



# City of Smyrna

2800 King Street  
Smyrna, Georgia 30080

## Meeting Minutes - Final City Council

Monday, November 2, 2020

7:00 PM

Community Center / Large Gym

**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**

If you wish to speak during the Public Hearing portion of this meeting and you are unable to attend the meeting due to health concerns with Covid 19, you may participate via telephone. To participate via telephone, you must register with the City Clerk's Office by emailing your name, address and telephone number to [ClerksOffice@Smyrnaga.gov](mailto:ClerksOffice@Smyrnaga.gov).

\*\*\*The deadline to register to speak via telephone is Sunday, November 1, 2020 at 11:00PM\*\*\*

Everyone that attends the meeting in person, will have an opportunity to speak and will not have to register prior to the meeting. You will need to sign the Public Hearing /Citizen Input Sign Up Sheet at the City Clerk's desk prior to the start of the meeting at 7:00 PM. If you choose to speak via telephone, you must be available to receive a call between 7:00 PM and 9:00 PM.

You will be notified on Monday, November 2, 2020 by 12 noon as to additional details of these procedures.

Thank you for your cooperation as we navigate new ways to encourage Public Comment.

### 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:** 6 - Joe Bennett, Penny Mocer, Frank Martin, Russell Martin, Joey Staubes and Tina Monaghan

### Call to Order

Mayor Derek Norton called the November 2, 2020 Mayor and Council meeting to order at 7:00 PM.

### 1. Invocation and Pledge:

Councilmember Charles "Corkey" Welch delivered the Invocation and led all in the Pledge of Allegiance.

**2. Agenda Changes:**

There were no agenda changes.

**3. Mayoral Report:****A. [2020-433](#) Proclamation in Recognition of Veterans Day Poppy Weekend (Nov 7-8, 2020)**

*Ms. Cindy Long, Ms. Cheryl Waybright, and Ms. Maryline Blackburn came to the podium. They read aloud some information giving the historical meaning of the poppy in relation to celebrating Veterans. University of Georgia professor is credited with making the poppy the universal symbol of veterans. The sale of the poppies raises funds to help veterans and their families. The symbol seems to be more appreciated in the UK and Canada but they hope to change this. This coming November 7th and 8th, at Kroger and Walmart, they will set up and sell poppies to raise funds for veterans.*

Councilmember Charles "Corkey" Welch read aloud the proclamation in recognition of Veteran's Day Poppy Weekend and presented the proclamation to Ms. Cheryl Waybright, Ms. Cindy Monk, and Ms. Maryline Blackburn of the local American Legion.

*Mayor Derek Norton commended staff for their work dealing with the storm that came through last week. He spoke about the upcoming election and encouraged everyone to get out and vote. Sterigenics updates...the plant is located outside of the city but has an impact on air quality. There was an Air Quality Oversight Committee meeting a few weeks back and another will be coming soon on November 18th where experts from around the country will be presenting their opinions on the results of the recent testing. He was excited to announce that starting in January The City of Smyrna will start a racial trust building initiative which has been a great success in the City of LaGrange. Mayor Norton invited people to participate and asked that they contact their local Councilmember to let them know of their interest. Support Smyrna will soon be a 501c3 so that the vision can be expanded and continue to help the residents of the city. The application should be processed by the first of the year.*

**4. Land Issues/Zonings/Annexations:****A. [2019-440](#) Public Hearing - Zoning Request - Z19-019 - Rezoning from NRC & OI to RM-10-PD for the development of 151 townhomes at a density of 6.3 units per acre - 23.95 Acres - Land Lots 775, 810, & 811 - 2320 Campbell Road - InLine Communities, LLC. -**

Councilmember Glenn Pickens made a motion to table Zoning Request - Z19-019 - Rezoning from NRC & OI to MU for the development of 170 unit independent senior living facility and 114 townhomes at a density of 11.85 units per acre - 23.95 Acres - Land Lots 775, 810, & 811 - 2320 Campbell Road - InLine Communities, LLC. - to the November 16, 2020 Mayor & Council Meeting at the request of the Applicant. Councilmember Lewis Wheaton 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

**B.** [2020-233](#)

Public Hearing - Zoning Request - Z20-006 - Rezoning from NS & RM-10 - Conditional for the development of 10 single-family attached townhomes at a density of 9.3 units per acre - 1.08 acres - Land Lot 669 - 3302 Atlanta Road - Edgeline, LLC. - This item will be tabled to the December 21, 2020, Mayor & Council Meeting at the request of the Applicant.

