood had been involved in the discussion about the development and that Mr. Ron Davis had been the contact point person. They are supportive of project as proposed and were appreciative of the developer working with the neighborhood. He was hopeful that the cemetery would be cleaned up and well managed with this development.

Mr. Ron Davis, Roswell Street, Smyrna. He remarked that it had been a pleasure to work with the developer and when they originally came to him with the proposal he told them it wouldn't fly. They reworked their proposal and that is the one before Council at this meeting.

Councilmember Andrea Blustein asked if there would be any fencing to separate out the cemetery from the development and the response was there would be some sort of barrier. There is currently a retention wall that needs to be rebuilt. She also asked if the graves were all where they say they are and that testing has been completed and the response was yes.

Mayor Pro Tem Anulewicz stated that the developer had truly worked with staff, neighbors as well as the descendants of the cemetery to make sure that the project moved forward to this point. Betty Williams was trying to find a way for the Rose Garden Association to complete some of the cleanup; however the cemetery is well beyond what a few well-meaning citizens could accomplish. Additionally it is private property and historical preservation to consider.

A motion was made by Councilmember Teri Anulewicz to approve item. 2015-125 for Zoning Request - Z15-003 - Rezoning of the subject property from R-15 to RAD-Conditional for the development of two (2) single-family homes - 1.31 Acres - Land Lot 592 - 1514 Hawthorne Avenue - Tuley & Tuley, Inc., seconded by Councilmember Charles (Corkey) Welch.

The motion carried by the following vote:

**Aye:** 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

**B.**

Public Hearing - Zoning Request Z16-010 - Rezoning from R-15 to RAD-Conditional for the development two (2) single-family homes - 0.479 Acres - Land Lot 451 - 1000 McLinden Avenue - The McLinden Group, LLC

**Sponsors:** Anulewicz

City Administrator Mike Jones gave the following background for this item:

The McLinden Group, LLC is requesting rezoning from R-15 to RAD-Conditional for 1000 McLinden Avenue for the development of two residential lots at a density of 4.2 units per acre. One home will be accessed from McLinden Avenue and the other home will be accessed from Evelyn Street.

Mayor Max Bacon called the public hearing portion of the item and speakers came forward to be sworn in by City Attorney, Scott Cochran.

Mr. Jones then called on Senior Planner Russell Martin of Community Development to give additional background as well as reviewed the specific conditions. Staff does recommend approval for this item.

Mr. Martin reviewed pictures of the property as well as elevations of the homes.

Additionally he reviewed the following conditions for this item if approved:

**Standard Conditions**

(Requirement #2, 3, 4, 8, 9, 10 and 17 from Section 1201 of the Zoning Code is not applicable)

1. The composition of the homes in a residential subdivision shall include a mixture of elements including; but not limited to: brick, stone, shake, hardy plank and stucco. No elevation shall be comprised of 100% hardy plank siding. The residences whose lots abut external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.

2. The stormwater management facility shall be placed and screened appropriately to be unobtrusive to homes inside and outside the development. The storm water detention plan shall be designed to create at least a 10% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.

3. All utilities within the development shall be underground.

4. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by either the City or the County during construction plan review. Sidewalks shall be provided by the developer inside the subdivision and outside the subdivision adjacent to any public right-of-way consistent with City's requirements for the extent of the development. A grass buffer with a minimum width of 2' shall be provided between the back of curb and sidewalk.

5. No debris may be buried on any lot or common area.

6. The developer will comply with the City's current tree ordinance (unless noted elsewhere). All required tree protection measures shall be adhered to by the developer during construction.

7. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.

8. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

9. All single-family and/or duplex residential lots shall provide the following at the time of certificate of occupancy: either four 3" caliper trees or three 4" caliper trees. The following species of trees may be used: Nuttall Oak, Swamp Chestnut Oak, Allee Elm, and Village Green Zelkova. Other species may be used if approved by the City.

**Special Conditions**

10. The development shall maintain the following setbacks:

Front - 20'

Side - 7.5"

Street Side - 15'

Rear - 30'

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

12. The right-of-ways along both McLinden Avenue and Evelyn Street shall be increased to 50 feet. Therefore, a dedication of approximately 5' feet is required along both McLinden Avenue and Evelyn Street.

