



# City of Smyrna

A. Max Bacon City Hall  
Council Chambers  
2800 King Street SE  
Smyrna, GA. 30080

## Action Summary - Final Approved City Council

---

Monday, September 20, 2021

7:00 PM

Council Chambers

---

### Roll Call

**Present:** 6 - Mayor Derek Norton, Councilmember Austin Wagner, Councilmember Travis Lindley, Councilmember Susan Wilkinson, Councilmember Tim Gould and Councilmember Lewis Wheaton

**Absent:** 2 - Councilmember Glenn Pickens and Councilmember Charles Welch

**Also Present:** 1 - Jeffrey Tucker

**Staff:** 11 - Joe Bennett, Penny Mocer, Kristin Robinson, Heather Peacon-Corn, Jill Head, Jennifer Bennett, Dan Campbell, Brian Marcos, Frank Martin, Russell Martin and Joey Staubes

### Call to Order

Mayor Derek Norton called to order the September 20, 2021 meeting of the Mayor and Council at 7:00 pm.

#### 1. Invocation and Pledge:

Pastor Will Watts from Life Church Smyrna Assembly of God located at 4100 King Springs Rd. offered the invocation and led all in the Pledge of Allegiance.

#### 2. Agenda Changes:

There were no Agenda Changes.

#### 3. Mayoral Report:

- A. [PRC2021-06](#) Proclamation in Recognition of Constitution Week, September 17 - 23, 2021, Fielding Lewis Chapter, National Society Daughters of the American Revolution

Councilmember/Mayor Pro Tem Tim Gould read and presented the proclamation.

- B. [PRC2021-07](#) Proclamation in Recognition of Hispanic Heritage Month

Councilmember Lewis Wheaton read and presented the proclamation in English. Smyrna Firefighter Marcos Barajas Barajas read and presented the proclamation in Spanish.

**4. Land Issues/Zonings/Annexations:**

- A. [2021-343](#)      **Public Hearing** - Zoning Case Z21-010 - Allow rezoning from FC to R-10 Conditional for the development of four new single-family homes at a density of 3.77 units per acre on Land Lot 592, 0.06 acres located at 1587 Roswell Street by the applicant Brad Thompson.

**Ward 3 / Councilmember Travis Lindley**

Councilmember Travis Lindley made a motion to approve item 2021-343 for a public hearing and zoning request (V21-010) to allow rezoning from FC to R-10 Conditional for the development of four new single-family homes at a density of 3.77 units per acre on land lot 592 on 0.06 acres located at 1587 Roswell Street by the applicant Brad Thompson; seconded by Councilmember Lewis Wheaton.

The motion to approve carried with the following vote:

**Aye:** 4 - Councilmember Wagner, Councilmember Lindley, Councilmember Gould and Councilmember Wheaton

**Nay:** 1 - Councilmember Wilkinson

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

- B. [2021-344](#)      **Public Hearing** - Zoning Case Z21-011 - Allow rezoning from R-15 to RDA Conditional for the development of six single-family detached homes at a density of 2.26 units per acre - Land Lots 339 & 382 - 2.654 acres - 3562 & 3572 S Sherwood Road - Midtown Builders Group.

**Ward 3 / Councilmember Travis Lindley**

Councilmember Travis Lindley made a motion to approve item 2021-344 for a public hearing and zoning request (Z21-011) to allow rezoning from R-15 to RDA Conditional for the development of six-single family detached homes at a density of 2.26 units per acre on land lots 339 and 382 on 2.654 acres located at 3562 and 3572 S Sherwood Road by the applicant Midtown Builders Group; seconded by Councilmember/Mayor Pro Tem Tim Gould.

The motion to approve carried with the following vote:

**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

- C. [2021-406](#)      **Public Hearing** - Appeal the denial by the License and Variance Board for Variance Request V21-079 - Reduce the accessory structure rear set back from 5 feet to 3.8 feet - Land Lot 589 - 2674 Grady Street - Montrell Coleman by Montrell Coleman who resides at 2674 Grady Street SE, Smyrna, Ga. 30080 as filed with the City Clerk's office on Tuesday, August 17, 2021 at 4:32PM via electronic email.

**Ward 3 / Councilmember Travis Lindley**

Councilmember Travis Lindley made a motion to approve the appeal (item 2021-406)

made by applicant and homeowner Montrell Coleman and overturn the denial from the License and Variance Board to reduce the accessory structure rear set back from 5 feet to 3.8 feet on land lot 589 located at 2674 Grady Street; seconded by Councilmember Lewis Wheaton.

