



**Meeting Minutes - Final  
Committee of the Whole**

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Thursday, November 17, 2016

6:00 PM

City Hall

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**Roll Call**

*Council: Mayor A. Max Bacon, Andrea Blustein, Susan Wilkinson, Ron Fennel, Derek Norton, Corkey Welch, Teri Anulewicz*

*Staff: Mike Jones (City Administrator), Tammi Saddler Jones (Assistant City Administrator), Scott Cochran (City Attorney), Christiana Craddock (Executive Assistant to the City Administrator), Maxwell Ruppensburg (Government Management Fellow), Terri Graham (City Clerk), Ken Suddreth (Community Development Director), Rusty Martin (City Planner)*

**Call to Order**

*Mayor Bacon called the meeting to order at 6:00pm.*

**Review of November 21, 2016 Mayor and Council Agenda**

*Community Development Director Ken Suddreth began by speaking on the Land and Zoning Issues, the first three of which were all related. He said for the property in question, Council would have the hearing with no vote, then they would vote to annex the property, and then they would vote to approve the zoning. He said the applicant, Matthew Junger, had done stuff in the City before, and he was cutting the lot into two single family lots. Councilmember Teri Anulewicz said she was in support of the item and the homes were going to veer away from the craftsman-style and be more modern.*

*The next item, D, was for an annexation into the City. Mr. Ken Suddreth said the City had a non-objection letter from the County, and it will be zoned as light industrial.*

*The next item, E, was requested to be tabled to the next meeting on December 5th.*

*Mr. Ken Suddreth said Item F was a rezoning request to build 68 townhomes off Camp Highland Road. He said the community would be private, gated, with private streets. He said the plan proposed a private pump station as opposed to the development being on the public sewer. There was discussion among Councilmembers about having a pump station in the city limits, and the issues that could arise from it, even if it is private. Several expressed concerns and hesitation about the pump station as well as concerns about traffic, and it was mentioned that the bridge over the RR tracks on Camp Highland could possibly need to be widened in the future due to traffic concerns. There was also concern about the traffic light at the E/W intersection, and this light being managed by Cobb County. City Administrator Mike Jones asked if a pedestrian crossing was required for the bridge, and Councilmember Ron Fennel said the bridge was not in disrepair and was carrying a water/sewer and gas line, but it was not expendable in its current format. Mayor Bacon referred to a conversation from the P&Z meeting earlier in the week and said Council should consider requiring more from*

applicants who are wishing to rezone parcels, for example helping with sidewalk or bridge improvements. Councilmember Ron Fennel said they already had sidewalks, lighting, and a deceleration lane provided by the applicant as part of the rezoning stipulations. Mr. Ken Suddreth responded and said the issue with putting those kinds of requirements on property outside of the parcel is that it is pushing those requirements into a true impact fee statement, and the City would have to adopt an ordinance to be able to do such requirements. He said Staff had been looking at this development as a team (City Engineer, Public Works Director, Community Development staff), and everyone had been involved in the design of this, but the issue with the sewer was what had delayed the item for so long. There was discussion about the neighboring development giving an easement to tie into the sewer, but the HOA for the subdivision will not allow it. Mayor Bacon warned that thirty years from now if the pump station goes out, it would put the burden on tax payers. City Administrator Mike Jones said even if the pump station is private, it should still be built to the City's standards. City Attorney Scott Cochran asked a question about the sewer systems of surrounding subdivisions and said that if they are on public sewer, then the City can tie into their own sewer, even if it required condemnation to do so. There was further discussion about this issue. Mr. Ken Suddreth said that Public Works Director Scott Stokes wrote a letter stating he was okay with the pump station, but it was not his decision, it was up to Council. Mr. Ken Suddreth did not want to speak on behalf of Mr. Scott Stokes, but he said his understanding was Mr. Stokes preferred not to have the pump station, but he was willing to accept it and make it work if Council votes in favor of it. Councilmember Corkey Welch said he did not like pump stations either, but if they are designed right and put in right, then they last and do not give a lot of problems. Councilmember Andrea Blustein referenced the recent storm drainage issues in Lexington Trace, and how the City inherited their problems because they did not have an HOA. Mr. Suddreth said he would speak with Mr. Scott Stokes and Ms. Scott Cochran further about the issue.

There was discussion about the five single family home lots and the history of the commercial zoning in that area, which has gradually transitioned through the years to residential zonings.

Councilmember Corkey Welch said if City Staff was not in support of the pump station, he would not be inclined to support it either. Mayor Bacon said Council had questions they needed answered, and Mr. Suddreth said he would make sure Mr. Scott Stokes is in attendance on Monday to answer questions.

