

City of Smyrna

*2800 King Street
Smyrna, Georgia 30080*



Meeting Minutes

Thursday, September 13, 2018

6:00 PM

City Hall

Committee of the Whole

1. Roll Call

Mayor & Council – Mayor A. Max Bacon, Derek Norton, Andrea Blustein, Susan Wilkinson, Maryline Blackburn, Charles Welch, Ron Fennel, Tim Gould

Staff – Tammi Saddler Jones (City Administrator), Scott Andrews (Asst. City Administrator), Terri Graham (City Clerk), Scott Cochran (City Attorney), Christy Ullman (Executive Asst. to Mayor & Council), Elsa Thompson (Administrative Services Coordinator), Ashley Youmans (ICMA Management Fellow), Jennifer Bennett (Community Relations Director), David Lee (Police Chief), Russell Martin (Senior Planner), Kristin Robinson (Finance Director)

Guests – Chris Ryan (LGRMS), Dan Beck (LGRMS), Larry Terry (Croy Engineering), Courtney Harkness (Cumberland Church Executive Director), Dan Buyers (Real Estate Broker for Cumberland Church)

2. Call to Order

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

3. Harassment/ Discrimination Training

City Administrator Tammi Saddler Jones introduced Dan Beck (Director) and Chris Ryan (Southwestern Region Field Representative) from Local Government Risk Management Services (LGRMS) which provides risk management and control services for local government entities. Mayor Bacon advised that this training was requested because Council had not received this training in quite some time. Mr. Ryan advised that the training should be repeated at least every 2-3 years. Mr. Ryan conducted a one hour Harassment/Discrimination Training which contained detailed information about Harassment, Sexual Harassment, Hostile Work Environment, Failing to Take Action Against Harassers, Employment Discrimination and how to have a Discrimination & Harassment Free Workplace. He also provided information about how to properly handle employee harassment claims, the Equal Employment Opportunity Commission (EEOC), statistical data about the number of harassment claims in Georgia, and presented various scenarios to help Council and staff to better understand policies and procedures when dealing with harassment in the workplace.

4. City Administrator Report

City Administrator Tammi Saddler Jones advised that the Taste of Smyrna would take place on September 15th from 11am – 8pm in the Market Village. She stated that she, Assistant City Administrator Scott Andrews, and ICMA Management Fellow Ashley Youmans would be attending the ICMA Annual Conference in Baltimore from September 22nd – 26th and noted that Mr. Andrews would be leaving on September 20th. She asked Mr. Andrews to announce that the Smyrna Museum was now closed indefinitely; he advised that the renovations had begun. Ms. Saddler Jones made note that Perez Planning + Design, LLC would be presenting Phase 3 of the Parks Master Plan at the Pre-Council Meeting on Monday, September 17th and asked that Council please review their Phase 3 documents so they could address any concerns or have any questions they may have answered. Ms. Saddler Jones also reminded Council about the Media Training sessions on October 11th and November 1st and noted that each session would be 45 minutes long.

5. Review of the September 17, 2018 Mayor and Council Agenda

Mayor Bacon read over the items on the agenda. He advised that Item 4A would be tabled indefinitely.

Item 4B – Apartment name change, from Spring Apartment Homes to The Arlowe Townhomes. Mayor Bacon noted that the apartments were in Councilmember Andrea Blustein’s ward.

