



City of Smyrna

A. Max Bacon City Hall
Council Chambers
2800 King Street SE
Smyrna, GA. 30080

Meeting Minutes - Final City Council

Monday, April 18, 2022

7:00 PM

A. Max Bacon City Hall - Council Chambers

Roll Call

Present: 7 - Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Travis Lindley, Councilmember Charles Welch, Councilmember Susan Wilkinson, Mayor pro tem / Councilmember Tim Gould and Councilmember Lewis Wheaton

Also Present: 1 - Jeffrey Tucker

Staff: 9 - Joe Bennett, Dan Campbell, Jennifer Bennett, Jill Head, Russell Martin, Penny Mocerri, Heather Peacon-Corn, Carol Sicard and Joey Staubes

Call to Order

Mayor Derek Norton called to order the April 18, 2022 Mayor and Council meeting held at A. Max Bacon City Hall Council Chambers at 7:00 PM.

1. Invocation and Pledge:

Deacon Justin Kier of International Gospel Outreach Church (1101 Windy Hill Rd) led the invocation and Pledge of Allegiance.

2. Agenda Changes:

Mayor Derek Norton asked if there were any candidates running for office present who wanted to come to the podium to make an announcement.

Andres Sandate - Candidate for Cobb County School Board Post 2 - He is running for the seat currently held by Dr. Jaha Howard.

Michael Starks - Candidate for Smyrna City Council Seat Ward 2 - He is running for the seat left vacant by former Councilmember Austin Wagner. His website for more information is starks4smyrna.com

A. [2022-223](#)

Request to remove items 4E and 4F from Formal Business.

Mayor Derek Norton stated that he will recuse himself and leave the dais because he has a professional relationship with a business affected by the change in the ordinances. Mayor Norton left the dais at 7:06 PM. Mayor Pro Tem/Councilmember Tim Gould assumed the role of chairperson in Mayor Norton's absence and asked for a motion for item 2022-223, a request to remove items 4E and 4F from Formal Business.

Mayor Derek Norton returned to the dais at 7:07 PM after the vote was concluded and recorded.

Councilmember Charles Welch made a motion to remove items 4E and 4F from Formal Business; seconded by Councilmember Travis Lindley.

The motion to remove items 4E and 4F from Formal Business carried with the following vote:

Aye: 5 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

Recuse: 1 - Mayor Norton

3. Mayoral Report:

- April 21, 2022, Thursday evening, the Education Awards will be held in the Community Center. It will be an exceptional night to honor students, teachers, and others. Mark Owens will be the MC.

- The Jonquil Festival is this weekend, April 23 and 24.

4. Land Issues/Zonings/Annexations:

A. [2022-190](#)

Apartment Complex Name Change Request 2022-190 - Change from Edison at The Battery, 5000 S. Lincoln Trace Avenue, to The Edison. The applicant is Emma Venegas, Regional Manager with Windy Ridge Multifamily Partners, LLC.

Ward 1 / Councilmember Pickens

Joe Bennett, City Administrator, provided the following background:

Due to a legal issue regarding the use of "The Battery", Windy Ridge Multifamily Partners, LLC dba Edison at The Battery is requesting a name change to Windy Ridge Multifamily Partners, LLC dba The Edison. The name change has been approved by the Fire Marshal, Building Inspector, City Engineer, 911 Communications, Water Department, and City Marshal.

Councilmember Glenn Pickens made a motion to approve item 2022-190, an apartment complex name change request (2022-190) to change the name of Edison at The Battery, 5000 S. Lincoln Trace Avenue to The Edison by applicant Emma Venegas, Regional Manager with Windy Ridge Multifamily Partners, LLC; seconded by Councilmember Lewis Wheaton.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

B. [2022-147](#)

Public Hearing - Zoning Request - Z22-002 - Allow rezoning from GC to R-15 for an addition to a single-family home - 0.38 acres - Land Lot 453 - 3382 Ridgecrest Road - PLR Properties Inc.

