

City of Smyrna

*2800 King Street
Smyrna, Georgia 30080*



Meeting Minutes

Thursday, January 31, 2019

6:00 PM

City Hall

Committee of the Whole

1. Roll Call

Council: Mayor A. Max Bacon, Charles "Corkey" Welch, Andrea Blustein, Derek Norton, Maryline Blackburn, Ron Fennel, Susan Wilkinson, 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 (Admin. Svc. Coord.), Ashley Youmans (ICMA Man. Fellow), Chris Addicks (IT Director), Ken Suddreth (Comm. Dev. Director), Russell Martin (Sen. Planner), Robert Harvey (Deputy Police Chief)

Guests: Larry Terry (Croy Engineering)

2. Call to Order

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

3. Review of the February 4, 2019 Mayor and Council Agenda

Mayoral Report

Mayor Bacon advised that Councilmember Maryline Blackburn would read Item 3A (Proclamation in Recognition of Black History Month) in the record and that Councilmember Charles Welch would read Item 3C (2019 Arbor Day Proclamation).

Land Issues/Zonings/Annexations

4A – 4B – City Administrator Tammi Saddler Jones advised that the item related to an appeal and asked Community Development Director Ken Suddreth to speak on the matter. Mr. Suddreth advised that they Community Development received a variance request (from applicant Cynthia Thomas) that stemmed from a "code issue". He stated that staff visited Ms. Thomas' property and found that second accessory structure was too close to the property line. Mr. Suddreth advised that the first request was for a second accessory structure – the ordinance only allows one accessory structure. He noted that both agenda items (4A & 4B) were related and that one could not be approved without the other and that that once a variance application is submitted, code efforts are stopped. He stated that staff initially recommended approval because that had approved similar requests in the past and initially they received no complaints. Mr. Suddreth stated that staff had not received any letters of objection and that staff had not heard any complaints until the day of Ms. Thomas' hearing. He advised that a lot of information was obtained during that hearing. Mr. Suddreth stated that the home was on a corner on North Cooper Lake Road next to a new subdivision (Mr. Suddreth was pointing out the locations on a map on the Mondo Board). Councilmember Ron Fennel inquired if one of the structures was the "chicken coop". Mr. Suddreth pointed out the chicken coop and stated that it was the structure "closest to the road" – he also stated that the applicant never advised on the application that the structure would also be a greenhouse like she announced at the License and Variance Board Meeting. He advised that the applicant submitted a letter that stated that she was a veteran with PTSD who used gardening and raising the chickens as a form of therapy. He stated that she purchased the home "last summer" and advised that the shed was already on the property when she bought it and that Ms. Thomas began building the chicken coop without permit. Mr. Suddreth also advised that once Community Development was

made aware, they communicated to Ms. Thomas the proper steps she had to follow to obtain a permit. He advised that a letter was presented by the HOA from the neighboring subdivision at the License and Variance Board Meeting (held December 12, 2018). Councilmember Maryline Blackburn inquired if Ms. Thomas's home was part of the HOA. Mr. Suddreth advised that it was not. He advised that residents from that subdivision came to the LVB meeting, including the neighbors that live directly behind Ms. Thomas's home – they had a two-story home that overlooked Ms. Thomas's property, a ranch style home. Mr. Suddreth noted that there was a fence that "ran along" Spyglass Court, that was part of the neighborhood development and that only the top of the chicken coop could be seen from the street. Councilmember Ron Fennel inquired if the HOA erected the fence. Mr. Suddreth was unsure if it was erected by the developer or the HOA but advised that the fence was part of the subdivision. Councilmember Andrea Blustein inquired if the chickens were a special breed. Councilmember Susan Wilkinson clarified what the variance request was. Mr. Suddreth advised that Item 4A was to allow the second accessory structure and that Item 4B was about the setback reduction. Councilmember Corkey Welch made note that he saw 2 accessory structures on the property, according to the site map. Mr. Suddreth advised that the shed was already on the property when the applicant purchased the home and that the chicken coop would be the additional structure. There was a brief discussion about the structures and the setbacks. Mr. Suddreth stated that staff advised the applicant that due to the size of her home, she could enlarge the shed by connecting the chicken coop to the already built shed meaning she would no longer be in violation, but she declined then filed the appeal. Mr. Suddreth advised that staff had initially recommended approval of the second accessory structure because they had approved similar requests in the past however a lot of additional information came forward at the LVB meeting (held December 12, 2018) that staff was not aware of including any objections to the chicken coop. Mr. Suddreth advised that the neighbors that live directly behind Ms. Thomas spoke at that LVB meeting to object. There was a discussion about the visibility of the structure from the road. City Administrator Tammi Saddler Jones advised Ms. Blustein that Ms. Thomas stated (at the LVB meeting) that the chickens were a special breed from Australia that lay blue eggs. Ms. Blustein stated that the chickens do not make any noise. Mr. Suddreth advised that there was a debate about how many chickens were on the applicant's property. Ms. Wilkinson inquired if the City had an ordinance that limited the number of animals one could have. Mr. Suddreth advised that the ordinance related only to cats and dogs. Ms. Wilkinson inquired why the ordinance would not apply to "any animal". Mr. Suddreth advised that the ordinance also includes a "general statement" about "animals in general" that related to nuisances such as smell. Mr. Welch inquired if the neighbors would be "satisfied" if Ms. Thomas extended the fence along the side of her property. There was a brief discussion about the fence. Mr. Suddreth advised that the neighbors had been made aware of the appeal hearing and that the hearing had also been posted. Mayor Bacon made note that he felt that the fence should be made with a "finished side" on both sides. Mr. Suddreth advised that Council would be hearing a matter about changing the fence ordinance in the near future.

