



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final City Council

Monday, December 5, 2016

7:00 PM

Council Chambers

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, Terri Graham, Scott Cochran, Roy Acree, Jennifer Bennett, Heather Corn, Ann Kirk, Dat Luu, Brian Marcos, Maxwell Ruppensburg, Tammi Saddler Jones and Ken Suddreth

Call to Order

Mayor Max Bacon called to order the meeting of the Mayor and Council at 7:00pm.

1. Invocation and Pledge:

Pastor Jeffrey Pennington, First Baptist Smyrna (1275 Church Street) gave the invocation and led all in the Pledge of Allegiance.

2. Agenda Changes:

There were no Agenda Changes.

3. Mayoral Report:

A. Whitefield Academy Check Presentation to Smyrna Police Explorers Program

Sponsors: Fennel

Cindy Fennel, representative of Whitfield Academy, presented MPO Louis Defense with a check for \$500 from the Academy to be used for new uniforms for the Smyrna Police Explorers. The gift was in appreciation of their assistance over the football season.

One of the current Explorers spoke and thanked MPO Defense and the rest of the Explorer staff for the experience, training and mentorship.

4. Department Head Reports:

City Administrator Mike Jones called on the departments that were to give a report this evening:

Community Development Director Ken Suddreth gave the following department report:

*Update on Community Development Studies
Georgia Tech Study*

*LCI/Spring Road Corridor Study
STP/South Cobb Drive Corridor Study
Comprehensive Plan Update*

*-Georgia Tech Study /Georgia Tech Market Analysis
and Land Use Study*

*Braves Stadium District and Spring Road/Cobb Pkwy Corridor
Consultant Team : GT Students + Noell Consulting (Market Study).*

Schedule: Started: August 2016;

*Final report (including market study and fiscal analysis) submitted: February
2017.*

Study Process:

September 19 – Presentation #1 & Preliminary Market Study Report.

October 22 – Jonquil Festival – Students participated in Visual Preference Survey.

October 24- Presentation #2.

November 1- Spring Road Open House – 60+ attendees.

November 21 – Presentation #3 – Final draft report and input.

December 9 – Student report due.

Final report from Georgia Tech, February 2017.

*The studio's study area focuses on the Cumberland, Spring Road/Cobb Parkway
quadrant.*

*The Market Study projects the potential demand of business sectors and housing
types within study area. Studio will provide recommendations that will assist in
guiding anticipated growth.*

*-LCI/Spring Road Corridor Study / Spring Road Corridor Land Use and
Transportation Study*

Schedule: Started: August, 2016.

Completed: March, 2017 .

Consultant Team: The Sizemore Group; Noell Consulting Group; Nelson-Nygaard.

Study Process:

The consultant team is wrapping up market, land use, and transportation analysis.

Completed Meetings or Events:

Fall Jonquil Festival, October 22, over 100 participants.

*Received feedback on density and character preferences for the Corridor through a
vision board exercise.*

Community Meeting 1, November 1, over 60 participants.

*Received feedback on what participants would like to see preserved, changed and
created along the corridor.*

Upcoming Meetings or Events:

*Stakeholder interviews (major property owners, businesses, city and county elected
officials, key city and county staff) are scheduled during the day December 7th
and/or December 8th at Fire Station #3.*

*Design Workshop will be held on December 8, 9am-6pm (Fire Station #3) to begin
developing recommendations.*

Next community meeting: Third week of January, 2017.

Community Survey: Ended on December 2. Over 660 responses were received.

Website Address: Information about the study can be found at:

*www.smyrnacity.com/your-government/spring-road-corridor-lci-study OR on City's
website.*

*-STP/South Cobb Drive Corridor Study / South Cobb Corridor Transportation and
Land Use Study*

*Schedule: This study was initiated in September 2016 and is scheduled to be
completed in March 2017.*

Consultant: Team: Croy Engineering; Strategic City Partners; Wilburn and

Associates.

Study Process:

Existing conditions report has been completed. Transportation analysis and future land use proposals are underway.

Stakeholder Interviews are being scheduled and held.

Public input was received at:

Completed Meetings & Events:

Food Truck Tuesday event on September 27th;

The Fall Jonquil Festival October 22nd;

Cumberland Transfer Center (CTC)/Marietta Transfer Center (MTC) Transit Surveys conducted on October 14th ;

At a public meeting at the Wolfe Center on October 18th ; and

At the Smyrna Area Council Quarterly Meeting on November 3rd.

