



Meeting Minutes - Draft Committee of the Whole

Thursday, July 15, 2021

6:00 PM

City Hall

Roll Call

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

Also Present 1 - Scott Cochran

Staff 14 - Joe Bennett, Penny Mocer, Kristin Robinson, Heather Peacon-Corn, Jennifer Bennett, Dan Campbell, Jon Carter, Louis Defense, Richard Garland, Robert Harvey, Bo Jones, Russell Martin, Keith Zgonc, and Tyler Lewis

1. Call to Order

Mayor Derek Norton called the July 15, 2021 Committee of the Whole Meeting held in the HR Training Room at A. Max Bacon City Hall to order at 6:00PM.

2. New Business

A. [COW21-56](#)

Discussion regarding the City of Smyrna Resurfacing through the sole source contract with Donelson Construction Company, LLC, 1075 Wise Hill Road, Clever, MO 65631, in the amount of \$921,313.85 (\$425,936.37 LMIG and \$495,377.48 SPLOST) for paving and resurfacing of City Streets and authorize the Mayor to execute all related documents.

Assistant Public Works Director Bo Jones introduced the Donelson Construction Company to the Mayor and Council. Mr. Donelson and his son Bryant would be giving the presentation via Zoom for the Mayor and Council's review.

Mr. Donelson began the presentation and discussed the benefit of using Donelson Construction as a one-stop shop for the City's paving needs.

As the aggregate producer, emulsion producer, tech developer, equipment manufacturer and contractor, Donelson handles the project from start to finish without the need of subcontractors to complete parts of the project.

They hold the patent for the specific equipment used and have three varieties of paving.

Type 1 is a 1/8 inch paving

Type 2 is a 1/4 inch paving

Type 3 is a 3/4 inch paving

The pressure pave sealant is used for crack injection and is a forced injection fill that allows for longer wear and life of the overall product.

The process is drivable after 30 minutes of application.

Traditional paving leaves cracks less than 1/4 wide untreated which can cause to earlier breakdown of the roads surface.

This concept has a guaranteed life of 10-15 years in harsh weather conditions. In a city such as Smyrna, we could see 15 - 20 years based on the use on the road as well as the limited harsh weather events.

Mayor Norton capped the presentation after 25 minutes and thanked the Donelson's for their information and background and noted that the collective was very much in favor of utilizing this concept in the City.

Bo Jones remarked that previous traditional paving estimates were almost double the expense of the Donelson quote without the longevity as previously noted.

B. [COW21-58](#)

Parks and Rec Staffing / Programming Discussion - Director Richard Garland

Public Works Director Richard Garland and Senior Program Director Jodi Mills gave a presentation to the Mayor and Council regarding the scheduling of classes, specifically at the Wolfe Center. Several Councilmembers as well as the Mayor have received complaints that we have not returned to pre-Covid scheduling.

The current scheduling was reviewed and Ms. Mills was asked to make adjustments to allow for more participation and specifically open pool time for people to walk without having to schedule and appointment.

The Mayor and Council agreed that we need to have a few slots for scheduling for the residents that are still gun shy of COVID and more a more restrictive amount of people using the pool but overall the schedule needs to be opened up.

Mayor Norton asked staff to bring an updated schedule to them at the PRe-Council meeting on July 29 for review by the collective.

C. [COW21-59](#)

Commercial Sanitation - Assistant City Administrator Kristin Robinson

Assistant City Administrator / Finance Director Kristin Robinsons spoke about the ongoing service issues with Commercial sanitation and Waste Industries.

Over the past 18 months there have been hundreds of complaints as to the lack of service by the company and lack of response to problems by UB staff.

Several meetings have taken place with their staff and management to try to rectify the issues and although it gets better for a short period of time, it continues to revert back.

The majority of the phone calls to UB are related to Commercial Sanitation issues.

Additionally the process doesn't give a clear indicator to them about the amount of complaint and anger being received by City staff. Staff receives the complaints and issues a work order to get the issue resolved. All Waste Industries is receiving is the work order and they are not having to field any of the complaints. This is how the process was set up by previous City Administration, however, it continues to be the greatest obstacle in Utility Billing.

