



Meeting Minutes - Final
City Council

Monday, August 19, 2019

6:30 PM

Council Chambers

Mayor & Council changed Council Meeting time to attend Commissioner Bob Ott's meeting regarding air quality testing.

Roll Call

Present: 8 - Mayor Max Bacon, Councilmember Derek Norton, Councilmember Maryline Blackburn, Councilmember Andrea Blustein, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Tim Gould and Councilmember Ron Fennel

Also Present: 8 - Tammi Saddler Jones, Scott Cochran, Scott Andrews, Terri Graham, Tina Monaghan, Frank Martin, Russell Martin and Landon O'Neal

Call to Order

Mayor A. Max Bacon called the August 19, 2019 Mayor and Council meeting to order at 6:30 PM.

1. Invocation and Pledge:

Councilmember Charles "Corkey" Welch delivered the Invocation and led all in the Pledge of Allegiance.

2. Agenda Changes:

Item 6B will be tabled to the September 16, 2019 Mayor and Council meeting.

3. Mayoral Report:

Mayor Bacon spoke for a few minutes about qualifying and provided the details for those that are interested in running for an elected office.

4. Land Issues/Zonings/Annexations:

- A. [2019-245](#) Approval of Ordinance 2019-15 - Annexation request (100% owners requesting annexation) - all tract of land lying and being in Land Lot 632, 17th District, 2nd Section, Cobb County, Georgia, a total of .16 acre tract, being known as 1693 Donna Lynn Drive SE, Smyrna GA 30080. Effective date September 1, 2019 and part of Ward 3.

Sponsors: Blackburn

Mayor Bacon read aloud the background information and then asked Councilmember Maryline Blackburn to make the motion since the property was in her Ward.

Councilmember Maryline Blackburn made a motion to approve Ordinance 2019-15 - Annexation request (100% owners requesting annexation) - all tract of land lying and being in Land Lot 632, 17th District, 2nd Section, Cobb County, Georgia, a total of .16 acre tract, being known as 1693 Donna Lynn Drive SE, Smyrna GA 30080. Effective date September 1, 2019 and part of Ward 3. Councilmember Ron Fennel seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

B. [2019-282](#)

Approval of Ordinance 2019-16 - Annexation request (100% owners requesting annexation) - of all tracts of land lying and being in Land Lot 519, 17th District, 2nd Section, Cobb County, Georgia - 1221 Pierce Avenue, Smyrna GA 30080. Effective date September 1, 2019 and part of Ward 3.

Sponsors: Blackburn

The background was read by the Mayor he turned it over to Ms. Blackburn since the property was in her Ward.

Councilmember Maryline Blackburn made a motion to approve Ordinance 2019-16 - Annexation request (100% owners requesting annexation) - of all tracts of land lying and being in Land Lot 519, 17th District, 2nd Section, Cobb County, Georgia - 1221 Pierce Avenue, Smyrna GA 30080. Effective date September 1, 2019 and part of Ward 3. Councilmember Ron Fennel seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

A (1). [2019-265](#)

Award RFP 19-024 Architectural Design Services Community Center Phase II to the most responsive and responsible proposer, Foley Design (950 Lowery Blvd., NW Suite 21, Atlanta, GA 30318) for \$45,000.00 funded through 2019 CDBG and authorize the Mayor to execute any related documents.

Sponsors: Wilkinson

City Administrator Tammi Saddler Jones provided the background information on this agenda item. The City of Smyrna requested qualifications and cost proposals from firms to provide design, documentation and construction administration services for renovation of the current main level, men's and women's locker rooms, restrooms and

shower rooms located at the Community Center. Nine (9) firms submitted and the proposals were evaluated and ranked by Parks & Recreation and Purchasing. It is the recommendation of Parks & Recreation and Purchasing that this RFP be awarded to the most responsive and responsible proposer, Foley Design in the amount of \$45,000. Foley Design has completed other projects within the city, and staff feels their firm will offer the best solution. This project will be funded by the Community Development Block Grant (CDBG). The Parks and Recreation Director recommended approval.

