



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final City Council

Monday, November 16, 2020

7:00 PM

Community Center Large Gym

Smyrna Community Center Large Gym / 200 Village Green Circle SE
Parking and entrance to meeting on Powder Springs Street Side of Building
MASKS REQUIRED / TEMPERATURE WILL BE CHECKED

If you wish to speak during the Public Hearing portion of this meeting and you are unable to attend the meeting due to health concerns with Covid 19, you may participate via telephone. To participate via telephone, you must register with the City Clerk's Office by emailing your name, address and telephone number to ClerksOffice@Smyrnaga.gov.

The deadline to register to speak via telephone is SUNDAY, NOVEMBER 15, 2020 at 11:00PM

Everyone that attends the meeting in person, will have an opportunity to speak and will not have to register prior to the meeting. You will need to sign the Public Hearing /Citizen Input Sign Up Sheet at the City Clerk's desk prior to the start of the meeting at 7:00 PM. If you choose to speak via telephone, you must be available to receive a call between 7:00 PM and 9:00 PM.

You will be notified on MONDAY, NOVEMBER 16, 2020 by 12 NOON as to additional details of these procedures.

Thank you for your cooperation as we navigate new ways to encourage Public Comment.

Rollcall

Present: 8 - Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Austin Wagner, Councilmember Travis Lindley, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Tim Gould and Councilmember Lewis Wheaton

Also Present: 1 - Scott Cochran

Staff: 8 - Joe Bennett, Penny Mocerri, Heather Peacon-Corn, Jennifer Bennett, Russell Martin, Joey Staubes, Dan Campbell and Tina Monaghan

Call to Order

Mayor Derek Norton called the November 16, 2020 Mayor and Council Meeting to order at 7:00 PM.

1. Invocation and Pledge:

Pastor Jeff Pennington, Smyrna First Baptist Church (1275 Church Street) delivered the Invocation and led all in the Pledge of Allegiance.

2. Agenda Changes:

There were no agenda changes.

3. Mayoral Report:

- A. [2020-458](#) Proclamation in Recognition of Small Business Saturday, November 28, 2020

Councilmember Charles "Corkey" Welch read aloud the proclamation for Small Business Saturday.

4. Land Issues/Zonings/Annexations:

- A. [2020-403](#) Public Hearing - Zoning Request - Z20-011 - Rezoning from GC to R-15 for the development of one single-family home at a density of 1.64 units per acre - 0.61 acres - Land Lot 592 - 1529 Roswell Street - Thomas Trebus

Councilmember Travis Lindley made a motion to approve Zoning Request - Z20-011 - Rezoning from GC to R-15 for the development of one single-family home at a density of 1.64 units per acre - 0.61 acres - Land Lot 592 - 1529 Roswell Street - Thomas Trebus. Councilmember Lewis Wheaton seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

- B. [2020-404](#) Public Hearing - Zoning Request - Z20-012 - Rezoning from R-12 to R-8 for the development of two new single-family homes at a density of 4.84 units per acre - 0.413 acres - Land Lot 664 - 2588 Bates Street - Bakari Brooks

Councilmember Travis Lindley made a motion to approve Zoning Request - Z20-012 - Rezoning from R-12 to R-8 for the development of two new single-family homes at a density of 4.84 units per acre - 0.413 acres - Land Lot 664 - 2588 Bates Street - Bakari Brooks. Councilmember Austin Wagner seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

- C. [2020-460](#) Public Hearing - Plat Approval with variance - V20-065 - Subdivision of one lot into two lots - 2.4 acres - Land Lot 337/384 - 3813 N Cooper Lake Rd - Corkey A. Welch

Councilmember Glenn Pickens made a motion to approve Plat Approval with variance - V20-065 - Subdivision of one lot into two lots - 2.4 acres - Land Lot 337/384 - 3813 N Cooper Lake Rd - Corkey A. Welch. Councilmember Travis Lindley seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

Recuse: 1 - Councilmember Welch

D. [2020-461](#)

Public Hearing - Appeal of variance approval - 0.90 acres - Land Lot 557 - 1460 Memory Lane - CMS Custom Homes, LLC

Councilmember Tim Gould made a motion to deny the variance request - 0.90 acres - Land Lot 557 - 1460 Memory Lane - CMS Custom Homes, LLC. Councilmember Travis Lindley seconded the motion.

The motion to deny failed by the following vote:

Aye: 3 - Councilmember Lindley, Councilmember Wilkinson and Councilmember Gould

Nay: 4 - Councilmember Pickens, Councilmember Wagner, Councilmember Welch and Councilmember Wheaton

Councilmember Austin Wagner made a motion to approve the variance request - 0.90 acres - Land Lot 557 - 1460 Memory Lane - CMS Custom Homes, LLC. Councilmember Charles "Corkey" Welch seconded the motion.