Item G was for a site plan amendment for a 17 acre property that was annexed into the city last December. City Planner Rusty Martin explained that when the property was annexed, it carried over conditions, one of which was a requirement for a community activity center, a clubhouse and a pool. The applicant is asking for the opportunity to eliminate the requirement for the clubhouse and just provide a covered pool cabana and restrooms for the pool. He said it would be an open air pavilion with restrooms and the subdivision had 158 units, private streets, and a lake in the middle of the community that was retrofitted for stormwater. He said that reducing costs for the HOA was a good thing. He said staff recommended approval of the change and currently no homes were built in the community yet.

Mr. Mike Jones explained the Fox Creek Agreement under Formal Business, which extends the agreement for 35 years into 2051. He described the terms of the agreement, which consisted of an annual franchise fee, revenue to the City after a certain number of rounds, and a defined amount of golf credit to the City for the first two years. He said the pond construction will start in December, and should be done

by mid-January.

The next item was the refinancing of bonds for Smyrna Grove, approved by the DDA two days ago. City Attorney Scott Cochran said the refinancing saves the City about \$300K.

The next item was for a fee waiver for the future restaurant, Wade's Place. Mr. Ken Suddreth said basically this was waiving development costs, which the City would get back in property taxes in about 2.5 years. He said they were intending on staffing 4 salaried positions, 30 Full-time, and 16-20 part-time employees. Mayor Bacon said he wished this had been discussed at the beginning because the applicant got a good deal on the property, shared costs with the City on the parking lot, and now they were asking for fees to be waived. Councilmember Doug Stoner asked if this was just something they were asking for, and Mr. Ken Suddreth said yes, staff was bringing it to Council because they asked. There was discussion about tabling the item. City Attorney Scott Cochran said the fee waiver was never a part of the deal put in place regarding the land sale and parking lot costs. He said all points made by Council regarding concerns about this were accurate. He said he always viewed the incentive ordinance as something to incentivize people who wouldn't otherwise come in to the City, but this applicant is already building in the City. Mayor Bacon said to take the item off the Agenda.

The next item was for a fee waiver for Cobb Douglas Public Health for their new Smyrna location. Councilmember Teri Anulewicz said she was glad they were staying in Smyrna because they served a lot of people in the community. Councilmember Ron Fennel said that Christiana Craddock had been helpful in assisting CDPH with getting CDBG funds. Ms. Christiana Craddock explained that the City would be giving \$26,500 in their CDBG funds to CDPH to use for the purchase of exam tables for the pediatric and adult clinical rooms, as well built in cabinets for their WIC nutrition assessment rooms.

The last item was for Porch Light Latin Kitchen to hold an outdoor celebration for their anniversary. Mayor Bacon asked if he had permission from the owners of the parking lot, because that did not belong to the City. City Administrator Mike Jones explained that Council was taking action on it only because he wanted outdoor alcohol sales; they were not approving the location, just the outside alcohol sales. Councilmember Teri Anulewicz suggested they submit a map as to which parking spaces would be utilized for this outdoor party.

Mayor Bacon asked if there was anything to add to the agenda, and there was nothing.

## **City Administrator Report**

City Administrator Mike Jones said he sent a summary of several action items to Council and asked if they had any questions about them. Councilmember Corkey Welch asked if they could get a copy of the SPLOST report, and Mr. Mike Jones said he would provide a written summary of where the City stands on the SPLOST budgets.

Councilmember Teri Anulewicz asked about the Campbell High School detention pond issue, and Mr. Mike Jones said their engineer was struggling with the requested changes and they were going to discuss it further on Monday. He stated that as much money has been put into that area to make it look nice, and the recent funds spent in Ward Park, the area should be kept nice. City Attorney Scott Cochran reminded Council that Smyrna had been asking the CCSD to give Smyrna the same treatment

*they give East and West Cobb, and that building a brand new gym for CHS was a step in the right direction. Councilmember Corkey Welch said they most likely would not put above ground detention ponds at the schools in East and West Cobb. Councilmember Doug Stoner said he had a real issue with what they were proposing. Mr. Mike Jones said that if they did not want the detention pond there next to the roundabout, then he was going to need their help and influence. Mayor Bacon referenced their lack of communication regarding the construction of Smyrna Elementary as well; on property the City had just spent money rehabilitating. There was discussion also about the joint-use agreement for the field at Smyrna Elementary, and the agreement that a park was going to be built on the property. Council concluded that they would help with negotiations and a meeting with Susan Thayer would be a good idea.*

*Mr. Mike Jones reminded Council of the EPD Level 2 drought restrictions.*

*Councilmember Susan Wilkinson asked if the Parks Board would be involved in the update on the Parks Master Plan, and City Administrator Mike Jones said they would be involved.*

## **Adjournment**

*The meeting was adjourned at 7:01pm.*