Councilmember Susan Wilkinson read the agenda item to award Architectural Design Services Community Center Phase II to the most responsive bidder, Councilmember Tim Gould seconded the motion, then realized Ms. Wilkinson had selected a different bidder than what was originally discussed during work session. He then told the Mayor he would like to withdraw his second. There was no vote. City Attorney, Scott Cochran advised that they make a motion to withdraw the second and vote on that motion before proceeding.

A (2). [2019-288](#)

Councilmember Tim Gould requested to withdraw his motion to second a motion made by Susan Wilkinson for item 6 A.

Councilmember Tim Gould made a motion to withdraw his second for a motion made by Councilmember Susan Wilkinson for 6 A to approve Fitzgerald Collaborative Group for the Community Center Phase II project, a second was made by Councilmember Charles (Corkey) Welch.

The motion to withdraw the motion to second carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

A (3). [2019-289](#)

Motion to award RFP 19-024 Architectural Design Services Community Center Phase II to the most responsive and responsible bidder, Fitzgerald Collaborative Group, LLC

Councilmember Susan Wilkinson made a motion to award RFP 19-024 Architectural Design Services Community Center Phase II to the most responsive and responsible bidder to Fitzgerald Collaborative, LLC, the motion was seconded by Councilmember Maryline Blackburn.

The motion failed by the following vote:

Aye: 2 - Councilmember Blackburn and Councilmember Wilkinson

Nay: 5 - Councilmember Norton, Councilmember Blustein, Councilmember Welch, Councilmember Gould and Councilmember Fennel

A (4). [2019-265](#)

Award RFP 19-024 Architectural Design Services Community Center Phase II to the most responsive and responsible proposer, Foley Design (950 Lowery Blvd., NW Suite 21, Atlanta, GA 30318) for \$45,000.00 funded through 2019 CDBG and authorize the Mayor to execute any related documents.

Sponsors: Wilkinson

A motion was made by Councilmember Ron Fennel to award RFP 19-024 Architectural Design Services Community Center Phase II to the most responsive and responsible

proposer, Foley Design (950 Lowery Blvd., NW Suite 21, Atlanta, GA 30318) for \$45,000.00 funded through 2019 CDBG and authorize the Mayor to execute any related documents, the motion was seconded by Councilmember Derek Norton.

The motion to approve carried by the following vote:

Aye: 5 - Councilmember Norton, Councilmember Blustein, Councilmember Welch, Councilmember Gould and Councilmember Fennel

Nay: 2 - Councilmember Blackburn and Councilmember Wilkinson

B. [2019-264](#)

Abandon an alleyway behind 1529 and 1539 Roswell Street and authorize the Mayor to execute all necessary documents to convey the alleyway to the adjacent property owners at such address.

Sponsors: Blackburn

Councilmember Maryline Blackburn made a motion to table 2019-264 Abandon an alleyway behind 1529 and 1539 Roswell Street and authorize the Mayor to execute all necessary documents to convey the alleyway to the adjacent property owners at such address to the September 16, 2019 Mayor and Council meeting. Councilmember Susan Wilkinson seconded the motion.

The motion to table was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

C. [2019-284](#)

Approval of Professional Services Agreement with GHD Services Inc. d/b/a GHD Environmental and Consulting Inc. (11719 Hinson Rd, Suite 100, Little Rock, AR 72212) between the City of Smyrna, Cobb County, and possibly the City of Atlanta with the estimated contribution from the City of Smyrna being \$39,600.00 for Industrial Hygiene, Risk Assessment Services, Hazard Assessment, and Ambient Air Sampling.

