

**Pre-Council Meeting - Preliminary
February 4, 2019
6:00 PM**

Present: *Mayor Max Bacon* *Tim Gould* *Andrea Blustein*
 Maryline Blackburn *Derek Norton* *Charles “Corkey” Welch*
 Susan Wilkinson *Ron Fennel*

Also Present: *Scott Andrews (Assistant City Administrator), Scott Cochran (City Attorney), Terri Graham (City Clerk), Ken Suddreth (Director of Community Development), Christy Ullman (Executive Assistant to the Mayor and Council), and Ashley Youmans (Management Fellow)*

Mayor Max Bacon called the Pre-Council Meeting to Order at 6:00 PM.

City Administrator Report

Mayor Bacon announced that City Administrator Tammi Saddler Jones would not be at the meeting due to her son being ill. He also let everyone know that Ms. Saddler Jones’s father in law passed away. Library Director Mary Moore’s father passed away recently as well.

Assistant City Administrator Scott Andrews announced that Citizen’s Academy applications are out there and that the new sanitation schedule kicked in. Ms. Blustein stated that there were some areas missing from the new sanitation schedule. Mr. Andrews stated that he would check into the problem and see that corrections were made.

It was also mentioned that Public Works Director Frank Martin’s brother in law passed away.

Mr. Andrews stated that the Public Input Budget meeting has been advertised along with the surveys and that a lot of useful input has come through. The meeting would take place on Monday, February 11, 2019 at 6:30pm.

Review of the Agenda for the February 4, 2019 Council Meeting

Mayor Bacon opened discussion of the evening’s agenda.

Mayor stated that Councilmember Blackburn would be presenting the Black History Month Proclamation and that Councilmember Welch would be presenting the Arbor Day Proclamation.

Councilmember Welch asked Mr. Suddreth if there was any discussion to lower the accessory structure from agenda item 4A. Mr. Suddreth stated that there was discussion to connect it to the structure already in existence.

Councilmember Norton asked what the actual issue was because he thought it was the visibility of the structure from the neighbor's homes. He was not sure why the applicant didn't accept the alternatives presented to her.

Mayor Bacon said that the existing accessory structure is a lot larger than he originally thought. Mr. Suddreth referred Mayor and Council to the documentation for a photo of the structure.

Ms. Blustein wanted to know how long the applicant has lived in the home. Mr. Suddreth stated that she had lived there approximately two years.

There had been complaints about the yard in the past. Mr. Suddreth said that it would be addressed but they didn't want to mix a zoning issue with a code enforcement issue.

Councilmember Wilkinson was surprised at the large size of the structure that she thought was only to be used as a chicken coup. Mr. Suddreth explained that the building was supposed to have a dual purpose of chicken coop and green house.

City Attorney Scott Cochran stated that the public hearings could be combined since they were relating to the same property, but that two separate votes would be required.

Mayor Bacon asked City Clerk Terri Graham to pull up the photos of the property on the screen for review.

Mr. Welch's biggest concern was how close the structure would be to the property line and the height was too high to be hidden by a fence.

Ms. Wilkinson asked what the ordinance said about the setback of an accessory structure. Mr. Suddreth stated that there needed to be five-foot setback and the structure was too close on the one side.

The Mayor asked if they had a permit and if the applicant was doing the work themselves. Mr. Suddreth said there was no permit and that the information submitted says that there was a contractor involved.

Ms. Wilkinson stated that she felt bad about the situation but that an addition could be added on to the existing accessory structure as a solution.

Someone asked if the new structure had a concrete foundation. It was something that would be brought up during the meeting.

Mr. Fennel suggested having the applicant add onto the existing structure as a compromise.

Mr. Suddreth reminded Mayor and Council that there were two variances. One was for a second accessory structure and the other was for the setback.

Mayor Bacon asked about the License and Variance hearing such as who spoke and what the vote was. Mr. Suddreth answered that a neighbor spoke who lives directly behind Ms. Thomas and the License and Variance Board vote was 0-3 to deny.

Ms. Blustein wanted to know when the house was built. The answer was late fifties or early sixties.

Community Development Director clarified that the hearing was not the same as a zoning hearing as it was a variance appeal which differs slightly. He agreed with Mr. Cochran that the public hearings could be combined but that there needed to be two separate votes.

Ms. Wilkinson wanted to know more about the ordinance that addresses accessory structures. The City does not allow more than one accessory structure, so it does not address a second structure.

The Mayor briefly reviewed the information on the IT related agenda items.

Mr. Gould asked if the new IT policy would contradict any existing policies. The answer was that it compliments the policies that are already in place.

Mayor Bacon wanted to know if the policy also applied to elected officials. City Attorney Cochran stated that it does apply to elected officials.

According to the Mayor, Michael Seagraves did a great job during his previous serviced on the Planning and Zoning Board.

Mayor Bacon then brought up the issue of changes to the minutes that Ms. Wilkinson had asked for.

Ms. Wilkinson stated that they were not changes so much as adding some things to accurately reflect a very long meeting. She felt that it would be a good idea to table the vote on the minutes until everyone had a chance to read them.

The Mayor said that he read every word of both versions of the minutes and had a hard time finding the differences.

City Clerk Terri Graham said that she didn't change that much. She listened to the recording with a focus on item B and added a few things to reflect things that were said in more detail. She added that the city does not do verbatim minutes.