Staff is recommending to rebid the current contract and offer the businesses the option to choose between two City approved contractors. The hope is this will make a more competitive process and customer service will improve across the board. It will also give the businesses a choice as to who they would like to use, and if the service doesn't work for them, they can choose the other contractor. Details such as time they have to remain with each contractor as well as other overall details will be worked on prior to the bid so that it is clear and concise for the City, the businesses and the contractors.

The Council is in agreement that changes need to be made and the only way to move ahead is to rebid what we currently have and give the businesses more options.

Purchasing will move forward with this proposal and start the rebid process. They expect it to take several months to complete.

3. Review of the July 19, 2021 Mayor and Council Agenda

A. [COW21-55](#)**Review of the July 19, 2021 Mayor and Council meeting Preliminary Agenda.**

Mayor Norton moved to review the upcoming July 19, 2021 meeting agenda as follows:

Deacon Erick Rucker of International Gospel Outreach Church would present the invocation and Pledge of Allegiance.

Land Issues:

Item 4A. (Emerson Center) Public Hearing / NO VOTE ITEM: Zoning Request - Z21-002 - Allow annexation and rezoning from NS (Smyrna) and OI (Cobb County) to MU-Conditional for the development of a mixed use project - 8.7 acres - Land Lot 880 & 881 - 2800 & 2810 Spring Rd - RASS Associates, LLC.

Community Development Director Russell Martin pulled up the Site Plan and reviewed the specifics with Council as to the build out of this very large development. He also showed the Hotel Renderings as well as the Retail and Parking Deck elevations.

Item 4B is the annexation for Emerson Center property.

Approval of Annexation request ORD2021-02 (100% owners requesting annexation) - all tract or parcel (Parcel #17088000030) of land lying and being in Land Lots 880 and 881, of the 17th District, 2nd Section, Cobb County, Georgia, a total of 7.14 acres, being known as 2800 and 2810 Spring Road, Smyrna, Georgia, 30080, will be in effect August 1, 2021 and part of Ward 1 and authorize the Mayor to sign and execute all related documents.

Item 4C would be the final vote for the rezoning of Emerson Center.

FINAL VOTE - Zoning Request - Z21-002 - Allow annexation and rezoning from NS (Smyrna) and OI (Cobb County) to MU-Conditional for the development of a mixed use project - 8.7 acres - Land Lot 880 & 881 - 2800 & 2810 Spring Rd - RASS Associates, LLC. Staff recommends approval.

Item 4D is a Public Hearing - Zoning Request - Z21-008 - Rezoning from FC to R-8-Conditional for the subdivision of one lot into two lots at a density of up to 4.6 units per acre - Land Lot 561 - 2605 Old Roswell Road - Roselane LLC. The applicant is requesting a rezoning from FC to R-8-Conditional for the development of two (2) single-family detached units at a density of 4.6* units per acre. A land use change to Medium Density Residential is required for this rezoning. *The applicant is negotiating to acquire additional city owned property which would reduce density below 4.5 units per acre. Staff recommends approval.

There are no Privilege Licenses.

Formal Business:

Item 6A is for a Resolution (RES2021-04) Approve RES2021-04 to accept the Coronavirus State and Local Fiscal Recovery funds and ratify funds already received in the amount

\$3,997,773.00 from the United States Department of Treasury and all future allocations and to authorize the Mayor to sign and execute all related documents. These funds allocated from the American Rescue Plans Act provide a substantial infusion of resources to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery.

The American Rescue plan (2021) which was passed by Congress on March 10, 2021 and signed into law on March 11, 2021, continues many of the programs start by the

CARES Act (2020) and the Consolidated Appropriation Act (2021) by adding new phases, new allocations, and new guidance to address issues related to the continuation of the COVID-19 pandemic. Further, through the Department of Treasury it established

the Coronavirus State and Local Fiscal Recovery Funds for eligible state, local and territorial, and Tribal governments.

The total amount of funds allocated to the City of Smyrna is \$7,995,546.00. The City accepted the first tranche on June 14, 2021, and a second tranche will be paid twelve months after the first payment. The Coronavirus State and Local Fiscal Recovery funds may be used to:

- Support public health expenditures, by, for example, funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain health and safety staff
- Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector
- Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic
- Provide premium pay for essential workers, offering additional support to those who have and will bear the greatest health risks because of their service in critical infrastructure sectors
- Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Recipients have until December 31, 2024 to encumber funds; and until December 31, 2026 to spend allocated funding.