13. The developer shall provide a 5' sidewalk with a 2' grass buffer along both Evelyn Street and McLinden Avenue for the length of the development.

14. All new water and sewer taps shall be bored.

15. There shall be a minimum of 50' between the street edge on McLinden Avenue to the nearest edge of the driveway apron on McLinden Avenue. If the minimum distance of 50' cannot be provided, a driveway turnaround shall be provided.

16. Approval of the subject property for the Residential Attached Detached (RAD) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 6/10/2016 created by SPG Surveying, LLC.

17. The applicant shall be bound to the elevations submitted and dated 6/10/2016. Approval of any change to the elevations must be obtained from the Director of Community Development.

Mr. Shawn Murphy was present as a representative of the McClinden Group. He is a resident of the area and he purchased the property. The hope is to change the neighborhood to family homes instead of rental properties. He does accept the terms of the conditions as reviewed and read aloud.

Mayor Bacon opened the public hearing and several people came forward to remark on this item.

Mr. Rob Jackson, 995 McClinden Avenue. He is very pleased to see what this developer has done for this neighborhood and stated it is gratifying to watch the neighborhood evolve from rental properties. He is hopeful that this trend will continue.

Ms. Vanessa Richardson, 1151 McClinden Avenue. In Smyrna Heights we have great hope for the area.

Mayor Pro Tem / Councilmember Teri Anulewicz remarked that developments like this were not normally this warm and fuzzy between neighbors and developers. Smyrna will see the halo effect of Concord Road widening.

A motion was made by Councilmember Teri Anulewicz to approve item 2016-263 for Zoning Request Z16-010 - Rezoning from R-15 to RAD-Conditional for the development two (2) single-family homes - 0.479 Acres - Land Lot 451 - 1000 McLinden Avenue - The McClinden Group, LLC, seconded by Councilmember Doug Stoner.

The motion carried by the following vote:

**Aye:** 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

## C.

Public Hearing - Zoning Request Z16-011 - Rezoning from GC to GC-Conditional for a new Wendy's restaurant - 0.56 Acres - Land Lot 880 - 2808 Spring Road - WenMarr Management Company

**Sponsors:** Norton

City Administrator Mike Jones gave the following background for this item: WenMarr Management Company, LLC is requesting a rezoning of subject property from GC to GC-Conditional for the redevelopment of the existing Wendy's restaurant at 2808 Spring Road. The subject property is 0.56 acres in size and is zoned GC, which allows restaurant as a permissible use under the zoning category, but due to the number of variances needed to develop the property, the applicant thought it would be more feasible to conditionally rezone the property and bind the property to a specific site plan. Therefore, the applicant is requesting the rezoning of the property from GC to GC-Conditional.

Mayor Max Bacon called the public hearing portion of the item and no one came forward to speak in opposition to or to make comment regarding this item.

Mr. Jones then called on Senior Planner Russell Martin of Community Development to give additional background as well as reviewed the specific conditions. Staff does

recommend approval for this item.

Mr. Martin reviewed pictures of the property as well as elevations. He also spoke about the complete demolition of the existing restaurant and the rebuild of the new restaurant. A lot of the reasons for moving the building stem from the drive through and the parking spaces.

Community Development recommends approval of the proposed rezoning from GC to GC-Conditional for the development of a new Wendy's restaurant with the following conditions of approval:

- (1) The composition of the commercial buildings in the development shall include a mixture of elements including; but not limited to: brick, stone and stucco. No elevation shall be comprised of 100 percent hardy plank siding.
- (2) All utilities within the development shall be underground.
- (3) 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 development and outside the development adjacent to any public right-of-way consistent with city's requirements for the extent of the development.
- (4) No debris may be buried on any lot or common area.
- (5) 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.
- (6) All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect.
- (7) All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
- (8) Dumpsters shall be enclosed with a minimum of six (6) foot high enclosure consistent with architectural style and composition of the main commercial building on three (3) sides with an opaque wooden door. The access side shall remain in a closed position except when the dumpster is being emptied. All dumpsters shall have rubber lids to minimize noise.
- (9) The applicant shall comply with the City's current sign ordinance.
- (10) The developer shall coordinate the landscape plan and sidewalk plan with the Spring Road Improvement Project.
- (11) The proposed crosswalk shall be either brick pavers or stamped concrete.
- (12) The approval of the rezoning to the subject property shall be in substantial conformity to the site plan submitted on June 10, 2016 and created by Harkleroad and Associates.
- (13) The architectural style, composition and treatment of the building shall be in substantial conformity to the rendering/elevation submitted on June 10, 2016. However, should minor modifications be required during the Plan Review process, said modifications shall be subject to the review and approval of the Director of Community Development.

