



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final City Council

Monday, June 1, 2020

7:00 PM

Large Gym, Smyrna Community Center

*** REVISED AGENDA 6/1/2020***

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

Roll Call

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: 12 - Tammi Saddler Jones, Roy Acree, Joe Bennett, Tyler Addison, Richard Garland, Russell Martin, Penny Moceri, Kevin Moore, Landon O'Neal, Kristin Robinson, Jered Sigmon and Tina Monaghan

Call to Order

Mayor Derek Norton called the June 1, 2020 Mayor and Council Meeting to order at 7:00 PM.

1. Invocation and Pledge:

Tim Gibson, International Gospel Outreach Church (1101 Windy Hill Rd) delivered the Invocation and led all in the Pledge of Allegiance.

2. Agenda Changes:

Mayor Norton announced that there would be an addition to the agenda. A resolution against racism which will become item 6A under formal business.

Councilmember Lewis Wheaton made a motion to approve the addition of the Resolution Condemning Racism to the formal business portion of the agenda. Councilmember Tim Gould seconded the motion.

The motion to amend the agenda was carried by the following vote:

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

3. Mayoral Report:

Mayor Norton gave a summary of the Governor's recent changes and updates regarding

COVID 19. He then went on to explain the changes and openings that will occur within the City specifically. He explained that playgrounds will be opening as well as sports fields, etc. Pool will open shortly although no opening date is currently available. Wolfe Center will remain closed at least until June 12th. Staff is back working full time in the office beginning today. Staff is preparing city facilities to reopen in the next few weeks including City Hall and Brawner Hall. Library has computer access by appointment beginning this week. All meetings will continue to take place in the large gym to allow for social distancing.

4. Land Issues/Zonings/Annexations:

- A. [2020-132](#)** Public Hearing - Zoning Request - Z20-003 - Modification of site plan and building elevations for a 75-unit senior living facility - 3.10 acres - Land Lot 606 - 4225 E/W Connector - OneStreet Development LLC
- Councilmember Tim Gould made a motion to table Zoning Request - Z20-003 - Modification of site plan and building elevations for a 75-unit senior living facility - 3.10 acres - Land Lot 606 - 4225 E/W Connector - OneStreet Development LLC to the June 15, 2020 Mayor and Council Meeting at the request of staff. 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

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

- A. [RES2020-04](#)** Resolution 2020-04 Condemning Racism.
- Mayor Derek Norton read the entire resolution aloud for everyone to hear.*
- Councilmember Lewis Wheaton spoke about the importance of addressing such a critical issue.*
- Mayor Norton spoke of a peaceful demonstration that happened the day before and how honored he was to be able to take part in that.*
- Councilmember Lewis Wheaton made a motion to approve Resolution 2020-04 Condemning Racism. Councilmember Susan Wilkinson 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. [2020-185](#)** Adoption of the Fiscal Year 2021 Budget

City Administrator Tammi Saddler Jones provided the background information. The Public Hearing for the FY 2021 proposed budget was held on May 18, 2020. The total budget, as proposed, is \$105,954,598. The General Fund budget is \$53,871,625, Special Revenue Funds are \$4,311,759, Capital Project Funds are \$23,682,547, Internal Service Fund is \$1,262,575 and the Enterprise Funds are \$22,826,092. I as the City Administrator along with the Finance Director and her staff recommend approval of the proposed fiscal year budget to begin on July 1, 2020.

Councilmember Charles "Corkey" Welch thanked those that worked so hard to put a budget together during these unusual times. He added that he wants to add to the motion that any new hires must go before Mayor and Council before moving forward.

Councilmember Charles "Corkey" Welch made a motion to approve the adoption of the Fiscal Year 2021 Budget with the stipulation that all new hires must come before and be approved by Mayor and Council for approval. 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

C. [ORD2020-04](#)

Approval to amend Section 2-1 of the City Code by adding an updated code of conduct for elected officials.