Sponsors: Gould

Ms. Saddler Jones reviewed the pertinent information for this agenda item. Our city's purchasing policy allows procurement of professional services without competitive bidding. Additionally, State Law (Georgia) O.C.G.A. recognizes anyone who is a P.E. (Professional Engineer) or who possesses a C.I.H. (Certified Industrial Hygienist) as a "Professional Service", Mr. Dyron Hamlin with GHD has both. Staff recommended approval of the Professional Services Agreement with GHD with the City of Smyrna's estimated contribution being \$39,600.00.

Councilmember Tim Gould made a motion to approve Professional Services Agreement with GHD Services Inc. d/b/a GHD Environmental and Consulting Inc. (11719 Hinson Rd, Suite 100, Little Rock, AR 72212) between the City of Smyrna, Cobb County, and possibly the City of Atlanta with the estimated contribution from the City of Smyrna being \$39,600.00 for Industrial Hygiene, Risk Assessment Services, Hazard Assessment, and Ambient Air Sampling. Councilmember Ron Fennel seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

D. [2019-269](#)

Approval to purchase a 2020 Kenworth T370 Pac-Mac knuckle boom loader through State of Georgia Contract number # 99999-SP0000155-002- to MHC Kenworth Atlanta 5860 Riverview Road Mableton, Ga. 30126 funded in the FY20 vehicle replacement fund for a total cost of \$148,930.00.

Sponsors: Welch

Councilmember Charles "Corkey" Welch made a motion to approve the purchase of a 2020 Kenworth T370 Pac-Mac knuckle boom loader through State of Georgia Contract number # 99999-SP0000155-002- to MHC Kenworth Atlanta 5860 Riverview Road Mableton, Ga. 30126 funded in the FY20 vehicle replacement fund for a total cost of \$148,930.00. Councilmember Maryline Blackburn seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

E. [2019-271](#)

Approval to purchase a 2019 Mack TE64R Chassis sanitation truck through Sourcewell Cooperative-Heil contract # THC 112014 to Carolina Environmental Systems Inc. 500 Lee Industrial Blvd Austell, Georgia 30168 funded in the FY20 vehicle replacement fund for a total cost of \$230,529.00.

Sponsors: Welch

Councilmember Charles "Corkey" Welch made a motion to approve the purchase of a 2019 Mack TE64R Chassis sanitation truck through Sourcewell Cooperative-Heil contract # THC 112014 to Carolina Environmental Systems Inc. 500 Lee Industrial Blvd Austell, Georgia 30168 funded in the FY20 vehicle replacement fund for a total cost of \$230,529.00. Councilmember Derek Norton seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

F. [2019-281](#)

Approval to purchase 2019 Ford F-750 Chassis and Monroe Spreader & Boss 9' (nine foot) Plow using the Georgia State Contract # 99999-01-SPD-0000155 from Wade Ford located at 3860 South Cobb Drive Smyrna, Georgia 30080 for a total cost of \$103,431.00 funded in the FY20 vehicle replacement fund.

Sponsors: Welch

Councilmember Charles "Corkey" Welch made a motion to approve the purchase of a 2019 Ford F-750 Chassis and Monroe Spreader & Boss 9' (nine foot) Plow using the

Georgia State Contract # 99999-01-SPD-0000155 from Wade Ford located at 3860 South Cobb Drive Smyrna, Georgia 30080 for a total cost of \$103,431.00 funded in the FY20 vehicle replacement fund. Councilmember Maryline Blackburn seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

G. [2019-283](#)

Approval of extended work hours for Balfour Beatty during concrete pours at the new King Springs Elementary School (1041 Reed Road). Proposed working hours are from 3:00 a.m. to 8:00 p.m. during five concrete pours in the upcoming weeks (9/16, 10/14, 10/25, 11/15, & 11/18).

Sponsors: Welch

Councilmember Welch explained that the extended hours were a necessary evil in order to get the concrete poured and the school built within the required time frame. The extended hours would be one day per week as listed in the motion.

Mayor Bacon explained that there will be someone from the City at the site to monitor the noise and that there are arrangements being made to keep the noise to a minimum.