Deputy City Administrator Penny Mocerri reviewed the information and noted she and Finance Director Kristin Robinson would be meeting to discuss specific projects and the Council would receive an update of the information they reviewed and suggestions on what to apply the funds towards.

6B - Request for a name change for 23Thirty Cobb Apartments located at 2330 Cobb Parkway to 2330 Cobb Pkwy, LLC dba Elevate at The Battery.

6C. Approval of the City of Smyrna Resurfacing through the sole source contract with Donelson Construction Company, LLC, 1075 Wise Hill Road, Clever, MO 65631, in the amount of \$921,313.85 (\$425,936.37 LMIG and \$495,377.48 SPLOST) for paving and resurfacing of City Streets and authorize the Mayor to execute all related documents.

6D. Award RFP 21-014 Door Locking System for Parks Restrooms to the lowest qualified bidder LMI Systems for \$54,686.11 and authorize the Mayor to execute any related documents.

6E. Approval of the scheduled VRF/CIP replacement of two vehicles (#3079 and 3087) Ford Explorers from the Fire Marshall's Office, utilizing the City of Atlanta Contract #10590-WS from Wade Ford, 3860 S Cobb Dr SE, Smyrna, GA 30080, for a cost of \$69,619.00 and authorize the Mayor to sign and execute any related documents.

6F. Approval to purchase 6 (six) equipped Ford Police Interceptor Explorers for the Police Department as part of the FY22 Vehicle Replacement Fund at a total cost not to exceed of \$296,000.00 dollars through through Phil Brannen Ford of Perry - 2010 Us Highway 41 South Perry, GA 31069 and authorize the Mayor to sign and execute any related documents.

There are no Commercial Building Permits.

Consent Agenda:

Items 8A, 8B and 8C:

Minutes Approval

8D. Approval of the extension of the termination date to be December 31, 2021 for the following Community Development Block Grant Sub Recipient Agreements: Contract No: CV20-V20S8, Amendment No. 1 to be effective July 16, 2021; Contract No. CD20-C20SA-A and CD20-C20S8-F, Amendment No. 4 to be effective August 1, 2021; Contract No.

CD19-C19S8, Amendment No. 4 to be effective August 1, 2021; and authorize the Mayor to sign and execute all related documents.

4. Other Business (as needed)

Mayor Norton discussed the upcoming Downtown Redevelopment Details Task Force and Councilmember Corkey Welch expressed his disappointment and frustration with not being chosen to participate as a task force member. He felt Mayor Norton was not taking into consideration his 40+ years of Engineering experience and that he was intentional left off the group because of his opposition to parts of the project.

Councilmember Susan Wilkinson echoed Mr. Welch's statement and said she felt the same.

Mayor Norton noted the upcoming meeting of the DRD would be on July 20, 2021 and was an open meeting.

City Clerk, Heather Peacon-Corn presented the update Georgia Ethic website and showed Mayor and Council the addition of all Campaign documents to this site for public review. A link to the new website would be added to the City website for ease of public access as well.

Additionally, the Council asked the Clerk's office about publicizing all meeting agendas notice via Send Agenda. Ms. Corn said she would review the processes with Granicus and come up with a way to send all agendas to the public in the next 30-45 days. She noted that due to the lack of a current Deputy Clerk, she would require the additional time frame for completion.

A. [COW21-57](#)

City Administrator Projects Review / Updates.

City Administrator Joe Bennett reviewed some of the ongoing projects of his office and noted all projects can be found on the board in Penny Mocer's office for Council review at any time.

He reviewed the dates of important upcoming events such as the State of the City on July 28th in the Community Center as well as the Teacher's Appreciation Luncheon.

5. Executive Session (as needed)

There was no Executive Session for this meeting.

6. Adjournment

Mayor Derek Norton adjourned the July 15, 2021 Committee of the Whole Meeting held in the HR Training Room at A. Max Bacon City Hall to order at 7:46PM.