Ward 3 / Councilmember Lindley

Joe Staubes, Planner II, provided the following background:

PLR Properties Inc is requesting the rezoning of one lot from GC (General

Commercial) to R-15 (Residential) for the ability to use the existing structure for residential purposes. The subject property is zoned GC and currently occupied with a residential structure on the lot. The applicant is proposing an addition to the structure and requires a zoning change from GC to R-15. Since the property is a legal non-conforming use, the structure can not be expanded per Section 1102 of the Zoning Ordinance. Rezoning the property to R-15 would bring the property in-line with the appropriate use of the property. The Planning & Zoning Board recommended approval by a vote of 7-0 at the March 14, 2022 meeting.

The City Engineer has reviewed the proposed rezoning with respect to transportation, stormwater management and stream buffer issues. No additional transportation or stormwater management improvements are required for the site.

The Fire Marshal's office has reviewed the current proposal and in general believes that it meets the Fire Code requirements for fire truck access.

Community Development has reviewed the zoning proposal against the city's 2040 Comprehensive Plan and Future Land Use Plan. The zoning proposal is consistent with the future land use designation of MODR (Moderate Density Residential).

Community Development has reviewed the proposed development against the requirements of the Zoning Ordinance and found it to be in compliance. Community Development Staff is supportive of the change in zoning from GC to R-15. Community Development recommends approval of the rezoning from GC to R-15 at 3382 Ridgecrest Road the following condition:

1. Approval of the subject property shall be conditioned upon substantial compliance with the site plan submitted on 2/11/22.

Pam Tatum, applicant and president of PLR Properties, was present. She stated that when they purchased the property they thought it was already zoned residential. She added that they are adding a master suite addition taking the property from a 2 bedroom/1 bath to a 3 bedroom/2 bath.

A public hearing was called, and no one came forward in favor of or in opposition to this item.

Councilmember Travis Lindley made a motion to approve item 2022-147, a public hearing and zoning request (Z22-002) to allow rezoning from GC to R-15 for an addition to a single-family home on 0.38 acres on land lot 453 located at 3382 Ridgecrest Road by applicant PLR Properties Inc.; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

C. [2022-148](#)

Public Hearing - Zoning Request - Z22-003 - Allow rezoning from LC to R-15 for the construction of a new single-family home - 0.35 acres - Land Lot 520 - 2635 Hickory Hill Drive - Harold Shoemaker
Ward 3 / Councilmember Lindley

Joey Staubes, Planner II, presented the following background:

Harold Shoemaker is requesting the rezoning of one lot from LC (Limited Commercial) to R-15 (Residential) for the ability to build a new single-family home on the property. The subject property is zoned LC and currently occupied with a residential structure on the lot. The applicant is proposing to demolish the existing structure and build a new home; therefore, a zoning change from LC to R-15 required.

The City Engineer has reviewed the proposed rezoning with respect to transportation, stormwater management and stream buffer issues. No additional transportation or stormwater management improvements are required for the site except for directing the front roof drains towards Hickory Hill Drive. There are no stream buffers affecting the property.

The Fire Marshal's office has reviewed the current proposal and in general believes that it meets the Fire Code requirements for fire truck access.

Community Development has reviewed the zoning proposal against the city's 2040 Comprehensive Plan and Future Land Use Plan. The zoning proposal is consistent with the future land use designation from MODR (Moderate Density Residential).

Community Development has reviewed the proposed development against the requirements of the Zoning Ordinance and found it to be in compliance. Community Development Staff is supportive of the change in zoning from LC to R-15.

Community Development recommends approval of the rezoning from LC to R-15 at 2635 Hickory Hill Drive with the following conditions:

- 1. Approval of the subject property shall be conditioned upon substantial compliance with the site plan submitted on 2/11/22.*
- 2. The applicant shall provide a 5' sidewalk with 2' grass strip.*
- 3. The applicant shall dedicate 10' of right-of-way dedication along Hickory Hill Drive.*
- 4. The applicant shall be responsible for any stormwater improvements deemed necessary by the City Engineer.*

Harold Shoemaker, applicant and owner, was present. He stated he will be building an approximately 4,100 sq ft home with a finished basement in a farmhouse style. Councilmember Lindley asked if it is his intent to sell or live in it. Mr. Shoemaker answered it is his intent to sell it.

A public hearing was called, and Kristy Anderson came forward to speak on Mr. Shoemaker's behalf. She stated that he is someone she has known for a number of years. He cares for the community and builds well-built homes.