Joel Larkin: redeveloping the Wendy's across the country. This alleviates blocked parking as well as drive thru backing into Spring Road.

Councilmember Welch asked the applicant about 1/3 of the parking spaces being removed and the impact and he said it would not be an impact because of the current location of the building, the drive-thru blocks almost half of the spaces during peak hours.

A motion was made by Councilmember Derek Norton to approve item 2016-266 for Zoning Request Z16-011 - Rezoning from GC to GC-Conditional for a new Wendy's restaurant - 0.56 Acres - Land Lot 880 - 2808 Spring Road - WenMarr Management Company, seconded by Councilmember Ron Fennel.

The motion carried by the following vote:

**Aye:** 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

- D. Public Hearing - Zoning Request Z16-013 - Modification to currently approved site plan and building elevations - 1.9 Acres - Land Lot 490 - Southeast corner of the intersection of Windy Hill Road and Belmont Place - Halpern Enterprises, Inc.

Sponsors: Anulewicz

City Administrator Mike Jones gave the following background for this item: Halpern Enterprises, Inc. is requesting a zoning amendment to modify the currently approved site plan and building elevations for the Belmont Hills redevelopment project. The applicant is proposing the following changes:

1. Modification of the undeveloped section (Phase II) of POD A. The applicant is proposing to eliminate the proposed 18,000 sq. ft. of commercial/retail and build a two-story 31,600 sq. ft. medical office building;
2. Approval for the modification of the building elevation. The applicant has provided renderings of the new medical office building; and
3. Approval of a new monument sign for the medical office building.

The City of Smyrna originally rezoned the Belmont Hills project on January 20, 2009 from GC & R-15 to Mixed Use - Conditional. The approved project was a mixed use development providing a variety of uses, including; retail shops, restaurants, office space, independent living senior housing, luxury apartments, condominiums, townhomes and single-family detached housing. The approved development was planned to have a maximum of 127,088 square feet of commercial space and a maximum of 902 residential units. As part of the initial rezoning, the applicant provided a zoning plan, building elevations and street cross-sections. The rezoning was approved based on the specific zoning plan, elevations and street cross sections, along with several zoning conditions. If any of these items were to significantly change the applicant would have to come back to Mayor and Council for approval of the changes.

Mayor Max Bacon called the public hearing portion of the item and no one came forward to speak in opposition to or to make comment regarding this item.

Mr. Jones then called on Senior Planner Russell Martin of Community Development to give additional background as well as reviewed the specific conditions. Staff does recommend approval for this item.

The overall mixed use project has been amended several times to deal with changes in the location of the multi-family use, the street designs, and the single-family detached development. The Mayor and Council approved the first amendment to the plan on October 15, 2012 to relocate the multi-family development from Pod C to Pod F and redesign the street cross-sections within the development. The second amendment to the plan occurred on April 15, 2013 to address the development schedule of the access roads between the development pods. The last amendment to the plan occurred on February 17, 2014 to allow the combination of Pods C & D for the development of a single-family subdivision. Since the last amendment, the applicant has completed the first phase of Pod A (the retail pod), the multi-family development on Pod F, and has started construction on the homes in the single-family subdivision on Pods C & D. Phase II of Pod A and Pod B are the remaining portions of the project yet to be developed.

Community Development recommends approval of proposed zoning amendment with the following conditions carried over from Rezoning Cases Z08-006, Z12-005, Z13-007 and Z14-006 and several additional conditions:

1. The rezoning is subject to the stipulations agreed upon by the applicant in the letter submitted and dated January 20, 2009 by Kevin Moore with Moore, Ingram, Johnson and Steele, LLP.
2. The approval of the zoning amendment shall be in substantial conformity to the zoning plan submitted on August 10, 2012, titled Belmont Zoning Plan and created by Halpern Enterprises, Inc. (Replace stipulation #2 in the letter above.)
3. The approval of the zoning amendment shall be in substantial conformity to the



road cross sections submitted on August 10, 2012, titled Belmont Road Sections and created by Halpern Enterprises, Inc. (Replace stipulation #A (4) in the letter above.