A brief summary was given by Ms. Saddler Jones. The previous version of the ordinance has not been updated for since 1977. Best practices by the Georgia Municipal Association and other professional organizations recommend a comprehensive code of conduct for elected officials. This ordinance amendment updates the previous version and sets guidelines specific to elected officials. Approval of this ordinance change is recommended.

Councilmember Travis Lindley talked about how being a newly elected official and going to the training really brought the importance of such a document to the forefront.

Councilmember Susan Wilkinson had some concerns and questions for the City Attorney in reference to the Code of Conduct to be voted on. First being that Mayor and Council should not use their position to force staff to chance their professional opinion. City Attorney Scott Cochran explained that it means not pressuring staff to make a certain decision or recommendation. Once the recommendation is made, it is up to the elected officials to vote however they feel. Her next point was helping support her constituents when it comes to matters that happen with the county which surround much of her ward. Can she go to the meeting as a representative of her constituents. Attorney Cochran explained that an elected official cannot speak on behalf of the city without being appointed to do so by Mayor and Council. Ms. Wilkinson could speak on behalf of herself but not act as a representative of the city as a whole. Ms. Wilkinson stated that she wished there would have been more discussion on the code of conduct before the vote including citizen input. She is honored to serve the citizens of Ward 5 and read off some other things that were included in the GMA model that she would like to see added to the city's document at some point.

Mayor Norton noted that the issue has been thoroughly discussed and that many of the elements mentioned by Councilmember Wilkinson were already included in the charter as well as the oath taken when sworn into office.

Councilmember Travis Lindley made a motion to approve to amend Section 2-1 of the City Code by adding an updated code of conduct for elected officials. Councilmember Tim Gould 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. [RES2020-03](#)

Resolution to apply to the Georgia Smart Communities Challenge to pursue grant funding and to fund the community match.

City Administrator Saddler Jones gave explanation to Mayor and Council. The Georgia Smart Communities Challenge 2020 call for proposals and is now open, and communities interested in receiving up to \$100,000 in grant funding provided by the Atlanta Regional Commission's (ARC) Livable Center's Initiative (LCI) , sponsored research provided by Georgia Tech researchers, and additional assistance in Smart Community planning on the topic of Mobility, are encouraged to apply for this year's opportunity. As part of the City's application for the Georgia Smart Communities Challenge, a Resolution is needed to declare the City's intent to apply for the grant and agree to fund the 20 % (\$25,000) match and voluntary 20% in kind match. Funds from the Georgia Smart Communities can help the city plan for a "smart" and technologically advanced future by planning for or completing a pilot project. Staff recommends approval of the resolution.

Councilmember Wheaton noted that this is a great opportunity to allow municipalities to put into effect some large changes in the area of transportation that might not otherwise come to fruition. Pedestrian and biking safety are important to citizens and the grant would go toward improving this.

Councilmember Lewis Wheaton made a motion to approve Resolution to apply to the Georgia Smart Communities Challenge to pursue grant funding and to fund the community match. 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

E. [2020-178](#)

Approval of Appointment of Charles "Corkey" Welch to the Cobb County-Marietta Water Authority (CCMWA) to serve a four-year term beginning August 15, 2020

Mayor Norton spoke as to why he felt that Councilmember Welch was the most qualified person for the appointment.

Councilmember Charles "Corkey" Welch abstained from the vote.

Councilmember Travis Lindley made a motion to approve the appointment of Charles "Corkey" Welch to the Cobb County-Marietta Water Authority (CCMWA) to serve a four-year term beginning August 15, 2020. Councilmember Susan Wilkinson 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

Abstain: 1 - Councilmember Welch

F. [2020-179](#)

Approval of the Appointment of Ward 1 resident, C.J. Wilkes, to the Smyrna Hospital Authority. This is a four year term that expires 5/31/2024.

Councilmember Glenn Pickens said that Mr. Wilkes will be a great addition to the Smyrna Hospital Authority.

Councilmember Glenn Pickens made a motion to approve the Appointment of Ward 1 resident, C.J. Wilkes, to the Smyrna Hospital Authority. This is a four year term that expires 5/31/2024. 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

G. [2020-180](#)

Approval of the Appointment of Ward 7 resident, Stacy Levine, to the Smyrna Hospital Authority. This is a four year term that expires 5/31/2024.