Councilmember Travis Lindley made a motion to approve item 2022-148, a public hearing and zoning request (Z22-003) to allow rezoning from LC to R-15 for the construction of a new single-family home on 0.35 acres on land lot 520 located at 2635 Hickory Hill Drive by applicant Harold Shoemaker; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

to RDA-Conditional for the development of two-single family homes - 0.35 acres - Land Lot 632 - 2761 Mathews St - McBev One LLC

Ward 3 / Councilmember Lindley

Russell Martin, Community Development Director, presented the following background:

McBev One LLC is requesting a rezoning from R-15 (Residential) to RDA-Conditional (Residential) for a two lot single-family detached subdivision. The subject property is zoned R-15 and is occupied with a single-family home. The applicant plans to build two new homes on the two lots. The minimum lot size will be 7,560 sq. ft. prior to dedication of 10 ft. of right-of-way along Mathews Street. The proposed setbacks are consistent with the RDA zoning district and surrounding properties. The proposed homes will face Mathews Street with rear-entry garages from a shared access drive.

The City Engineer has reviewed the proposed rezoning with respect to transportation, stormwater management, stream buffer issues, and in general believes that it meets city requirements. There are no stream buffers affecting the property.

The Fire Marshal's office has reviewed the current proposal and in general believes that it meets the Fire Code requirements for fire truck access.

Community Development has reviewed the zoning proposal against the city's 2040 Comprehensive Plan and Future Land Use Plan. The zoning proposal to RDA is consistent with the Land Use of MEDR (Medium Density Residential) under six (6) units per acre.

Community Development has reviewed the proposed development against the requirements of the Zoning Ordinance with respect to the RDA zoning standards. The proposed development meets the zoning requirements for RDA. Community Development staff is supportive of the change in zoning from R-15 to RDA-Conditional. Community Development recommends approval of the rezoning from R-15 to RDA-Conditional with a density of 5.7 units per acre at 2761 Mathews Street with the following conditions:

Standard Conditions

Requirements # 2, 3, 4, 5, 8, 9, 10, 12, and 17 from Section 1201 of the Zoning Code are not applicable. The following requirements remain 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. 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 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 two feet shall be provided between the back of curb and sidewalk.*
- 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 yards and common areas are to be sodded, and landscaped. Irrigate as*

appropriate.

7. 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:

8. The development shall maintain the RDA setbacks:

Front – 25'

Side – 5'

Rear – 30'

9. The minimum lot size shall be 7,560 sq. ft.

10. The minimum lot width shall be 40 feet.

11. The developer shall obtain a shared access easement for the rear access drive.

12. The developer shall dedicate 10 ft. of right-of-way dedication along Mathews Street.

13. Mathews Street shall be widened, and new curb and gutter installed to match the Village of Williams Park to the south.

14. The developer shall install a 5 ft. sidewalk and 2 ft. grass strip at the frontage of property along Mathews Street.

15. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.

16. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.

17. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.

18. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.

19. Approval of the subject property for the RDA-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 2/11/22 and created by Vaughn & Melton Consulting Engineers, Inc. and all zoning stipulations above.

20. Approval of the subject property shall be conditioned upon substantial compliance with the elevations submitted on 2/11/22.

Councilmember Glenn Pickens asked if the large tree pictured in the site plan was going to stay or be taken down. Mr. Martin stated that it will likely come down because the sidewalk runs through the middle of it.

Councilmember Lindley asked to detail the construction traffic issues. Mr. Martin stated that it is addressed and memorialized in the rezoning and should be prohibited because of the shared drive. Mr. Lindley asked if the two new proposed homes would be joining the HOA. Mr. Martin stated that he believed so, but the applicant is present and could clarify that.

Jim Beveridge, applicant (1990 Country Squire Rd, Marietta), was present. He said it is a continuation of an existing project and will be the 20th and 21st lots for the Village at Williams Park. There will be five homes to the south, and the addition of these homes would make four homes to the north and provide a nice balance. Mr. Beveridge further stated that as the developer, they have the right to annex the property for a period of ten years based on the covenants, but this would be the final addition to the HOA.

