



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final City Council

Monday, November 19, 2018

7:30 PM

Council Chambers

Roll Call

Present: 7 - Mayor Max Bacon, Councilmember Derek Norton, Councilmember Maryline Blackburn, Councilmember Andrea Blustein, Councilmember Charles Welch, Councilmember Susan Wilkinson and Councilmember Tim Gould

Absent: 1 - Councilmember Ron Fennel

Also Present: 7 - Tammi Saddler Jones, Scott Cochran, Scott Andrews, Frank Martin, Terri Graham, Tina Monaghan and Dan Campbell

Call to Order

Mayor A. Max Bacon called the meeting to order at 7:00pm.

1. Invocation and Pledge:

Associate Pastor Mitch Rumppe (The Square) delivered the Invocation and led the Pledge of Allegiance.

2. Agenda Changes:

There were no changes to the agenda.

3. Mayoral Report:

Mayor Bacon recognized Cobb County District 2 Commissioner Bob Ott if he would like to speak briefly.

Commissioner Bob Ott let everyone know that starting in January, he will restart Saturday office hours for anyone interested. With all of the transit discussions going on in the area, he will be forming a committee and will be asking those who's Wards fall into District 2 to participate.

A. [2018-486](#)

Proclamation in Recognition of Small Business Saturday, November 24, 2018

Sponsors: Gould

Mayor Bacon introduced David Monroe, President of the Smyrna Business Association.

Councilmember Tim Gould thanked the businesses of Smyrna and then read aloud the Small Business Proclamation.

Mr. Monroe thanked everyone for their support of the Smyrna Business Association.

He also provided some information on future events to be held by the association.

Mr. Gould presented the proclamation to Mr. Monroe.

4. Land Issues/Zonings/Annexations:

There were no land issues/zonings/annexations.

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

A. [2018-473](#)

Approval of the recording of the Official City Election Results for the Special Election Referendum to permit and regulate Sunday sales of Distilled Spirits or Alcoholic Beverages for Beverage purposes by the Drink from 11:00 AM to 12:30 PM. The City of Smyrna's total current registered voters are 35,493, of those registered 22,965 (64.7%) voted. Those voting yes, in favor of the additional hour and a half for the Referendum were 17,170 (76.44%). Those voting no, against the additional hour and a half in the Referendum 5,292 (23.56%). The Referendum passed to allow Sunday Alcohol sales by the Drink from 11:00 AM to 12:30 PM increasing the pouring time by an additional hour and a half.

Sponsors: Norton

Mayor Bacon read the information pertaining to this agenda item. The Special Election Referendum was held November 6, 2018. The Mayor and Council of Smyrna in compliance with the law, provided an opportunity for the citizens of Smyrna to vote their desires with respect to the time such sales of distilled spirits or alcoholic beverages for beverage purposes by the drink could be purchased on Sundays. The voters in the City of Smyrna voted in favor of an additional hour and a half to permit and regulate Sunday sales of Distilled Spirits or Alcoholic Beverages for Beverage purposes by the Drink from 11:00 AM to 12:30 PM. The City of Smyrna's total current registered voters are 35,493, of those registered 22,965 (64.7%) voted. Those voting yes, in favor of the additional hour and a half for the Referendum were 17,170 (76.44%). Those voting no, against the additional hour and a half in the Referendum 5,292 (23.56%). The Referendum passed to allow Sunday Alcohol sales by the Drink from 11:00 AM to 12:30 PM increasing the pouring time by an additional hour and a half.

Councilmember Derek Norton made a motion to approve the recording of the Official City Election Results for the Special Election Referendum to permit and regulate Sunday sales of Distilled Spirits or Alcoholic Beverages for Beverage purposes by the Drink from 11:00 AM to 12:30 PM. The Referendum passed by a majority vote. Councilmember Maryline Blackburn seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson and Councilmember Gould

Absent: 1 - Councilmember Fennel

- B.** [ORD2018-19](#) Approval of Ordinance 2018-19 to amend the City of Smyrna, Georgia, Code of Ordinances providing for the amendment of Chapter 6, Alcoholic Beverages, Sec 6-61, Hours of Operation, subsection (e); Sec. 6-62, Sunday Sales permit, subsection (a) to allow an additional hour and a half to Sunday Sales from 11:00 AM to 12:30 PM. Effective immediately.