4. The approval of the zoning amendment and the development of Pods "C" and "D" shall be in substantial conformity to the site plan submitted on January 17, 2014, titled "Belmont Hills Pods C and D" and created by Ridge Planning and Engineering.

5. The approval of the zoning amendment and building elevations for the homes in Pods "C" and "D" shall be in substantial conformity to the building elevations submitted on January 17, 2014, titled "David Weekly Homes at Belmont Hills" and created by Caldwell & Cline Architects and Designers.

6. The minimum floor area for the homes in Pods "C" and "D" shall be 1,500 square feet.

7. The approval of the zoning amendment and the development of Pod "A" shall be in substantial conformity to the site plan submitted on August 4, 2016, titled "Belmont Hills Medical Office Building" and created by Lyman Davidson Dooley, Inc.

8. The approval of the zoning amendment and building elevations for the medical office building in Pod "A" shall be in substantial conformity to the building elevations submitted on August 4, 2016, titled "Belmont Hills Medical Office Building" and created by Lyman Davidson Dooley, Inc.

9. The applicant shall be allowed a second monument sign along Windy Hill Road with a maximum sign area of 60 sq. ft. and maximum sign height of 12'.

Mr. Martin stated that within Phase II they plan 18,000 sq. ft. of retail across four buildings. He showed the proposed master plan as it stands today as well as the proposed elevations.

Councilmember Susan Wilkinson had a question about the parking. The response was there would be 120 on site spaces and adjacent site parking as well.

Councilmember Blustein asked if a senior component to the development was still being considered and the response was yes they would like to move towards that.

A motion was made by Mayor Pro Tem/Councilmember Teri Anulewicz to approve item 2016-334 for Zoning Request Z16-013- Modification to currently approved site plan and building elevations - 1.9 Acres - Land Lot 490 - Southeast corner of the intersection of Windy Hill Road and Belmont Place - Halpern Enterprises, Inc., seconded by Councilmember Susan Wilkinson.

The motion carried by the following vote:

**Aye:** 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

## 5. Privilege Licenses:

There were no Privilege Licenses

## 6. Formal Business:

### A. Approval of Re-appointment of Ward 3 Representative Robyn Phillips to the Smyrna Tree Board. This is a four-year term to expire August 2020.

**Sponsors:** Anulewicz

A motion was made by Mayor Pro Tem/Councilmember Teri Anulewicz to approve item 2016-326 for the Re-appointment of the Ward 3 Representative Robyn Phillips to the Smyrna Tree Board. This is a four-year term to expire August 2020, seconded by Councilmember Andrea Blustein. The motion carried by the following vote:

**Aye:** 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

**B.** Approval of Re-appointment of Ward 4 Representative Jan Campbell to the Smyrna Tree Board. This is a four-year term to expire August 2020.

**Sponsors:** Welch

A motion was made by Councilmember Charles (Corkey) Welch to approve item 2016-340 for the re-appointment of the Ward 4 Representative Jan Campbell to the Smyrna Tree Board. This is a four-year term to expire August 2020, seconded by Councilmember Susan Wilkinson. The motion carried by the following vote:

**Aye:** 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

**C.** Approval of a consulting contract with The Sizemore Group to conduct a land use and transportation study of Spring Road from Cobb Parkway to Atlanta Road.

**Sponsors:** Norton

*City Administrator Mike Jones gave the background for this item as the following:*

*On December 7, 2015, the City's Community Development Department was authorized by City Council to submit an application to the Atlanta Regional Commission (ARC) to fund a land use and transportation study for the Spring Road Corridor. In February 2016, the City was notified that a grant in the amount of \$100,000 was awarded by the ARC. The City Council subsequently took official action at its' April 18, 2016 meeting to accept the grant award.*

*The funding for this grant is provided under the Livable Centers Initiative (LCI) Program administered by the ARC and financed by a grant from the U.S. Department of Transportation through the Georgia Department of Transportation. The purpose of the grant is to fund a land use and transportation study of the Spring Road Corridor. The grant requires a twenty (20%) percent match from the City which is \$25,000. The match amount is calculated on the total study cost of \$125,000 ( $\$125,000 \times .20 = \$25,000$ ). The \$25,000 match was included in the FY2017 budget. The total amount available for the study is \$125,000 (\$100,000 grant + \$25,000 match).*