A public hearing was called, and Connor Galloway, 2769 Mathews Street, Lot 2 of the Village at Williams Park subdivision, came forward. Mr. Galloway stated that he and

his family have lived at this address just under four years. He stated he is a registered civil engineer and no stranger to these kinds of requests. Mr. Galloway spoke to Councilmember Lindley and Community Development Director Russell Martin about his concerns. His first concern is construction: noise, erosion control, and fencing. He asked that at a minimum the fence remain until occupancy for safety concerns. He expressed that currently ten cars plus delivery vehicles enter and exit the driveway each day. His other concern is that the site plan stipulates the shared driveway is to discharge into the pond behind his home, but it is very muddy and this will make it worse. He stated that this does not benefit neighbors or his family. He also expressed that the applicant has made no effort to notify the current residents of the impact. Mr. Galloway requested that the Council table this until meaningful conversations can take place with residents. Councilmember Lindley asked for clarification that the applicant has not had formal communication with the HOA. Mr. Galloway stated that is correct, no communication has taken place.

Councilmember Lindley expressed concern that the developer has not communicated with the residents. He asked that Community Development work with the developers and residents to address the construction fencing issue and agree to keep the fencing up longer for safety reasons. He also stated that he would like them to look into trying to keep the large tree in place.

Councilmember Travis Lindley made a motion to table to the May 2, 2022 Mayor and Council Meeting item 2022-149, a public hearing and zoning request (Z22-004) to allow rezoning from R-15 to RDA-Conditional for the development of two-single family homes on 0.35 acres on land lot 632 located at 2761 Mathews St by applicant McBev One LLC; seconded by Councilmember Susan Wilkinson.

The motion to table until the May 2, 2022 Mayor and Council meeting carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

- E. [ORD2022-10](#) **Public Hearing** - Approval of a code amendment for Section 712 of the Zoning Ordinance related to the use of temporary screening for drive-in theaters - Community Development Department
Ward / Citywide

This Ordinance was removed from the agenda.

- F. [ORD2022-11](#) **Public Hearing** - Approval of a code amendment to Sections 82-15 and 82-16 of the City's Sign Ordinance related electronic wall signs for large scale retail tenants - Community Development Department
Ward / Citywide

This Ordinance was removed from the agenda.

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

A. [2022-184](#)

Approval to award of RFP 22-027 to Premier Events for an amount not to exceed \$35,000.00 for the production and management of a celebration of the sounds and tastes of Smyrna taking place in conjunction with the City of Smyrna Birthday Celebration on October 8, 2022.

Ward 3 / Councilmember Lindley

Joe Bennett, City Administrator, provided the following background:

Saturday, October 8, 2022 - 11:00 am - 10:00 pm in the Smyrna Market Village and downtown area.

General Description: Culture & Spirit Festival - celebration of the sounds and tastes of Smyrna - held throughout the Smyrna Market Village and downtown area. There will be multiple street-level performance areas. A central performance stage will offer a diverse mix of entertainment from bluegrass, blues, and singer-songwriters to stilt walkers, steel drums, mariachi bands, dance troops, Chinese Dragon Dancers, a Caribbean dance, a cheer squad, an acrobat team, 3D chalk artists, a strolling magician, etc. Performance locations and schedules will be strategically programmed throughout the day to prevent sound bleed between stages and encourage visitors to the area to experience everything that Smyrna has to offer. Three additional street-level performance areas will be programmed around the general themes of: Dance Zone, Grooves and Tunes, and an International Alley. Three additional locations will offer surprise buskers and activities. Examples may include close-up magic, 3-D chalk artists, living statues, and more.

A centrally located tasting area offers food and beverages throughout all hours of the event and into the Smyrna Birthday Celebration (11:00 am - 10:00 pm). This area will showcase local restaurants, breweries, and select vendors offering wine and spirits.

Councilmember Travis Lindley made a motion to approve item 2022-184 to award RFP 22-027 to Premier Events for an amount not to exceed \$35,000.00 for the production and management of a celebration of the sounds and tastes of Smyrna taking place in conjunction with the City of Smyrna Birthday Celebration on October 8, 2022; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

B. [2022-178](#)

Approval to award RFQ 22-031 for Dunn Street Drainage Improvements to Ardito Construction Company, 1290 Austell Road, Marietta, Georgia, 30080, in the amount of \$138,000.00 to be paid out of Water CIP Storm fund.