As a result over 250 contacts have been made to date.

Upcoming Meetings & Events:

Thursday, December 8th at City Hall from 6:30pm to 8:30pm.

Open House planned for February 2017.

Study to be completed by March, 2017.

-Comprehensive Plan Update / Smyrna Comprehensive Plan

This is the 10 year update of the 2030 Comp Plan that was adopted in 2007.

Schedule: The Update must be completed and adopted by the Mayor and City Council by 10/31/2017.

Consultant Team: The City has selected Jacobs/Market Street Services consultant team. To conduct the Study.

Study Process: Work scheduled to begin December, 2016.

The Comp Plan Update will meet the minimum State requirements and address the following areas:

- a. Visioning & Community Goal Setting
- b. Land Use
- c. Transportation
- d. Housing
- e. Economic Development

The Comp Plan Update will tie all the current studies (STP/South Cobb Drive Corridor Study, LCI/Spring Road Corridor Study & GT Market Study) together into one strategic document.

The Comp Plan Update will facilitate extensive community participation through the use of stakeholders, community meetings, community surveys and various our means of data collection.

As required there will be several public hearings prior to adoption by Mayor and Council.

The State and the Atlanta Regional Commission must review the Update prior to adoption.

-Summary

Georgia Tech Study Completed:

February, 2017

LCI/ Spring Road Corridor Study Completed:

March, 2017

STP/South Cobb Drive Corridor Study Completed:

March, 2017

Comprehensive Plan Update Completed:

October, 2017

Fire Chief Roy Acree gave the following department report:

Roy Acree, spoke about the Fire Department resources that were sent to Townes County and tasked with 911 responses. They pass along their great appreciation for allowing the department to help our neighbors.

Citizens Emergency Response Training class just completed and another is scheduled for the 1st quarter of 2017

There were three significant retirements

There are seven new recruit who have graduated and are on shift

The Smyrna Public Safety Foundation sponsored the annual Public Safety Awards Banquet

o Tevin Sims-Rookie of the Year

o Jacob Bower-FF of the Year

There was a severe weather event last Wednesday and he reminded all that the siren alert is to notify people outside to take immediate cover.

Weather apps and / or a weather alert radio are great ways to stay in touch with immediate threats

16th annual Shop With A Hero event is this Friday. There will be 80 kids from local elementary schools participating

With Christmas a few weeks away, a reminder to keep trees away from heat sources and remove trees from the home as soon as you can.

-Keep Smyrna Beautiful Director Ann Kirk gave an updated report on the different events that have taken place recently.

Rivers Alive – October 1

Had 60 volunteers from 6 organizations who logged 214 hours and collected 63 bags of trash, 1/4 of a car and 2 tires

-Shredding Event- October 8 at the Wolfe Center

Had 21 volunteers, logged 76 hours, 236 cars with approximately 10,000 lbs. paper, 2 yds. cardboard

Next one March, 2017, TBA

-Adopt-a-Mile – October 15

98 volunteers, 19 groups

71 bags of trash, 212 hours volunteered and 22 miles cleaned

Welcome to our newest groups, Vining's Mortgage, adopting Spring Road Eastbound from Campbell Road to Cobb Pkwy.

Campbell HS Earth Club, adopting Fleming Street and the CHS stadium parking area.

-America Recycles Day, Nov. 12

Holiday Recycling:

Holiday Lights

Cooking Oil

Electronics

Glass

Paper & Cardboard

Aluminum & Metals

Plastic Bags

Bottles/Containers

-Smyrna Community Garden was voted Best of 2016 for Best Community Garden by Atlanta Home Improvement Magazine

-Upcoming Events

Bring One for the Chipper – Home Depot

January 7, 2017 9:00am - 4:00pm

Remove: Lights & Ornaments & Stands

No Wreathes and No Garland

MLK, Jr. Day of Service

January 16, 2017, 9:00 am – Noon

Smyrna Area Schools – TBA

Adopt-A-Mile

January 21, 9am-noon

-First Place State, FY2016, Keep Georgia Beautiful Awards, Presented December

2, 2016!