*The study area/corridor runs along both sides of Spring Road from Cobb Parkway to Atlanta Road (approximately 2.4 miles). The study will analyze the land use, transportation and urban design issues, opportunities and challenges along the aforementioned corridor and make specific recommendations for addressing those issues. A detailed Scope of Services and Study Corridor Map is attached.*

*A Request for Proposal (RFP) was issued by the City in July of 2016. Tunnel, Spangler, Walsh (TSW) and The Sizemore Group submitted the qualifications of their respective consulting teams to the City Purchasing Manager. An interview committee made up of the: Community Development Director, City Engineer, Senior Planner, Planner II, Economic Development Manager and Purchasing Manager conducted interviews of the consulting teams. The interview committee, based on the professional qualifications and experience of the consulting teams, the results of the interviews and the nature of the study effort determined that the Sizemore Group was best suited to conduct the study. The Bid Tabulation Form and the Purchasing Department Recommendation are attached. It is anticipated that the study will take approximately twelve (12) months to complete. The agreement with ARC requires that all work be completed by August 31, 2017.*

*It is recommended that the Mayor and Council award the LCI Spring Road Corridor*

*Study contract in the amount of \$125,000 to The Sizemore Group and authorize the Mayor to execute the appropriate agreements.*

A motion was made by Councilmember Derek Norton to approve item 2016-319 for a consulting contract with The Sizemore Group to conduct a land use and transportation study of Spring Road from Cobb Parkway to Atlanta Road, seconded by Mayor Pro Tem/Councilmember Teri Anulewicz. The motion carried by the following vote:

**Aye:** 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

**D.**

Approval to enter into an agreement with the Georgia Association of Chiefs of Police for a reimbursement grant in the amount of \$20,000 to be used for the purchase of in vehicle laptop computers.

**Sponsors:** Norton

*City Administrator Mike Jones gave the following background for this item: The Smyrna Police Department was contacted by the Georgia Association of Chiefs of Police (GACP) and made aware of a \$20,000 reimbursement grant to be used for purchasing in vehicle laptop computers. A part of this agreement is that the Smyrna Police Department agrees to send electronically, all vehicle crash reports, to the Georgia Electronic Accident Reporting Center (GEARS). In doing so, those persons wishing to download a copy of a vehicle crash report may do so for a fee. Smyrna residents may continue to come to Police Headquarters and retrieve a copy of any incident or accident report at no charge.*

*Historically, Smyrna Police has been printing and mailing copies of vehicle crash reports to GEARS as well as making crash reports available at the records desk inside Police Headquarters. Once the crash reports were mailed to GEARS, the reports were not available for electronic download until GEARS scanned the paper reports and placed them into the database. Furthermore, Smyrna Police has never collected reimbursement from GEARS for reports purchased through their portal. By entering into this agreement, the Smyrna Police Department has the opportunity to electronically send crash reports to GEARS for immediate availability for download and will also be reimbursed a fee for each report that is downloaded and purchased through their portal. Smyrna Police will realize decreased costs in printing and postage costs as well as benefit from the reimbursement of \$20,000 to be used to purchase in vehicle laptop computers. Smyrna residents who are involved in a vehicle crash will still have the ability to obtain crash reports at no cost by coming into Police Headquarters to retrieve a copy.*

*The Chief of Police and Staff recommend entering into this agreement*

A motion was made by Councilmember Derek Norton to approve item 2016-325 to enter into an agreement with the Georgia Association of Chiefs of Police for a reimbursement grant in the amount of \$20,000 to be used for the purchase of in vehicle laptop computers; seconded by Councilmember Andrea Blustein. The motion carried by the following vote:

**Aye:** 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

**E.**

Approval of the updated Purchasing Policy

**Sponsors:** Fennel

*This item was moved out of the Consent Agenda and into Formal Business by a motion to suspend the rules and a motion to amend the agenda and move the item.*

*The Mayor and Council would like additional language regarding the local purchasing effort.*