Ward 6 / Mayor Pro Tem/Councilmember Gould

Joe Bennett, City Administrator, provided the following background:

The City of Smyrna requested bids for the installation of approximately 477 LN. FT. of 18" HDPE and 33 LN. FT. of 18" RCP storm sewer piping including manholes, road cuts, patching, junction boxes and haul off on Dunn Street in Smyrna. Eight (8) contractors submitted, and the lowest responsive, responsible bidder is Ardito

Construction Company, Inc. in the amount of \$138,000.00.

It is the recommendation of Purchasing and Public Works that this project be awarded to the lowest responsive and responsible bidder, Ardito Construction Company, Inc.

Mayor Pro Tem/Councilmember Tim Gould made a motion to approve item 2022-178 to award RFQ 22-031 for Dunn Street Drainage Improvements to Ardito Construction Company, 1290 Austell Road, Marietta, Georgia, 30080, in the amount of \$138,000.00 to be paid out of Water CIP Storm fund; seconded by Councilmember Travis Lindley.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

C. [2022-191](#)

Award RFQ 22-028 Splashpad/Sprayground for Riverline Park to the highest scoring qualified bidder, Integrated Construction and Nobility, Inc., (3335 Carrollton Villa Rica Hwy., Carrollton, GA 30116) in the amount of \$1,200,000.00 to be paid from 2022 SPLOST and authorize the Mayor to execute any related documents.

Ward 7 / Councilmember Wheaton

Joe Bennett, City Administrator, provided the following background:

The City of Smyrna requested qualification proposals for a design-build firm for the Splashpad/Sprayground at Riverline Park. Two proposals were received and evaluated by the staff from Public Works and the Parks and Recreation Department.

The Parks and Recreation Department, and Public Works have reviewed and scored the proposals and recommend award of bid RFQ 22-028 Splashpad/Sprayground for Riverline Park to the highest scoring qualified bidder, Integrated Construction and Nobility, Inc. and to authorize the Mayor to execute any related documents.

Councilmember Lewis Wheaton stated that this is very good for the community, especially in that area where there are not a lot of community facilities. The feedback from residents has been very positive.

Councilmember Lewis Wheaton made a motion to approve item 2022-191 to award RFQ 22-028 for a Splashpad/Sprayground for Riverline Park to the highest scoring qualified bidder, Integrated Construction and Nobility, Inc., (3335 Carrollton Villa Rica Hwy., Carrollton, GA 30116) in the amount of \$1,200,000.00 to be paid from 2022 SPLOST and authorize the Mayor to execute any related documents; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

D. [2022-194](#)

Approval to upgrade the outdoor warning system (OWS) siren software to Motorola OptiWarn outdoor warning software through Mobile Communications America (MCA), 2241 Tucker Ind. Rd., Tucker, Ga. 30084, utilizing SPLOST 2022 funds in the amount of \$152,747.50.

Ward / Citywide

Joe Bennett, City Administrator, provided the following background:

The existing Outdoor Warning System (Siren) software was originally purchased and installed in 2004. This software upgrade is part of the Motorola 800mhz radio system replacement currently underway.

Councilmember Travis Lindley made a motion to approve item 2022-194 to upgrade the outdoor warning system (OWS) siren software to Motorola OptiWarn outdoor warning software through Mobile Communications America (MCA), 2241 Tucker Ind. Rd., Tucker, Ga. 30084, utilizing SPLOST 2022 funds in the amount of \$152,747.50; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

E. [2022-213](#)

Approval of new pay grade bands and pay adjustments as recommended in the UGA Classification and Compensation Study effective April 4, 2022 for \$1,316,133 to implement, increasing pay to new minimum pay for current employee and vacant positions and to address pay compression and authorize the Mayor to sign and execute all related documents.

Ward / Citywide

Joe Bennett, City Administrator, provided the following background:

The City's last classification and pay analysis was performed in 2018. Since that time, the City's pay plan has remained unchanged. In April 2021, the City contracted with the University of Georgia's Carl Vinson Institute of Government (CVIOG) to conduct a comprehensive classification and pay study. Since that time the CVIOG has conducted salary surveys other, similar organizations as well compiled data from other relevant sources to recommend new pay grade bands. CVIOG has also analyzed pay compression issues and has made recommendations for pay adjustments to address these issues. This is phase 2 of a multi-phased approach which will also address job descriptions and FLSA classification of positions, as well as pay related personnel policies and other forms of compensation such as employee benefits. Finance Director and HR Director recommend approval of new pay grade bands and pay adjustments as recommended in the UGA Classification and Compensation Study effective April 4, 2022 for \$1,316,133 to be paid from the reserve fund.