Sponsors: Gould

City Administrator Tammi Saddler Jones read the background information. The General Assembly of the State of Georgia has enacted legislation, codified at O.C.G.A. § 3-3-7 (j.1)(1) and signed into law on May 8, 2018, authorizing Municipalities to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink from 11:00 A.M. to 12:30 P.M., if such sales are approved in a referendum by the electors of Smyrna in an election called and conducted in the manner set forth in the legislation. Since more than one-half of the votes cast on the question were for approval, Smyrna was authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink from 11:00 A.M. to 12:30 P.M effective November 18, 2018. This is an ordinance allowing for the amendment of the section of City code pertaining to Alcoholic Beverages. The earlier time only applies to restaurants that are pouring alcohol and not for earlier sales at places such as grocery stores.

Councilmember Tim Gould made a motion to approve Ordinance 2018-19 to amend the City of Smyrna, Georgia, Code of Ordinances providing for the amendment of Chapter 6, Alcoholic Beverages, Sec 6-61, Hours of Operation, subsection (e); Sec. 6-62, Sunday Sales permit, subsection (a) to allow an additional hour and a half to Sunday Sales from 11:00 AM to 12:30 PM. Effective immediately. Councilmember Derek Norton seconded the motion.

Motion to approve was carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson and Councilmember Gould

Absent: 1 - Councilmember Fennel

- C.** [2018-472](#) Approve to purchase the Fuelmaster AIM 2.4 Fuel Management System as part of the FY19 Capital Improvements Fund for a total cost of \$63,805.48. This equipment purchase will be from Frank & Jones, Certified Fuelmaster Distributor, 100 Perimeter Park Drive, Suite H, Morrisville, NC 27560.

Sponsors: Welch

Ms. Saddler Jones provided the background information for the Mayor and Council. The Public Works Department was authorized in the FY19 Capital Improvements Fund to upgrade the current Fuelmaster fueling software system to the Fuelmaster AIM 2.4 Fuel Management System in the amount of \$63,805.48. This upgraded fuel management system will provide automatic vehicle identification, fuel inventory management, automatic reorder and leak alarms, interface for real-time maintenance, odometer data acquisition and monitoring of engine status. This system will provide wireless vehicle record updates, which is designed to eliminate driver-entered data

errors. The Public Works Director, Staff and Purchasing recommended approval of this purchase which was competitively bid out.

Councilmember Charles "Corkey" Welch made a motion to approve the purchase of the Fuelmaster AIM 2.4 Fuel Management System as part of the FY19 Capital Improvements Fund for a total cost of \$63,805.48. This equipment purchase will be from Frank & Jones, Certified Fuelmaster Distributor, 100 Perimeter Park Drive, Suite H, Morrisville, NC 27560. Councilmember Derek Norton seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson and Councilmember Gould

Absent: 1 - Councilmember Fennel

D. [2018-474](#)

Approval to purchase a 2019 Mack TE64R Chassis Garbage Truck with a Heil Dura-Pack 5000 32 CY Rear Loader and 2 (two) Heil Dura-Pack 5000 25 CY Rear Loader refuse collection bodies for existing garbage trucks. The garbage truck and refuse collection bodies are funded in the FY19 Vehicle Replacement Fund for a total cost of \$402,616.00. The vehicle and equipment purchase will be through Sourcewell cooperative - Heil Contract # THC 112014 to Carolina Environmental Systems, Inc., 500 Lee Industrial Blvd., Austell, GA. 30168