*The purchasing policy currently in place has not been updated since 2011. The City has implemented MUNIS since that time, so the policy as currently written does not address the process changes that occurred with the movement to MUNIS. The policy needs to be reflective of the current processes, so it needs to be updated. In addition, the thresholds in place have not been updated in over 20 years. Staff recommends Council approval.*

A motion was made by Councilmember Ron Fennel to approve item 2016-333 for the updated Purchasing Policy and to add stronger language to encourage the use of local businesses for purchasing and have the Mayor to sign and execute the policy, seconded by Councilmember Derek Norton. The motion carried by the following vote:

**Aye:** 6 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Stoner and Councilmember Fennel

**Nay:** 1 - Councilmember Wilkinson

## 7. Commercial Building Permits:

There were no Commercial Building Permits

## 8. Consent Agenda:

*The consent agenda was read aloud for Council approval.*

A motion was made by Councilmember Ron Fennel to approve the consent agenda as read aloud, seconded by Councilmember Doug Stoner. The motion carried by the following vote:

**Aye:** 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

### A. Approval of the August 1, 2016 Mayor and Council Meeting Minutes

**Sponsors:** City Council

### B. Approval of GIRMA Interlocalgovernment Contract Revisions and authorize Mayor to execute related documents

**Sponsors:** Blustein

### C. Award RFQ 17-004 Thermoplastic Striping to the overall lowest bidder Peek Pavement Marking Co. and authorize the Mayor to execute any related documents.

**Sponsors:** Welch

### D. Award RFQ 17-003 Community Development 2016 Ford Edge to the most responsive and responsible bidder Wade Ford for \$24,660.00 and authorize the Mayor to execute any related documents.

**Sponsors:** Fennel

**9. Committee Reports:**

*Ward 7 - Councilmember Ron Fennel commended staff on the Smyrna Birthday Celebration event.*

*Ward 6 - Councilmember Doug Stoner had no report but also thanked staff.*

*Ward 5 - Councilmember Susan Wilkinson thanked staff for the Birthday Celebration event. She also noted the retirement of Patty Wilson and the new walking trail named in her honor.*

*Ward 4 - Councilmember Corkey Welch - thanked staff and gave a big pat on the back for the cleanup effort after the event.*

*Ward 3 - Mayor Pro Tem / Councilmember Teri Anulewicz thanked staff for the birthday celebration and commented on the RAD Conditional zonings voted on in this agenda.*

*Ward 2 - Councilmember Andrea Blustein thanked staff and wished Amy Snider well in her new job with Dekalb County.*

*Ward 1 - Councilmember Derek Norton Thanked Amy Snider and remarked on the presentation to Chief Lee and how deserving he was of the honor. He also noted Ann Kirk's role in the downtown cleanup after the Birthday Celebration.*

*Mayor Bacon thanked Community Relations Director Jennifer Bennett for her effort in the clean-up after the Birthday Celebration.*

*City Administrator Mike Jones thanked Amy Snider and wished her well.*

*City Attorney Scott Cochran had no report.*

*City Clerk Terri Graham had no report.*

**10. Show Cause Hearings:**

There were no Show Case Hearings

**11. Citizen Input:**

*Mr. Alex Backry still has questions about the Reed House and wants to meet with City Administrator Mike Jones. Has repeatedly called Mr. Jones and he has had no return call.*

*Mr. Jones apologized for not meeting with him. Alex said there should be time set aside for him to answer his questions. He wants 15 - 20 minutes of his time.*

*Mr. Randy Jordan: Spoke about the Public Works water run-off and remarked that no one has answered his questions, commented about what's being done or responded to his emails. He stated the City Engineer will not return his call. This is serious business to the neighbors. He stated that a little respect would be helpful. He begged Council to contact him.*

*Mr. Jones responded that there were several things happening with the run-off and apologized for not keeping Mr. Jordan updated.*

*Ms. Cynthia Laurence said she was glad Councilmember Blustein asked about*

*drive-thru at Wendy's. She also asked Councilmember Norton to remind Chief Lee of the continuing traffic problem in front of Argyle Elementary. She will be hosting a meeting at Rev Coffee with Rep. Hunter Hill to discuss the fireworks legislation on Wednesday morning*

## **12. Adjournment:**

Mayor Max Bacon adjourned the meeting of the Mayor and Council at 8:44 PM.