Carol Sicard, Human Resources Director, thanked the Mayor and Council for the flexibility to do this in a phased approach. She stated that as soon as this is adopted, they will be able to advertise new pay scales. This is in conjunction with what has already been adjusted for the police department in the fall. There are 368 full-time employees, 34 permanent part-time employees, and the city is 57 full-time employees short.

Councilmember Travis Lindley made a motion to approve item 2022-213 for new pay grade bands and pay adjustments as recommended in the UGA Classification and Compensation Study effective April 4, 2022 for \$1,316,133.00, increasing pay to new minimum pay for current employees and vacant positions and to address pay

compression and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

F. [2022-210](#)

Approval of the award of Bid RFP 22-032 Design-Build Village Green Park to the lowest responsible bidder Winter Construction (5616 Peachtree Road, Suite 100, Atlanta, Georgia 30341) for an amount not to exceed \$1,000,000.00 to be paid from the Land Sale agreement with Village Green Realty, LLC in the amount of \$600,000.00 and amend the FY 2022 adopted budget to pay the remainder from ARPA grant funds and authorize the Mayor to execute any related documents.

Ward 3 / Councilmember Lindley

Joe Bennett, City Administrator, provided the following background:

The City of Smyrna requested qualification proposals for a Design-Build firm for the Village Green Park. One (1) proposal was received and evaluated by city staff: Winter Construction.

The evaluation team and Purchasing recommend award to Winter Construction. Winter Construction is the selected vendor for the Downtown Improvements - Public Greenspace project and they are teaming with Pond and Company for the design of the park.

***Construction cost limitation during the pre-proposal meeting was indicated to be in the range of \$600,000.00 to \$1,000,000.00. Winter assumed a CCL of \$750,000.00 for calculation purposes.*

Purchasing and Parks and Recreation have reviewed and scored the proposal and recommend approval of the award of Bid RFP 22-032 Design-Build Village Green Park to the lowest responsible bidder Winter Construction.

Mr. Bennett stated that most of the cost is driven by the 2,200 sq ft playground equipment, seat walls, stage, and hardscapes. Electronics will be installed in the stage.

Councilmember Charles Welch stated that he does not support the park because he believes they are taking public money for private benefit. The City sold property for \$600k with the intent to put it toward the park and adding \$400k from ARPA. He expressed that this is an ethical issue and he cannot support it.

Mayor Pro Tem/Councilmember Tim Gould stated that he believes it will be a great addition to the downtown. This will create a balanced pet-friendly and kid-friendly area and greenspace. This also places focus on economic development for downtown. There are lots of other businesses that can benefit from the park that are within walking distance.

Councilmember Susan Wilkinson reiterated her objection to using the funds from the sale of the property and the APRA funds to fund this park. She stated that ARPA funds could have been used for other projects, including the cabin. She further stated that the Parks & Recreation master plan does not include this park.

Councilmember Glenn Pickens asked Mr. Bennett to explain what ARPA funds can be used for. Mr. Bennett explained that ARPA funds can be used for capital improvement projects, including parks.

Councilmember Travis Lindley stated that along with economic development, the City is following the master plan redesign implemented by the last government. He stated, "If we continue to do everything in downtown as we have always done it, we are going to have the exact same results." This will bring new life and economic development to downtown.

Councilmember Travis Lindley made a motion to approve item 2022-210 to award RFP 22-032 Design-Build Village Green Park to the lowest responsible bidder Winter Construction (5616 Peachtree Road, Suite 100, Atlanta, Georgia 30341) for an amount not to exceed \$1,000,000.00 to be paid from the Land Sale agreement with Village Green Realty, LLC in the amount of \$600,000.00 and amend the FY 2022 adopted budget to pay the remainder from ARPA grant funds and authorize the Mayor to execute any related documents; seconded by Mayor Pro Tem/Councilmember Tim Gould.