-Thank you to:

All of our wonderful Adopt-a-Mile groups

CHS DECA Club

Kennesaw State volunteers

Light of the World Church

Atlanta Outdoor Club

US National Park Service

Keep Marietta Beautiful

KBS Board and Community Volunteers

5. Land Issues/Zonings/Annexations:

- A. **Public Hearing** - Zoning Request Z16-017 - Rezoning from NS to GC-Conditional for the construction of a 5,000 sq. ft. commercial building - 0.4 Acres - Land Lot 446 - Belmont Circle - Yorkshire Real Estate Corporation

Sponsors: Wilkinson

City Administrator Mike Jones gave the following background:

Yorkshire Real Estate Corporation is requesting a rezoning of subject property from NS to GC-Conditional for the development of a new commercial building on Belmont Circle. The subject property is 0.4 acres in size and is zoned NS. The applicant is proposing to relocate some of the existing businesses (the pharmacy and dentist office) from 969 Windy Hill Road into the proposed commercial building after the acquisition of 969 Windy Hill Road by the City for the Windy Hill Road Improvement Project. The dentist office use is not identified as a permitted use under Section 711 of the Zoning Ordinance. Therefore, a rezoning from NS to GC is required to allow the dentist office as a permitted use.

Approved September 12, 2016 by the Planning and Zoning Board by a vote of 5-0. The zoning request was tabled by the Mayor and Council from the October 17, 2016 meeting to the November 21, 2016 meeting by a vote of 7-0 to allow the applicant the opportunity to complete modifications to the building architecture. The zoning request was tabled by the Mayor and Council from the November 21, 2016 meeting to the December 5, 2016 meeting at the request of the applicant by a vote of 5-0. Mayor Bacon called the Public Hearing and no one came forward to speak in opposition to or to make comment regarding this item. Councilmember Susan Wilkinson called Senior Planner Rusty Martin to the podium for further review.

He showed the elevations, the maps regarding the variance requests, pictures of the property as well as adjacent properties and reviewed the conditions.

He stated Community Development recommends approval of the proposed rezoning from NS to GC-Conditional for the development of a new commercial building 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 provide a walkway connecting the sidewalk to the building.

The crosswalk shall be either brick pavers or stamped concrete.

(11) The following uses shall be prohibited:

- Automotive sales/repair
- Automobile wash service
- Boarding and breeding kennels
- Dry cleaning plants
- Adult Novelty Stores & Adult Entertainment
- Pawnshops
- Check Cashing Stores
- Pool Hall or Arcade
- Service stations
- Coin Operated Laundry
- Composting Facility
- Funeral Homes
- Group Homes
- Shelter for the Homeless
- Tattoo Parlor
- Truck Rental, Sales, Service or Repairs
- Motorcycle Sales, Service or Repairs
- Tire Sales or Services
- Taxi Stands (including storage and repair of vehicles)
- Self-Storage Facilities
- Massage Parlor

(12) The approval of the rezoning to the subject property shall be in substantial conformity to the site plan submitted on August 12, 2016 and created by Civil Engineering Consultants, Inc.

(13) The commercial building shall be constructed in substantial compliance with the architectural elevations submitted and dated 11/23/2016. The home shall meet the façade requirements established in stipulation #1 above. Approval of any change to the elevations must be obtained from the Director of Community Development.

Mr. Anderson, applicant came forward and spoke. He complimented Community Development and thanked them for their help. He remarked that this was a new building on open land and will move professional business from current circular building to new location.

A. motion was made by Councilmember Susan Wilkinson to approve Item 2016-375 for a zoning request (Z16-017) for the rezoning from NS to GC-Conditional for the construction of a 5,000 sq. ft. commercial building, 0.4 Acres on Land Lot 446 located at Belmont Circle by the applicant Yorkshire Real Estate Corporation; 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

6. Privilege Licenses:

- A. Public Hearing - Privilege License Request 2016-485 - Beer, Wine, Liquor Pouring - 2453 Cobb Parkway - Rodney's Soul Food and Grill with Marvil Rodney as agent.

Sponsors: Norton

City Administrator Mike L. Jones read the following background:

This is a new application requested for privilege licenses for Rodney's Jamaican Soul Food and Grill for the sale of beer, wine, and liquor (retail pouring). Rodney's Jamaican Soul Food and Grill is the owner and Marvil Rodney is the agent applicant. Marvil Rodney will be the registered agent, responsible for the sale of alcohol at the referenced location. Marvil Rodney has been given a copy of the Alcoholic Beverage Ordinance and attended the mandatory alcohol awareness workshop. (Certificate attached)

A background investigation conducted by the Smyrna Police Department failed to reveal information that would preclude issuance of this license. Marvil Rodney has agreed to abide by the guidelines set forth by the City of Smyrna ordinance governing the sale of alcohol. Councilmember Derek Norton asked the applicant some questions about his business as well as about his understand of the City's Alcohol Privilege License.