The motion to approve carried with the following vote:

**Aye:** 4 - Councilmember Wagner, Councilmember Lindley, Councilmember Gould and Councilmember Wheaton

**Nay:** 1 - Councilmember Wilkinson

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

**D.**     [2021-408](#)

**Public Hearing** - Appeal the denial by the License and Variance Board for Variance Request V21-080 - Reduce the side set back from 5 feet to 2.8 feet - Land Lot 589 - 2674 Grady Street - Montrell Coleman by Montrell Coleman who resides at 2674 Grady Street SE, Smyrna, Ga. 30080 as filed with the City Clerk's office on Tuesday, August 17, 2021 at 4:32PM via electronic email.

**Ward 3 / Councilmember Travis Lindley**

Councilmember Travis Lindley made a motion to approve the appeal (item 2021-408) made by applicant and homeowner Montrell Coleman and overturn the denial by the License and Variance Board to reduce the side set back from 5 feet to 2.8 feet on land lot 589 located at 2674 Grady Street; seconded by Councilmember Austin Wagner.

The motion to approve carried with the following vote:

**Aye:** 4 - Councilmember Wagner, Councilmember Lindley, Councilmember Gould and Councilmember Wheaton

**Nay:** 1 - Councilmember Wilkinson

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

**E.**     [2021-405](#)

Approval of a 8' by 60' (480 sq. ft.) wall mural and dumpster enclosure on the northern side of the restaurant adjacent to Dickson Plaza on Land Lot 412, 0.82 acres located at 3326 S Cobb Drive by the applicant Monterrey of Smyrna Restaurant.

**Ward 3 / Councilmember Travis Lindley**

Councilmember Travis Lindley made a motion to table item 2021-405, an approval of an 8 foot by 60 foot (480 sq. ft.) wall mural and dumpster enclosure on the northern side of the restaurant adjacent to Dickson Plaza on land lot 412 on 0.82 acres located at 3326 S Cobb Drive by the applicant Monterrey of Smyrna Restaurant; seconded by Councilmember/Mayor Pro Tem Tim Gould.

Motion to table carried with the following vote:

**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

- F. [RES2021-07](#) Approval to adopt Resolution 2021-07 designating 1650 Spring Road, 1639 Corn Road, 2930 Jonquil Road, 2938 Jonquil Road, 2948 Jonquil Road, 2958 Jonquil Road, and 2968 Jonquil Road, to be known as "The Quad" as a Restaurant District and authorize the Mayor to sign and execute all related documents.

***Ward 2 / Councilmember Austin Wagner***

Councilmember Austin Wagner made a motion to approve item RES2021-07 to adopt Resolution 2021-07 designating 1650 Spring Road, 1639 Corn Road, 2930 Jonquil Road, 2938 Jonquil Road, 2948 Jonquil Road, 2958 Jonquil Road, and 2968 Jonquil Road, to be known as "The Quad" as a Restaurant District and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Travis Lindley.

The motion to approve carried with the following vote:

**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

- G. [CVY2021-01](#) Approval of abandonment of public right-of-way approximately 20'x 555' (or 11,100 sq. ft.). between Church Street and Concord Road to First United Methodist Church of Smyrna.

***Ward 3 / Councilmember Travis Lindley***

Councilmember Travis Lindley made a motion to approve item CVY2021-01 to abandon the public right-of-way approximately 20'x 555' (or 11,100 sq. ft.). between Church Street and Concord Road to First United Methodist Church of Smyrna; seconded by Councilmember Austin Wagner.

The motion to approve carried with the following vote:

**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

- H. [ORD2021-18](#) **Public Hearing** - Approval of ORD2021-18 for a code amendment to Section 602 of the Zoning Ordinance and the adoption of the city's updated Zoning Map - City of Smyrna.

***Ward: City Wide***

Councilmember Travis Lindley made a motion to approve item 2021-394 for a code amendment to Section 602 of the Zoning Ordinance and the adoption of the City of Smyrna's updated zoning map; seconded by Councilmember/Mayor Pro Tem Tim Gould.

The motion to approve carried with the following vote:

**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

- I. [2021-403](#)      **Public Hearing** - Adoption of the city's updated Future Land Use Map - City of Smyrna.

**Ward: City Wide**

Councilmember Travis Lindley made a motion to approve item 2021-403 for the adoption of the City's updated Future Land Use Map for the City of Smyrna; seconded by Councilmember Lewis Wheaton.