The motion to approve carried with the following vote:

Aye: 4 - Councilmember Pickens, Councilmember Lindley, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

Nay: 2 - Councilmember Welch and Councilmember Wilkinson

G. [AGR2022-07](#)

Approval of the agreement between the City of Smyrna and Winter Construction Company (5616 Peachtree Road, Suite 100, Atlanta, Georgia 30341) for the Downtown Improvements - Green Space located in front of Smyrna Community Center and Smyrna Library in the space previously occupied by the traffic circle and authorize the Mayor to sign and execute all related documents.

Ward 3 / Councilmember Lindley

Joe Bennett, City Administrator, provided the following background:

The new green space will be situated in the area previously occupied by a large traffic circle, flanked by the Smyrna Community Center and Smyrna Public Library. The design includes large, flexible lawn spaces, numerous shade structures, plaza space, public art locations and ADA accessible routes. The green space improvements will coincide with site and roadway improvements designed by Croy Engineering. The roadway construction will begin prior to the park.

Councilmember Travis Lindley made a motion to approve AGR2022-07, an agreement between the City of Smyrna and Winter Construction Company (5616 Peachtree Road, Suite 100, Atlanta, Georgia 30341) for the Downtown Improvements - Green Space located in front of Smyrna Community Center and Smyrna Library in the space previously occupied by the traffic circle and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 5 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

Nay: 1 - Councilmember Wilkinson

- H. [AGR2022-08](#) Approval of the Master Agreement for Energy Related Equipment Sale and Installation between Georgia Power Company (241 Ralph McGill Blvd., Atlanta, GA, 30308) and the City of Smyrna for install of certain energy efficient related equipment throughout the City and authorize the Mayor to sign and execute all related documents.

Ward / Citywide

Mayor Derek Norton explained that much of the equipment in the City is original to the buildings, meaning they are over 30 years old.

Joe Bennett, City Administrator, provided the following background:

The City has been looking into more energy efficiency across all departments and has previously received quotes related to the same. Ga Power provided a presentation that allows the City to choose from several different areas of efficiency based on the greatest need at specific City facilities.

Mr. Bennett stated there are 13 City buildings and, with the exception of failing equipment, nothing has been improved or replaced.

Councilmember Glenn Pickens made a motion to approve item AGR2022-08, the Master Agreement for Energy Related Equipment Sale and Installation between Georgia Power Company (241 Ralph McGill Blvd., Atlanta, GA, 30308) and the City of Smyrna for install of certain energy efficient related equipment throughout the City and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Travis Lindley.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

7. Commercial Building Permits:

- A. [2022-195](#) Approval of the issuance of a commercial building permit for construction of a new McDonald's restaurant - 5150 South Cobb Drive - Hudson Company.

Ward 7 / Councilmember Wheaton

Joe Bennett, City Administrator, provided the following background:

A commercial building permit has been issued at 5150 South Cobb Drive for the construction of a new 4,600 square foot McDonald's fast food restaurant. The total estimated cost of the project is \$2,086,326.78 and Hudson Company is listed as the general contractor for the project.

Councilmember Lewis Wheaton explained that this location had McDonald's and BP. With this license, a stand-alone McDonald's will be built.

Councilmember Lewis Wheaton made a motion to approve item 2022-195, the issuance of a commercial building permit for construction of a new McDonald's

restaurant located at 5150 South Cobb Drive by applicant Hudson Company; seconded by Mayor Pro Tem/Councilmember Tim Gould.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

8. Consent Agenda:

A motion was made by Councilmember Travis Lindley, seconded by Councilmember Glenn Pickens, that the consent agenda be approved.

The motion carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

- A. [MIN2022-23](#) Approval of the March 17, 2022 Committee of the Whole Meeting Minutes
Ward / Citywide
These Minutes were approved.
- B. [MIN2022-24](#) Approval of the March 21, 2022 Pre-Council Meeting Minutes
Ward / Citywide
These Minutes were approved.
- C. [MIN2022-25](#) Approval of the March 21, 2022 Mayor and Council Meeting Minutes
Ward / Citywide
These Minutes were approved.
- D. [AGR2022-09](#) Approval to upgrade UKG (Ultimate Kronos Group) Workforce Central timekeeping platform to UKG Ready cloud-based platform under the US Communities Contract using FY22 budgeted funds. Impact thereafter is \$4,659 per year.
Ward / Citywide
This Agreement was approved.
- E. [AGR2022-10](#) Approval of Property/Liability Insurance annual renewal with Georgia Local Government Risk Management Agency (GIRMA) for \$675,567 and authorize Mayor to execute related documents
Ward / Citywide
This Agreement was approved.
- F. [CON2022-02](#) Approval of Signal Retiming for 34 signalized intersections on sole source contract to Kimley Horn (3930 East Jonesboro Road, Suite 350,

Peachtree Corners, GA 30092) in the amount of \$182,940.00 to be paid from Professional Services as budgeted in the FY22 approved budget and authorize the Mayor to sign and execute all related documents. Two other companies were non-responsive to this request for quotes.