Councilmember Tim Gould made a motion to table Zoning Request - Z20-006 - Rezoning from NS & RM-10 - Conditional for the development of 10 single-family attached townhomes at a density of 9.3 units per acre - 1.08 acres - Land Lot 669 - 3302 Atlanta Road - Edgeline, LLC. - to the December 21, 2020, Mayor & Council Meeting at the request of the Applicant. Councilmember Charles "Corkey" Welch 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

**C.** [2020-125](#)

Public Hearing - Zoning Request - Z20-004 - Rezoning from RM-10 & R-15 to RM-10 Conditional for the development of 11 single-family detached homes at a density of 6.96 units per acre - 1.6 acres - Land Lot 487 - 3655 Love Street, 1080 and 1096 Church Street - Martinello Group, LLC

*Joe gave the background on this agenda item.*

*Joey Staubes presented the information at the request of Ward 3 Councilmember Travis Lindley. Assemblage of three properties a total of 1.6 acres. Want to change from medium density to medium high density residential. Public road with a cul-de-sac. Road improvements for sidewalk and curb and gutter. Five requested variances. Staff recommends approval with conditions.*

*Susan asked about driveways with cars being able to park and will there be garages. Sidewalk inside of development...will run on the eastern side. Is there a reason that the sidewalk did not continue throughout the development? Only required to be on one side.*

*Corkey asked about the sidewalk as well because it looks like it only goes a third of the way. Could we choose to go all the way around with the sidewalk? Yes if developer agrees. Driveway and set back have conflict? Joey explained that there is a 20 foot setback. Ten feet to property line and ten feet to the curb. 20 foot setback on the rear. Why did it not go back to P&Z? Because there was a reduction in density rather than an increase in density.*

*Lewis asked about the differences between what was presented at P&Z and what is being presented tonight. There is a cul-de-sac and one less unit.*

Travis explained the feedback and the applicants, residents and such got together and met up with the requested changes.

Susan asked about the sidewalks again and if the driveways are long enough on the side where the sidewalk goes. She has concerns about the sidewalk.

Corkey said public ROW makes it a public sidewalk. He does not like the plan. Is the city rezoning their property as part of this project? Has the body agreed to do so? City Attorney said this has been done before. We included property in the rezoning and then withdrew at a later date.

Tim mentioned what he discussed with Rusty earlier to offer clarification on RF-10. Alternative is on large multi family unit on the property. It could be one building with ten or twelve units instead of the single family homes that are being proposed.

Garvis Sams came to the podium to present information. Joe Romano and Christian Martinello were also present. Explained how they worked with staff, residents, and elected officials to get to where they are today which includes the requested changes. He also explained about a previous time when a project involved rezoning city property. Asking for single family residential as opposed to multi story vertical residential apartment complex. Two cars in the garage and another two card in the driveway. Mandatory HOA which will be ran by a third party management company. Additional stipulation recommended which is around the perimeter of the property will plant Leland cypress between 4 to 7 feet in height although they also provided an additional option. \$450,000 to \$550,000 price point.

Susan had a question about the elevations. She wanted to know if the garages would be in the front of the homes.

Public hearing announced and no one came forward.

Travis thanked staff and Mr. Sams for the explanation of the changes. There was a lot of feedback from the neighbors on Church Street.

Councilmember Travis Lindley made a motion to approve Zoning Request - Z20-004 - Rezoning from RM-10 & R-15 to RM-10 Conditional for the development of 11 single-family detached homes at a density of 6.96 units per acre - 1.6 acres - Land Lot 487 - 3655 Love Street, 1080 and 1096 Church Street - Martinello Group, LLC. Councilmember Tim Gould seconded the motion.

The motion to approve was carried by the following vote:

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

**Nay:** 2 - Councilmember Welch and Councilmember Wilkinson

## 5. Privilege Licenses:

There were no privilege licenses.

## 6. Formal Business:

A. [2020-441](#) Approval of FY 2020 Final Budget Amendment.

*The background on this agenda item was provided by Mr. Bennett. Negative variances on the budget to actual for expenditures need to be eliminated for report presentation. In addition, the City needs to amend the budget balance for the SPLOST funds. An annual audit of the City's financial statements is required at the conclusion of the fiscal year. In order to close out the year and finalize the financial statements, final adjustments to the budget need to be made to account for various transactions that were not originally budgeted. The City does not need to show negative budget variances for expenditure accounts. Some revenue line items were under-budgeted, so they will be increased to offset the additional expenditure budget need to eliminate the negative variances. In addition, the SPLOST budgets need to be amended to reflect the most current information. Finance staff recommended approval of the final FY 2020 budget amendment.*