The motion to approve carried with the following vote:

**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

5. **Privilege Licenses:**

There were no Privilege Licenses.

6. **Formal Business:**

- A. [AGR2021-02](#)      Approval of the Lighting Services Agreement with Georgia Power for pedestrian lighting on Windy Hill Blvd in the amount of \$767,385.00 to be paid out of 2016 SPLOST and authorize the Mayor to sign and execute all related documents.

**Ward 3 - Councilmember Travis Lindley and Ward 5 - Councilmember Susan Wilkinson**

Councilmember Travis Lindley made a motion to approve item AGR2021-02 to approve the Lighting Services Agreement with Georgia Power for pedestrian lighting on Windy Hill Blvd in the amount of \$767,385.00 to be paid out of 2016 SPLOST and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Austin Wagner.

The motion to approve carried with the following vote:

**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

- B. [AGR2021-03](#)      Approval of the Lighting Services Agreement with Georgia Power for tunnel lighting on Windy Hill Blvd in the amount of \$443,926.00 to be paid out of 2016 SPLOST and authorize the Mayor to execute any related documents.

**Ward 3 - Councilmember Travis Lindley and Ward 5 - Councilmember Susan Wilkinson**

Councilmember Travis Lindley made a motion to approve item AGR2021-03 for the lighting Services Agreement with Georgia Power for tunnel lighting on Windy Hill Blvd in the amount of \$443,926.00 to be paid out of 2016 SPLOST and authorize the Mayor to execute any related documents; seconded by Councilmember Austin Wagner.

The motion to approve carried with the following vote:

**Aye:** 4 - Councilmember Wagner, Councilmember Lindley, Councilmember Gould and Councilmember Wheaton

**Nay:** 1 - Councilmember Wilkinson

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

**C.**     [AGR2021-04](#)

Approval to purchase 126- Motorola 800 MHz portable radios, 123- Motorola 800 MHz mobile radios, 15- RF control station radios, and 3- desktop consolette radios, as well as all peripheral equipment for Police and Fire at a 27% overall discount off of state contract pricing at a total cost of \$1,511,391.00 and installation through Motorola at a total cost of \$22,091.00 for a total purchase price \$1,533,482.00 to be paid from SPLOST funding, and authorize the Mayor to sign and execute all related documents.

***Ward: City Wide***

Councilmember Austin Wagner made a motion to approve item AGR2021-04 for the purchase of 126 Motorola 800 MHz portable radios, 123 Motorola 800 MHz mobile radios, 15 RF control station radios, and 3 desktop consolette radios, as well as all peripheral equipment for Police and Fire at a 27% overall discount off of state contract pricing at a total cost of \$1,511,391.00 and installation through Motorola at a total cost of \$22,091.00 for a total purchase price \$1,533,482.00 to be paid from SPLOST funding, and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Lewis Wheaton.

The motion to approve carried with the following vote:

**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

**D.**     [AGR2021-05](#)

Approval of Access and Use Easement Agreement with Smyrna Restaurant Concepts, LLC, for access to maintenance facilities at 1043 Concord Road, Smyrna, Georgia 30080 and authorize the Mayor to execute any related documents.

***Ward 3 / Councilmember Travis Lindley***

Councilmember Travis Lindley made a motion to approve item AGR2021-05 for the approval of the Access and Use Easement Agreement with Smyrna Restaurant Concepts, LLC for access to maintenance facilities at 1043 Concord Road, Smyrna, Georgia 30080 and authorize the Mayor to execute any related documents; seconded by Councilmember Austin Wagner.

The motion to approve carried with the following vote:

**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

- E. [2021-426](#) Approval to hire Mr. Eric Randall as the City Engineer.  
**Ward: City Wide**  
Councilmember Susan Wilkinson made a motion to approve item 2021-426 to hire Mr. Eric Randall as the City Engineer; seconded by Councilmember Travis Lindley.  
The motion to approve carried with the following vote:  
**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton  
**Absent:** 2 - Councilmember Pickens and Councilmember Welch
- F. [2021-429](#) Approval of FY 2021 final budget amendment.  
**Ward: City Wide**  
Councilmember/Mayor Pro Tem Tim Gould made a motion to approve item 2021-429 for the approval of the FY 2021 final budget amendment; seconded by Councilmember Travis Lindley.  
The motion to approve carried with the following vote:  
**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton  
**Absent:** 2 - Councilmember Pickens and Councilmember Welch
- G. [2021-428](#) Approval of the FY 2022 staff merit increases and an adjustment to the pay grades of 4%.  
**Ward: City Wide**  
Councilmember/Mayor Pro Tem Tim Gould made a motion to approve item 2021-428 for the approval of the FY 2022 staff merit increases and an adjustment to the pay grades of 4%; seconded by Councilmember Travis Lindley.  
The motion to approve carried with the following vote:  
**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton  
**Absent:** 2 - Councilmember Pickens and Councilmember Welch
- H. [2021-427](#) Authorization to pay incentive pay of \$25/ day to any employee of public works serving as a driver or crew worker on sanitation and recycling trucks until the City considers those departments to be back to full staff and able to operate effectively.  
**Ward: City Wide**  
Councilmember/Mayor Pro Tem Tim Gould made a motion to approve item 2021-427 for authorization to pay incentive pay of \$25/day to any employee of public works serving as a driver or crew worker on sanitation and recycling trucks until the City considers those departments to be back to full staff and be able to operate effectively; seconded by Councilmember Travis Lindley.  
The motion to approve carried with the following vote:

**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

## 7. Commercial Building Permits:

There were no Commercial Building Permits.

## 8. Consent Agenda:

Councilmember Travis Lindley made a motion to approve the Consent Agenda; seconded by Councilmember/Mayor Pro Tem Tim Gould.

The motion to approve carried with the following vote:

**Aye:** 5 - Councilmember Wagner, Councilmember Lindley, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Absent:** 2 - Councilmember Pickens and Councilmember Welch

- A. [MIN2021-61](#) Approval of the August 16, 2021 Pre-Council Meeting Minutes.  
The August 16, 2021 Pre-Council Meeting Minutes were approved.
- B. [MIN2021-62](#) Approval of the August 16, 2021 Mayor and Council Meeting Minutes.  
The August 16, 2021 Mayor and Council Meeting Minutes were approved.
- C. [2021-393](#) Approval of Street Closings for October 2, 2021 Hispanic Heritage Month Celebration from 8:00am until 11:59pm at all entry points to Village Green Circle SE, along with King Street from Spring Street to Village Green Circle and from Bank Street from Village Walk to King Street.  
**Ward 3 / Councilmember Lindley**  
The street closings for the October 2, 2021 Hispanic Heritage Month Celebration from 8:00 am until 11:59 pm at all entry points to Village Green Circle SE along with King Street from Spring Street to Village Green Circle and from Bank Street from Village Walk to King Street were approved.
- D. [2021-407](#) Authorize Atkins Park (Tavern) Restaurant & Bar to operate a beer trailer/station at the following approved events: Hispanic Heritage Month Celebration - October 2, City Birthday Celebration - October 9, and Fall Jonquil Festival - October 23 & 24, 2021.  
**Ward 3 / Councilmember Travis Lindley**  
The authorization of Atkins Park (Tavern) Restaurant & Bar to operate a beer trailer/station at the following events: Hispanic Heritage Month Celebration on October 2, 2021, the City Birthday Celebration on October 9, 2021, and the Fall Jonquil Festival on October 13 and 24, 2021 was approved.
- E. [2021-409](#) Retroactive approval of the closing of the Market Village upper area



around the fountain, including blocking vehicle access from Atlanta Road for the purpose of a special event on Saturday, September 18 titled "College Football Saturday in Smyrna."

***Ward 3 / Councilmember Travis Lindley***

The retroactive closing of the Market Village upper area around the fountain including blocking vehicle access from Atlanta Road for the purpose of a special event on Saturday, September 18, 2021 titled "College Football Saturday in Smyrna" was approved.

**F. [2021-415](#)**

Approval to use Council Chambers for Heritage at Vinings HOA Meeting, Tuesday, January 11, 2022 from 7:00pm - 8:30pm.

***Ward 6 / Councilmember Tim Gould***

The use of Council Chambers for the Heritage at Vinings HOA meeting to be held on January 11, 2022 from 7:00 pm - 8:30 pm was approved.

**9. Ward / Committee Reports:**

**10. Show Cause Hearings:**

There were no Show Cause Hearings.

**11. Citizen Input:**

**12. Adjournment:**

Mayor Derek Norton adjourned the September 20, 2021 meeting of the Mayor and Council held in the A. Max Bacon City Hall Council Chambers at 8:30 pm.