Sponsors: Welch

The background information on this item was presented by City Administrator Saddler Jones. The Public Works Department was authorized \$402,616.00 in the FY19 Vehicle Replacement fund for the replacement of a 2004 Mack Garbage Truck complete (VIN 4216) and 2 (two) refuse collection bodies for existing trucks (VIN 9726 and VIN 9727). The vehicles and equipment will be purchased using the Sourcewell cooperative - Heil Contract # THC - 112014. The vehicle and equipment were already competitively bid through this cooperative contract and if approved, will be purchased from Carolina Environmental Systems, Inc., Austell, GA per the recommendation of the Public Works Director, Staff and Purchasing Departments.

Councilmember Charles "Corkey" Welch made a motion to approve the purchase of a 2019 Mack TE64R Chassis Garbage Truck with a Heil Dura-Pack 5000 32 CY Rear Loader and 2 (two) Heil Dura-Pack 5000 25 CY Rear Loader refuse collection bodies for existing garbage trucks; funded - FY19 Vehicle Replacement Fund for a total cost of \$402,616.00. A second was made by Councilmember Derek Norton.

The motion to approve was carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson and Councilmember Gould

Absent: 1 - Councilmember Fennel

7. Commercial Building Permits:

There were no commercial building permits.

8. Consent Agenda:

City Administrator Tammi Saddler Jones read the consent agenda aloud for Council approval.

Councilmember Charles "Corkey" Welch made a motion to approve the consent agenda as read aloud by City Administrator Tammi Saddler Jones. Councilmember Tim Gould seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson and Councilmember Gould

Absent: 1 - Councilmember Fennel

- A. [2018-488](#) Approval of the November 5, 2018 Mayor and Council Meeting Minutes
- B. [2018-489](#) Approval of the November 5, 2018 Pre-Council Meeting Minutes
- C. [2018-450](#) Approval of the October 11, 2018 Committee of the Whole Meeting Minutes
- D. [2018-485](#) Approval of the November 1, 2018 Committee of the Whole Meeting Minutes
- E. [2018-491](#) Approval of an amendment to the Contractor Agreement with Ashley Shares for preservation work at the Smyrna Memorial Cemetery to extend the completion date to March 31, 2019.

Sponsors: Welch

9. Committee Reports:

Councilmember Derek Norton wished everyone a Happy Thanksgiving.

Councilmember Andrea Blustein hoped that everyone has a very nice Thanksgiving and safe travels for those going out of town.

Councilmember Maryline Blackburn wished everyone a Happy Thanksgiving and to enjoy the time with family and friends. She also noted that if people are frying their turkeys, they can bring the oil to the recycling center where it will be used by the city to create bio-diesel fuel.

Councilmember Charles "Corkey" Welch wished everyone a Happy Thanksgiving and all safe travels.

Councilmember Susan Wilkinson noted upcoming events for the holidays, the tree lighting and festivities to occur on Tuesday, November 27, 2018 starting at 5pm. She also mentioned that the friends of the Smyrna Library will be hosting their annual holiday party on Saturday, December 1, 2018 from 6:30pm to 8pm.

Councilmember Tim Gould provided some updates from Campbell High School. The cheerleaders are set to compete at the State Championship. The Model UN Team performed exceptionally well at their Georgia State Competition and multiple students received outstanding delegate awards. The JROTC Lady Raiders Team finished second in their State Competition. The SAT and ACT scores rose once again and surpassed the State average on the ACT. Last but not least, the new gym has recently opened. He also wished everyone a Happy Thanksgiving and was glad to know where he can take the oil once he is done frying his turkey.

City Administrator Tammi Saddler Jones wished everyone a Happy Thanksgiving.

City Attorney Scott Cochran wished everyone a Happy Thanksgiving.

Deputy City Clerk Tina M. Monaghan wished everyone a safe and Happy Thanksgiving.

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

No one signed up or chose to speak during citizen input.

12. Adjournment:

Mayor Bacon adjourned the meeting at 7:21pm.