Councilmember Wheaton said that Ms. Levine is an active member of the community and will be a great addition to the Smyrna Hospital Authority.

Councilmember Lewis Wheaton made a motion to approve the Appointment of Ward 7 resident, Stacy Levine, to the Smyrna Hospital Authority. This is a four year term that expires 5/31/2024. Councilmember Tim Gould 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:

There were no commercial building permits.

8. Consent Agenda:

City Administrator Tammi Saddler Jones read aloud the consent agenda for Mayor and Council.

Councilmember Tim Gould made a motion to approve the consent agenda as read aloud by City Administrator Tammi Saddler Jones. 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

- A. [2020-181](#) Approval of the April 30, 2020 Committee of the Whole Meeting Minutes.
- B. [2020-182](#) Approval of the May 14, 2020 Committee of the Whole Meeting Minutes.
- C. [2020-183](#) Approval of the May 18, 2020 Mayor and Council Meeting Minutes.
- D. [2020-188](#) Approve the scheduling of a Special Called Planning and Zoning Meeting to occur on June 29, 2020 at 6:00PM in the Smyrna Community Center Large Gym for the purpose of holding a Public Hearing for Planning and Zoning items, previously on hold due to COVID19, and to post notice immediately in all public notice locations.

9. Ward / Committee Reports:

Councilmember Glenn Pickens was glad the City took a stand against racism. This resolution is a first step to having conversations to move closer to ending injustice.

Councilmember Austin Wagner was proud to see those that came out to Taylor Brawner and had a peaceful demonstration against racism. He reminded everyone to vote in the primaries and hold everyone accountable.

Councilmember Travis Lindley said it was good to see people in the audience. He is proud to be a Smyrna resident and to be able to start the dialogue about racism which is a first step. He attended the event which was a peaceful demonstration and feels it was a call to order to get to work.

Councilmember Charles "Corkey" Welch echoed the thoughts of those who spoke before him and thanked people for coming out to the meeting.

Councilmember Susan Wilkinson reiterated the importance of taking a stance against systemic racism. She is proud to be a part of the new council that is talking about these types of issues. She thanked staff for all of their work on speeding and traffic calming issues.

Councilmember Tim Gould said we are blessed to be able to set an example for Cobb County on how to listen and learn to understand and to reflect on the lives of others. Mayor, council, staff and residents can all do their part.

Councilmember Lewis Wheaton said it is difficult to remember we are in the middle of a pandemic as well as a state of grief and struggle. Be mindful of others, be mindful of yourself, and stay safe.

City Administrator Tammi Saddler Jones shared election information from the Cobb County elections website including the locations where voting would occur in the city. This information can also be found on the city website.

City Attorney Scott Cochran echoed what everyone already said. These are interesting

times where we can learn and grow and to make the community better.

Mayor Derek Norton thanked staff for all their hard work in keeping the City running smoothly through these interesting times.

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

Mr. Alex Backry, 3459 Shawnee Trail, wanted to make Council aware that not one food employee in any of the grocery stores in the city had contracted the virus. He suggested that the city have a hot line to answer questions as well as to hear suggestions. The dog parks should never have been closed because there is no evidence that anyone has contacted the virus outside. It was his opinion that the last Mayor and Council meeting was not advertised and that the city needs more open government.

Mayor Norton added for the record that all the city's meetings have been properly advertised as required by law.

Ms. Linda Langston, Cumberland Townhomes, came to speak about a fence down that needs repairs and painted. She is desperate for her neighborhood to look nicer. She wanted to know if the city could add another no dumping sign with a fine in the area as well since there is always so much trash along the road? She stated that she has called the marshals for help in the past but doesn't seem to be able to get any results. Mayor Norton said he was more than willing to meet with her. City Administrator Tammi Saddler Jones said she would schedule a cold sweep and would also meet with her.

12. Adjournment:

Mayor Norton adjourned the June 1, 2020 Mayor and Council meeting at 7:47 PM.