Items 4C, D, E – Mayor Bacon advised that Items C, D, and E coincided; the items addressed the rezoning, the annexation, and the final vote on the rezoning. Community Development Senior Planner Russell Martin advised that these were the remaining unincorporated parcels on Old Concord Road and Concord Road. He stated there was an existing single family home on the property and the property was right next to the Concord Lake Village subdivision. He advised that the applicant was proposing to tear down the single family home, annex the property into the City, and then rezone the property for the construction of two single family homes. He noted that this rezoning request was different because the applicant submitted two site plans with their application; one reflected a shared existing driveway with Concord Lake Village subdivision and the other reflected a shared driveway from Old Concord Road. Mr. Martin advised that Community Development recommended approval with conditions. City Attorney Scott Cochran inquired if the property, once annexed, would become part of the Concord Lake Village subdivision. Mr. Martin advised that there was an agreement between the parties however nothing had been finalized. Councilmember Maryline Blackburn inquired about the space between the homes. Councilmember Corkey Welch inquired about the neighboring property to the east along Concord Road. Mr. Martin advised Mr. Welch that he would get back to him with the details on that property. Councilmember Susan Wilkinson expressed concern about possible traffic issues on Old Concord Road and inquired about the annexation. Mr. Martin explained how the annexation process would work. Councilmembers made inquiries about the shared driveway, the number of homes that would be fronting Old Concord Road and expressed concerns about the adjacent properties. City Attorney Scott Cochran clarified if Community Development would approve “either” rezoning request as to not make the applicant come back. Mr. Martin advised that he was correct. Mayor Bacon expressed concern about an existing bus route that may be affected. Councilmembers continued to express concerns about the “shared driveway” and potential parking issues. Mayor Bacon noted that the potential buyers of these homes would purchase the property well aware of the parking situation. Mr. Martin stated that the space in question was 18 feet wide and that standard parking was 9 feet wide; he noted that the site plan was conceptual could possibly change. After a few comments and a brief discussion about the project, Mayor Bacon continued to read over the agenda and asked City Administrator Tammi Saddler Jones read the Consent Agenda. Ms. Saddler Jones advised that Item D on the Consent Agenda would be removed from the agenda.

Item 8E – Assistant City Administrator Scott Andrews advised that this was for the installation of a sanitary sewer that would cause traffic to be rerouted from Oak Drive to Highlands Parkway.

Mayor Bacon advised that the Kimberly Horn item that addressed the authorization of a \$176,000 project would be removed from the agenda due to lack of personnel familiar with the project. He expressed concern that it would not be handled correctly because the City had recently lost the Public Works Director and City Engineer that were familiar with the project.

No items were added to the agenda.

Councilmember Derek Norton spoke about the Cumberland Community Church site and advised that he had spoken with each councilmember to clarify the "newspaper issue". Mr. Norton thanked everyone who toured the site with him. He advised that he had inquiries about how the City would pay for the project. He stated that it could possibly be funded with a 15 million dollar bond. He stated that there was a predicted 2.5 million dollar surplus and proposed to utilizing 1 million dollars of those funds for the project. He stated that public input was important and that he would like to add a question to the November 6th election ballot. He noted that the City missed the window to put the item on the electric ballot but had planned to do a paper ballot referendum. He advised that there had been a few complications so it would not be added to the November 6th ballot due to time constraints. Mr. Norton proposed a series of town hall meetings to register public opinion about this project. He stated that "time was of the essence" since the next ballot will be in March and it could be a possible option. Mayor Bacon advised that March would be good timeframe for aim for and that public meetings would also be good. Councilmember Corkey Welch expressed his concerns about the project, as did Mayor Bacon and Councilmember Susan Wilkinson. Councilmember Maryline Blackburn stated that she felt other options should be considered. Mayor Bacon advised that the decision should not be based on the church's timeline and stated that he would not support the item unless a referendum was done. Councilmember Tim Gould agreed with the Mayor's statement. Finance Director Kristin Robinson advised that the funds to pay for inspections would have to come from the reserve fund because there was not enough in the contingency fund. Councilmember Ron Fennel expressed concerns about having turned away a potential property investor a few months ago then the City purchasing the same property. Mr. Welch asked for a 5 year bond payment projection from Ms. Robinson. She advised that current bond payments were an estimated 4 million dollars per year. Mr. Fennel asked the church representatives if they had other potential buyers and inquired about their timeline. The church's broker, Dan Buyers, advised that they had received offers however they would not like to accept an offer from another buyer only to have them turned away due to zoning issues. Mr. Fennel commended Mr. Norton's efforts and made comments about the challenges that similar projects were facing. Mayor Bacon advised that he did not want to hinder the church from selling their property by having them wait until the March election. Mr. Fennel made note of other entertainment facilities in close proximity to Smyrna and advised that Mr. Buyers advised that they had not received an offer for their full asking price without a zoning contingency and noted that a zoning contingency would go beyond the March ballot. Mayor Bacon clarified the market price of the property. Mr. Buyers stated that the price was 12.5 million dollars for 12.5 acres. Mayor Bacon inquired about the most valuable part of the property. Mr. Buyers provided a few details. Mr. Norton suggested Council have more discussions, a due diligence and feasibility study (as soon as possible), and asked Ms. Robinson to research funding options. He advised that Croy Engineering advised that a feasibility study would cost approximately \$30,000. Mr. Welch stated he was not opposed to the study's costs. Ms. Wilkinson asked if Council could get an estimate of costs for the study as well as revenue projections and operational costs. Mayor Bacon inquired if the property needed to be appraised. Mr. Cochran advised that they would have to and advised that they needed to be mindful of the elections laws. He advised that Council start with due diligence and made comments about risks. Mr. Welch proposed to that they get a price on what it would cost to evaluate the facility. Ms. Wilkinson inquired if the feasibility study would be included in that estimate. Mayor Bacon advised that the building, the property surrounding it, utilities, and AC units needed to be evaluated as well. Ms. Wilkinson inquired about the surrounding property.