The applicant hopes to be open by late December.

A motion was made by Councilmember Derek Norton to approve item 2016-485, a privilege license request (2016-485) for beer, wine, liquor pouring located at 2453 Cobb Parkway for the applicant Rodney's Soul Food and Grill with Marvil Rodney as agent; 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

7. Formal Business:

- A. Approve the Re-Appointment of Joel Powell to the Planning and Zoning Board for a two-year term that will expire 12/31/2018.

Sponsors: Bacon

A motion was made by Councilmember Ron Fennel to approve item 2016-500 for the Re-Appointment of Joel Powell to the Planning and Zoning Board for a two-year term that will expire 12/31/2018; 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

- B. Approval of Ward 1 re-appointment to the Keep Smyrna Beautiful Board, Holly Elmendorf. This is a two-year term to expire December 2018.

Sponsors: Norton

A motion was made by Councilmember Derek Norton to approve item 2016-490 for the Ward 1 re-appointment to the Keep Smyrna Beautiful Board, Holly Elmendorf. This is a two-year term to expire December 2018; 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

- C.** Approval of Ward 6 re-appointment to the Keep Smyrna Beautiful Board, Nell Robinson. This is a two-year term to expire December 2018.

Sponsors: Stoner

A motion was made by Councilmember Doug Stoner to approve item 2016-502 for Ward 6 re-appointment to the Keep Smyrna Beautiful Board, Nell Robinson. This is a two-year term to expire December 2018; 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

8. Commercial Building Permits:

There were no Commercial Building Permits.

9. Consent Agenda:

A motion was made by Mayor Pro Tem / Councilmember Teri Anulewicz to approve the consent agenda as read aloud by City Administrator Mike Jones; 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

- A.** Approval of the Mayor and Council Meeting Minutes for November 21, 2016

Sponsors: City Council

- B.** Approval of the Pre-Council Meeting Minutes for November 21, 2016

Sponsors: City Council

- C.** Approval of the Committee of the Whole Meeting Minutes for November 17, 2016

Sponsors: City Council

- D. Approval to award RFP 17-014 for the Community Center Audio/Video project to LMI Systems, Inc in the amount of \$75,067 and authorize the Mayor to sign and execute all related documents.

Sponsors: Wilkinson

- E. Approval to use Council Chambers for a Town Hall Meeting for the South Cobb Drive Corridor Study, Thursday, December 8, 2016, 6:30 PM - 8:30 PM

Sponsors: Wilkinson

10. Committee Reports:

Ward 7 - Ron Fennel gave the information regarding the upcoming Cobb Municipal Association Holiday Dinner on Tuesday, December 13, 2016 at the Smyrna Community Center. He thanked Terri Graham and Christy Ullman for their organization of the event. He also mentioned the event would be catered by Porch Light.

Ward 6 - Doug Stoner had no report but commented on the potential development of seven acres in the Forest Hills subdivision.

Ward 5 - Councilmember Susan Wilkinson invited citizens to Thursday night meeting regarding the South Cobb Drive Corridor Study. There will be updates and a presentation as well as a question and answer session. She thanked all the employees who participated and executed the Coming Home for the Holidays event. She also was thankful for the opportunity to serve the people in her ward.

Ward 4 - Corkey Welch - Announced that Santa was in town and at Aunt Fanny's Cabin for pictures with Santa. December 2nd - 18th from 6:00pm - 8:00pm for donations.

Ward 3 - Teri Anulewicz said the Home for the Holidays event was beautiful as were the lights in the Village.

Ward 2 - Andrea Blustein had no report. She remarked about being thankful for the rain.

Ward 1 - Derek Norton - Spring Road looked good with the repaving and he assured citizens that two lanes of traffic would be open at all times during the final installation of the medians.

11. Show Cause Hearings:

There were no Show Cause Hearings.

12. Citizen Input:

There was no Citizen Input.

13. Adjournment:

The meeting was adjourned by Mayor Bacon at 8:00pm.