*Councilmember Charles "Corkey" Welch spoke about information received from the Finance Department that from a budget standpoint we have 2.8 million dollars leftover from The previous fiscal year which would normally roll into a fund balance. Due to COVID a lot of expenses were incurred this past Fiscal Year so the leftover funds may have to be used to alleviate some of these extra expenses.*

Councilmember Charles "Corkey" Welch made a motion to approve of FY 2020 Final Budget Amendment. 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

B. [2020-451](#) Approval of the 2021 Employee Insurance providers and plans and authorize the Mayor to execute all related documents

*Interim City Administrator Bennett*

*Councilmember Tim Gould provided a bit of explanation into the process and the savings that were found.*

Councilmember Tim Gould made a motion to approve the 2021 Employee Insurance providers and plans and authorize the Mayor to execute all related documents. Councilmember Lewis Wheaton 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:**

A. [2020-454](#) Issuance of a commercial building permit for construction of a new Christian Brothers Automotive - 3278 South Cobb Drive - Carmichael Development, LLC

*Joe read aloud the background information.*

*Travis explained where this will be.*

Councilmember Travis Lindley made a motion to approve the issuance of a commercial building permit for construction of a new Christian Brothers Automotive - 3278 South Cobb Drive - Carmichael Development, LLC. Councilmember Austin Wagner 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

## 8. Consent Agenda:

*Interim City Administrator Joe Bennett read aloud the consent agenda.*

Councilmember Travis Lindley made a motion to approve the consent agenda as read aloud by Interim City Administrator Joe Bennett. 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. [2020-435](#) Approval of the October 19, 2020 Pre-Council Meeting Minutes
- B. [2020-436](#) Approval of the October 19, 2020 Mayor and Council Meeting Minutes
- C. [2020-422](#) Approve request for the road closure at San Fernando Drive intersection on the North side of Windy Hill Road beginning November 6th 2020 thru November 23rd 2020 as requested by Baldwin Paving Company for the construction of a temporary road for a lane shift on the Windy Hill Boulevard Project Weather Permitting.

## 9. Ward / Committee Reports:

*Mayor Norton spoke about the CARES Act money that will help small businesses. He also reminded people about the spike in cases and asked that they practice vigilance.*

*Councilmember Glenn Pickens reminded people where residents of Ward 1 will go to vote.*

*Councilmember Austin Wagner reminded residents of Ward 2 where to go to vote.*

*Councilmember Travis Lindley reminded everyone to get out and vote. There will be a tent to provide shelter for those waiting in line to vote.*

*Councilmember Charles "Corkey" Welch encouraged everyone to vote. Ward 4 is often a quiet neighborhood until the storm came through and the old trees fell down. He commended public works for their efficient clean up. He concluded his report by*

*noting the time change.*

*Councilmember Susan Wilkinson encouraged people to vote. Ward 5 voting location will be at the church on corner of S Cobb Drive and Powder Springs Street. She reiterated what a great job that public works did after the storm. She announced that it is her 29th wedding anniversary tonight.*

*Councilmember Tim Gould reminded residents where Ward 6 now votes which is the American Legion. He commended staff for their work with the storm. Shared that no matter the outcome of the election, we should remain positive and that we will be okay either way. Mayor Norton asked Councilmember Gould to speak about the Unity event that took place yesterday.*

*Councilmember Lewis Wheaton thanked staff and residents for turn out on Oakdale Road virtual meeting. Another meeting will take place soon with a date and time to come. He encouraged everyone to get out and vote.*

*Interim City Administrator Joe Bennett wished Councilmember Susan Wilkinson and her husband a Happy Anniversary.*

## **10. Show Cause Hearings:**

There were no show cause hearings.

## **11. Citizen Input:**

*Mr. Alex Backry, Shawnee Trail, wants a timer for speaking. Demanded town hall meetings for SPLOST projects if it is approved. He is proud to say he voted no. Not happy with \$13 million for down town. We need an aquatic center like a whole in the head. Parking garage is a waste of money. Wants to know how these figures were come up with. Is in the dark with no feedback from the Council in terms of where the money is going.*

*Mr. Stephen Jones, 2923 Spring Drive, spoke about a wonderful experience that he had early voting at the community center. About three months ago, speed tables were approved for his street and they are working wonderfully. Public works did an excellent job installing them. He passed on the thank you from neighbor. Said shame on you to the remaining speeders. Councilman Wagner and Pickens asked to be in the know of any complaints received about the speed tables.*

## **12. Adjournment:**

Mayor Norton adjourned the November 2, 2020 Mayor and Council meeting at 8:15 PM.