Ms. Wilkinson clarified that the changes were not just things that she had said but also something that Mr. Rusty Martin had said during the meeting.

Councilmember Fennel wanted to know if it changed the meaning of what happened and if it changed the vote. Ms. Graham answered no.

Mr. Fennel asked for clarification on the concerns that were had about the minutes. In response to Mr. Fennel, Councilmember Wilkinson said that the minutes are meant to accurately reflect the meeting and she felt like some of the important discussion points were left out.

Ms. Graham said there were changes made on pages six, seven and eight and that most of the changes were in relation to the discussion on the fifty-foot side setback of what OI requires.

Mr. Fennel asked Ms. Graham how long it took her to listen to the recording and make the changes. She responded that it took her most of the day.

Mr. Norton wanted to know how long Ms. Graham was at the office on Friday when the request for the changes were received. Ms. Graham said that she was in the office until about 6:00pm.

Ms. Wilkinson clarified that she did not speak with Ms. Graham until 6:00pm. Mr. Norton felt that it was disrespectful of staff's time to come in at the end of the day on a Friday.

Mr. Fennel mentioned that use of staff time was discussed in length at a retreat. Others in the room agreed that it had been discussed.

Ms. Blackburn added that is when some people are able to handle business.

Mayor Bacon said that if staff assistance is needed, do not wait until the end of the day. Staff is great and willing to help but that everyone should be considerate of their time.

Ms. Wilkinson said that they did a great job on the minutes.

Ms. Graham pointed out that Deputy City Clerk Tina Monaghan stayed late as well.

Mr. Norton said that if there is an issue, come earlier so that staff can leave on time.

Ms. Wilkinson added that she had never spoken to Ms. Monaghan about the minutes when she had come in on Friday until they all were in Ms. Graham's office, so she did not feel that she was the reason for her staying late and said that she had arrived way earlier than 4:45pm. Ms. Graham explained that she was in her office behind closed doors taking a required class when Ms. Wilkinson arrived and that she had asked Ms. Monaghan to review the minutes in response to Ms. Wilkinson's concerns.

Councilmember Wilkinson brought up the fact that she had contacted Ms. Graham previously about the minutes. Ms. Graham said that she called her on Thursday about ten minutes before the COW meeting was set to begin. Ms. Wilkinson said that she had tried to call on Friday before coming to City Hall.

Mayor Bacon asked who did the minutes for meetings. City Clerk Graham explained that Tina writes the minutes and when they are done, she reviews them and makes changes if they are needed.

The Mayor asked if both of them took notes during meetings. Ms. Graham said that both her and Ms. Monaghan took notes during meetings.

Mr. Fennel reiterated that the staff time issue was discussed at the retreat and that he would like to review the minutes of that discussion.

Ms. Wilkinson spoke again of the timeline of her communications regarding her minute concerns. She stated that if Ms. Graham assigned it to someone else, that is not her fault.

Mayor Bacon said that if Ms. Monaghan is the one that does the minutes, then she would be the one working on them.

Mr. Fennel summarized discussion that was had at the retreat in reference to not taking up staff's time.

After reading the minutes, Ms. Wilkinson felt that it was important that things were reflected accurately. She had three areas of concern. Ms. Graham clarified that the points of discussion were side setbacks, Ms. Melba Bush verbally accepting the stipulations, and rear setback.

Councilmember Welch addressed Ms. Wilkinson about his concerns over her use of staff time and asked her to be aware of other people's time so that it does not come to a point where Council/Staff relations become strained.

Mr. Andrews chimed in and stated that staff wants to have relationships with Council and that some cities have set hours but that is not something that we want to do.

Mr. Norton said that this is not the first time that the subject of staff's time has been addressed as an issue.

Mr. Fennel expressed that he appreciated Ms. Wilkinson's attention to detail but there needs to be limits set on use of staff time.

Mayor Bacon agreed that the minutes need to be accurate, but he felt that it should have been brought up at the Committee of the Whole Meeting that took place on Thursday.

Ms. Graham mentioned that she suggested to Ms. Wilkinson that she bring the concern over the minutes up at the COW meeting. Ms. Wilkinson stated that she did not feel comfortable doing so.

In the interest of moving forward, the Mayor stated that the vote on the minutes could be tabled or they could move forward.

Mr. Cochran said the minutes could also be removed from the consent agenda and voted on individually. He asked Ms. Graham if the changes had already been made to which she stated yes.

Mr. Fennel asked Ms. Wilkinson if she was satisfied with the minutes so that they could move forward with the vote and she said that she was fine with moving forward.

The meeting, at the request of Mayor Bacon, moved on to Committee Reports.

City Clerk Terri Graham reminded Mayor and Council that Campaign Contribution Disclosure Reports were due no later than February 8th.

Councilmember Blustein spoke of Ms. Castleberry who inquired about the signs that were agreed upon. She also brought up the lights at Linear Park and thanked Frank Martin for the work trimming the bushes by the park but work still needs to be done on the trees.

Councilmember Welch spoke of the Arbor Day Celebration to take place on February 16th at North Cooper Lake Park.

Councilmember Ron Fennel spoke of Scout Masters that would be bringing their troops to the meeting for their citizenship badge. He congratulated the Smyrna Police Department for their participation in a successful bust that took place during the Superbowl. He also offered congratulations to Mr. Vic Jones who became the new GBI Director.

Mayor Bacon adjourned the Pre-Council Meeting at 6:50 PM.