The motion to approve was carried by the following vote:

Aye: 4 - Councilmember Pickens, Councilmember Wagner, Councilmember Welch and Councilmember Wheaton

Nay: 3 - Councilmember Lindley, Councilmember Wilkinson and Councilmember Gould

E. [ORD2020-16](#)

Public Hearing - Review of proposed Ordinance 2020-16 for Code Amendments to Sections 402 and 714 to the City's Zoning Ordinance are proposed to add a definition related to outdoor recreational facility and to list outdoor recreational facility as a permitted use within the Light Industrial zoning district.

Councilmember Lewis Wheaton made a motion to approve Ordinance 2020-16 for Code Amendments to Sections 402 and 714 to the City's Zoning Ordinance are proposed to add a definition related to outdoor recreational facility and to list outdoor recreational facility as a permitted use within the Light Industrial zoning district with the modification that these facilities are operated during normal facility hours stipulated in City guidelines. Councilmember Charles "Corkey" Welch seconded the motion.

The motion to approve with conditions was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

5. Privilege Licenses:

- A. [LIC2020-18](#) Privilege License Request LIC 2020-18 - Beer Manufacturing & Pouring (Brewery & Retail Pouring)- 3080 Jonquil Drive - Arcanum Ventures, LLC dba The Viking Alchemist with Robin Kosoris as agent.

Councilmember Austin Wagner made a motion to table Privilege License Request LIC 2020-18 - Beer Manufacturing & Pouring (Brewery & Retail Pouring)- 3080 Jonquil Drive - Arcanum Ventures, LLC dba The Viking Alchemist with Robin Kosoris as agent to the December 7, 2020 M&C meeting due to the applicant not being able to attend. Councilmember Travis Lindley seconded the motion.

The motion to table was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

- B. [LIC2020-19](#) Privilege License Request LIC 2020-19 - Wine and Liquor (retail package) - 3100 Highlands Parkway SE, Suite 1 - Prohibition Liquor, LLC dba Prohibition Liquor with Matthew Bowman as agent.

Councilmember Lewis Wheaton made a motion to approve Privilege License Request LIC 2020-19 - Wine and Liquor (retail package) - 3100 Highlands Parkway SE, Suite 1 - Prohibition Liquor, LLC dba Prohibition Liquor with Matthew Bowman as agent. Councilmember Charles "Corkey" Welch seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

6. Formal Business:

- A. [2020-453](#) Approval of the 2021 Mayor and Council Meeting Dates

Councilmember Glenn Pickens made a motion to approve the 2021 Mayor and Council Meeting Dates. Councilmember Austin Wagner seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

- B. [2020-475](#) Reappointment of George Davis to the Civil Service Board for a 2-year term, November 16, 2020 - November 15, 2022

Councilmember Charles "Corkey" Welch made a motion to approve the reappointment of George Davis to the Civil Service Board for a 2-year term, November 16, 2020 - November 15, 2022. Councilmember Lewis Wheaton seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

- C. [2020-462](#) Approval of the renewal of the Prisoner Housing Agreement, effective January 1, 2021 through December 31, 2021 with the City of Marietta and authorize the Mayor to sign and execute all related documents.

Councilmember Tim Gould made a motion to approve the renewal of the Prisoner Housing Agreement, effective January 1, 2021 through December 31, 2021 with the City of Marietta and authorize the Mayor to sign and execute all related documents. Councilmember Austin Wagner seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

- D. [ORD2020-17](#) Approval of ORD2020-17 for an amendment to Sections 6-2, 6-83, 6-84 and 6-124 of the Alcoholic Beverage Ordinance as it pertains to the issuance of pouring licenses for private clubs and special event facilities and to authorize the Mayor to sign and execute all related documents.

Councilmember Charles "Corkey" Welch made a motion to approve ORD2020-17 for an amendment to Sections 6-2, 6-83, 6-84 and 6-124 of the Alcoholic Beverage Ordinance as it pertains to the issuance of pouring licenses for private clubs and special event facilities and to authorize the Mayor to sign and execute all related documents. Councilmember Travis Lindley seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

7. Commercial Building Permits:

- A. [2020-476](#) Issuance of two commercial building permits for construction of a food hall shell building - 1625 Roswell Street - M Junger Homes, LLC

Councilmember Travis Lindley made a motion to approve the issuance of two commercial building permits for construction of a food hall shell building - 1625 Roswell Street - M Junger Homes, LLC. Councilmember Austin Wagner seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

8. Consent Agenda:

Councilmember Glenn Pickens made a motion to approve the consent agenda as read

aloud by Interim City Administrator Joe Bennett. Councilmember Lewis Wheaton seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

- A. [2020-470](#) Approval of the October 29, 2020 Committee of the Whole Meeting minutes.
- B. [2020-471](#) Approval of the November 2, 2020 Pre-Council Meeting minutes.
- C. [2020-472](#) Approval of the November 2, 2020 Mayor and Council Meeting minutes.

9. Ward / Committee Reports:

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

12. Adjournment:

Mayor Derek Norton adjourned the November 16, 2020 Mayor and Council meeting at 9:35 PM.