Councilmember Charles "Corkey" Welch made a motion to approve of extended work hours for Balfour Beatty during concrete pours at the new King Springs Elementary School (1041 Reed Road). Proposed working hours are from 3:00 a.m. to 8:00 p.m. during five concrete pours in the upcoming weeks (9/16, 10/14, 10/25, 11/15, & 11/18). Councilmember Andrea Blusein seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

H. [2019-285](#)

Approval of a consulting contract with The Center for State and Local Finance at Georgia State University (14 Marietta Street NW, 4th Floor, Atlanta, GA 30303) for an Annexation Feasibility Study in the amount of \$45,000.

Sponsors: Gould

Councilmember Tim Gould made a motion to approve of a consulting contract with The Center for State and Local Finance at Georgia State University (14 Marietta Street NW, 4th Floor, Atlanta, GA 30303) for an Annexation Feasibility Study in the amount of \$45,000. Councilmember Ron Fennel seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

- I. [2019-280](#) Approval of a Consulting Contract with Pond (3500 Parkway Lane, Suite 500, Peachtree Corners, GA 30092) to conduct a Downtown Master Plan Update in the amount of \$29,950.

Sponsors: Fennel

Councilmember Ron Fennel made a motion to approve of a Consulting Contract with Pond (3500 Parkway Lane, Suite 500, Peachtree Corners, GA 30092) to conduct a Downtown Master Plan Update in the amount of \$29,950. 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 Gould and Councilmember Fennel

Nay: 1 - Councilmember Wilkinson

7. Commercial Building Permits:

There were no commercial building permits.

8. Consent Agenda:

Ms. Saddler Jones read aloud the Consent Agenda for the Mayor and Council.

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: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

- A. [2019-272](#) Approval of the August 5, 2019 Mayor and Council Meeting minutes.
- B. [2019-277](#) Approval of the August 5, 2019 Pre-Council Meeting minutes.
- C. [2019-270](#) Approval of the August 1, 2019 Committee of the Whole Meeting Minutes.

9. Committee Reports:

Ms. Maryline Blackburn thanked Shawn Martin, the Tree Board and all those that came out to the Tree Scarves event that recently took place. She also thanked the community for their participation in a very successful bulk trash day.

Ms. Susan Wilkinson invited everyone to attend the Housing Fair that is going to take place Saturday, August 24, 2019 from 1pm - 4pm at the Community Center. The library has launched the Smyrna Lifetime Learning Academy which begins in the fall with a writing course "Crafting Compelling Fiction" that includes 12 hours of instruction

which will take place over four days. The instructor is a novelist by the name of Amber Brock who was also Ms. Wilkinson's daughter's high school language arts teacher.

City Clerk Terri Graham announced upcoming qualifying dates and times. The Municipal Qualifying period this year - determined by O.C.G.A. 21-2-132 - takes place between Monday, August 19th and Friday, August 23rd (Within that week, a municipality must designate no less than three consecutive days in which to conduct qualifying.) Qualifying fees were set at the January 7, 2019 City Council Meeting and are as follows:

Qualifying Fee for Mayor \$756.00

Qualifying Fee for Council Member Wards 1 - 7 \$567.00

Qualifying will be held in the Human Resources Training Room on the first floor of Smyrna City Hall (2800 King Street, Smyrna Ga 30080) as follows:

Tuesday, August 20th, 8:30 a.m.- 4:30 p.m.

Wednesday, August 21st 8:30 a.m.- 4:30 p.m. and

Thursday, August 22, 2019 8:30 a.m.- 4:30 p.m.,

Each day the qualifying process will close for lunch from 12:00 PM - 1:00 PM.

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

Ms. Suz Kaprich, 715 Bank Street SE, planned to qualify to run for Council Ward 5 and introduced herself to Mayor and Council. She works as a nurse executive for a health care system in town. Ms. Kaprich is a mother of two and is looking forward to participating and improving the community.

12. Adjournment:

Mayor Bacon adjourned the August 19, 2019 Mayor and Council meeting at 7:08 PM.