Ward / Citywide

This Contract was approved.

G. [2022-176](#)

Approval of the closing of the Market Village upper area around the fountain, including blocking vehicle access from Atlanta Road and portions of the Market Village streets/vehicular access and parking for the purpose of special event series on Saturday, November 5 and Saturday, December 3, 2022 titled "College Football Saturday in Smyrna."

Ward 3 / Councilmember Lindley

This Authorization was approved.

H. [2022-182](#)

Approval for two-day outdoor New Orleans style crawfish and music focused event organized and managed by Atkins Park and Redbird Events. On Saturday, April 23 from 11:00 am until 11:00 pm (outdoor music ending at 10:00 pm) and Sunday, April 24 from 11:00 am until 11:00 pm (outdoor music ending at 10:00 pm) in the upper portion of the Market Village with street closures to vehicular traffic.

Ward 3 / Councilmember Lindley

This Authorization was approved.

I. [2022-183](#)

Approval of Secrets of Smyrna taking place on Saturday, October 22 and Sunday, October 23, 2022 from 5:00 pm to 9:30 pm with three 45-minute performances per night with street closings to include Memorial Place between Church Street and Atlanta Road with request to utilize the paver/steps area of the front of City Hall for check-in for each tour, making use of the outdoor power outlets at the City Hall location.

Ward 3 / Councilmember Lindley

This Authorization was approved.

J. [2022-204](#)

Approval of Amendment No. 3 to the Community Development Block Grant (CDBG) Sub Recipient Agreement No: CD21-C21SA-A and CD21-C21SA-F to extend the termination date for the agreement to December 31, 2022 and authorize the Mayor to sign and execute all related documents.

Ward / Citywide

This Authorization was approved.

K. [2022-205](#)

Approval of the Kings Springs Elementary 5th Grade Celebration Parade on Wednesday, May 25, 2022 starting at 2:45 pm with rolling road

closures and police presence following the attached route from North Cooper Lake Park to Kings Springs Elementary.

Ward 4 / Councilmember Welch

This Authorization was approved.

**9. Ward / Staff Reports:
Ward / Staff Reports**

Councilmember Glenn Pickens reminded everyone that the handmade market starts again on May 1, 2022.

Councilmember Travis Lindley announced that the joint Ward 3 & Ward 6 meeting has been postponed until some time in June. He also mentioned a resident reached out to him about a proclamation for the recognition that April is the month of the military child. The state issued a proclamation about a week ago. He suggested that it be presented at the next Committee of the Whole meeting which is the last meeting in the month of April.

Councilmember Charles Welch reminded everyone that on April 25, 2022 there will be a public meeting held at Fire Station 2 from 6:30 PM - 8:00 PM for Concord Road traffic calming.

Councilmember Susan Wilkinson reminded everyone about the April 30, 2022 Garden Tours.

Mayor Pro Tem/Councilmember Tim Gould reminded everyone of the new and improved Mayor's Education Awards to honor teachers, volunteers, students, and business partners. He also mentioned that the Campbell Middle School cleanup day is on April 23 at 9:00 AM. And the Campbell High School Education Foundation Golf Outing is Monday, April 25, 2022.

Councilmember Lewis Wheaton asked for prayers for Ward 7 resident Janelle Higgins who suffered from a pulmonary embolism while traveling. They have known each other for quite some time, and he asked that if one is so inclined, to pray for her, her husband, and her young child.

Mayor Derek Norton discussed the Support Smyrna initiative. It has been assigned its 501(c)3 with Laura Norton as director.

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

There was no citizen input.

12. Adjournment:

Mayor Derek Norton adjourned the April 18, 2022 Mayor and Council meeting at 8:20 PM.