Mr. Buyers advised that it was not unreasonable for the City to request that the church not sign into any contracts or sell the property until the City has had time to inspect it, if the timing was not too far off. Mr. Cochran made comments about the timeline and election process. Mr. Buyers advised that if the City decided not to purchase the property, they would be working very hard to bring a likable buyer forward to the City for approval. Mayor Bacon inquired if Council was in agreement that Croy get an estimate for the due diligence and feasibility study. No one objected. Mr. Andrews advised that he contacted Perez + Designs for the cost of a feasibility study and that Carlos Perez would be present at the Pre-Council meeting on September 17th.

Ms. Wilkinson advised that a citizen contacted her because she received a letter and was given 10 days to get out of the property where she ran her daycare business. She noted that the property was on Windy Hill and was acquired by the City. Ms. Wilkinson advised that the citizen stated she was advised that the City would help relocate her. Mr. Cochran advised that the letter the citizen received was not from the City, it was from her landlord. He advised that Council not get involved because the issue was between the citizen and her landlord. He advised that the citizen's lawyer contacted him "a few months back" and inquired about relocation for her however she never contacted his office. Ms. Wilkinson advised that she would be calling the citizen back. Mr. Cochran advised that the citizens of that building knew for a year that they had to vacate the property and stated that the City advised them that they would be reimbursed for their moving costs once they moved out. Mr. Welch made note that if the tenant is evicted, they forfeit the moving costs reimbursement. Ms. Wilkinson inquired about the protocol when contacting Animal Control. Mr. Andrews advised that staff would contact Greg Owens for clarification. She inquired if staff had spoken to the solicitor and the judge about problems they saw in court when handling Animal Control cases. Mr. Andrews advised that he had a brief chat with one of them but not an in-depth conversation. Ms. Saddler Jones advised that she would be sure to speak with them. Ms. Wilkinson advised that she would like a resolution for the cases.

Ms. Blackburn advised that she was seeking Council support to modify the future land use in Ward 3. Mr. Fennel inquired how long the process was. Mr. Martin advised that the item would simply need to be adopted and provided detailed information about the areas in Ms. Blackburn's ward that she was referring to. After comments and discussions by Council and staff, Mr. Welch purposed that the item be tabled. Council agreed.

6. Adjournment

Mayor A. Max Bacon declared the meeting adjourned at 8:39pm.