Formal Business

6A – IT Director Chris Addicks advised that all of the City's data storage was aging and that it needed to be updated/ replaced because it was "too slow and hurting the performance of servers". He stated that he received 7 bids however their lowest bidder was missing a lot of what was required, the 2nd lowest did not elaborate, the 3rd same as the first and did not itemize, 4th lowest had all the requirements, 5th 6th & 7th were over budget with one being over 1 million dollars. Councilmember Ron Fennel inquired

what the "life span" of the new data storage system would be. Mr. Addicks stated, "at least 7 years". Councilmember Corkey Welch noted concerns about the bid packed because of the variations of the bids that the City received and stated that he felt "something went wrong". Mr. Addicks stated that because of the dollar amount he was required to put the bid on the State's procurement site which caused the variations, noted that it was simply an advertisement on the State's site then explained the process of how some of the vendors/manufacturers operated. Mr. Welch inquired if IT had worked with the winning bidder before. Mr. Addicks advised that they have and commended their work. Mayor Bacon inquired how much was budgeted for this item. Mr. Addicks advised \$212,000. Mr. Fennel advised that it was coming from CIP.

6B – Mr. Addicks advised that IT had been working on creating a manual for their department for approximately 1 year and a half and noted that there were no written policies prior. He noted that he had spoken to HR Director Kay Bolick about including it in the personnel manual however she did not see a need for it. Mr. Addicks stated that it was necessary to have one and that although IT was still working on the manual, they wanted to "make it official". Mayor Bacon inquired if the manual was for every employee. Mr. Addicks advised that it was for "anyone who uses the City's technology". Mayor Bacon confirmed that elected officials were included in that statement. Mr. Addicks noted that some of the manual's contents related to IT operations. Assistant City Administrator Scott Andrews made a positive comment about the manual. Mr. Addicks stated that the manual was comprehensive. City Administrator Tammi Saddler Jones inquired if Council wanted a copy emailed to them. Mayor Bacon suggested that everyone read it over the weekend and make notes of any questions they may have. He also inquired if staff was "OK with it". Ms. Saddler Jones stated that a copy had been sent to the City Attorney. City Attorney Scott Cochran spoke positively about the manual.

Consent Agenda

8A – 8C – no discussion

Councilmember Tim Gould advised that Michael Seagraves would be assigned to the Ward 6 slot on the Planning and Zoning Board. Mayor Bacon advised to this item would be added to the Mayor and Council Agenda as Item 6C under Formal Business.

No other items were added to the agenda.

4. City Administrator Report

City Administrator Tammi Saddler Jones advised that the firefighters moved into the new fire station (Fire Station 2) and advised that a dedication or grand opening ceremony would be held in the future. Ms. Saddler Jones advised that she was working with Police Chief David Lee, Fire Chief Roy Acree, Deputy Fire Chief Brian Marcos, Deputy Chief Joe Bennett, Assistant City Administrator Scott Andrews and Lt. Mark Biniewicz to put together an active shooter plan. She noted that the concern came to light when Parks and Recreation Director Richard Garland approached Mr. Marcos about his concerns about the Community Center being so vulnerable if an active shooter incident took place. Ms. Saddler Jones advised that staff training would begin in February with Parks and Recreation being the first department to participate; City Hall staff would follow suit in March and Council would also be scheduled soon. She advised that the Police Department held their annual awards banquet earlier in the day and that she and a few staff members attended – she then listed the winners. Ms. Saddler Jones reminded Council that Public Works would be starting the new

sanitation schedule on Monday, February 4, 2019 and she advised that staff had emailed copies of the schedule to Council. Assistant City Administrator Scott Andrews advised that the netting system poles were installed earlier in the day and that the netting would be installed the following week at Ward Park. He advised that if the weather continued to cooperate the project would be complete ahead of schedule and that staff was hoping to return the field to the team between the 8th and 11th. Ms. Saddler Jones advised that the Finance Department would be hosting the first public input session for the FY 2020 Budget on Monday, February 11th at the Community Center from 6:30pm – 8pm. She advised that over 300 citizens had already taken the online surveys.

5. Other Business

Councilmember Andrea Blustein stated (to Mayor Bacon), that he was being “stubborn about lights” and that Richard Garland (Parks & Recreation Director) was telling “his park crew” that she and the Mayor were “having a war over lights”. Ms. Blustein recommended that the City put warning signs (at Spring Road Linear Park) that read “Enter This Area at Your Own Risk”. Ms. Blustein then asked City Attorney Scott Cochran if he believed that the victim of a stabbing that took place at the park could have sued the City. Mr. Cochran stated that he did not know much about the case to make comment and noted that there had been other crimes in the area. She stated that she felt it was the “worst thing that ever happened” in that area. Mayor Bacon made note that the stabbing took place 8:30am. Ms. Blustein advised that she felt “it did not matter” the timeframe and reiterated her concerns about the dangers at the park. Councilmember Maryline Blackburn asked Ms. Blustein if she had spoken to Parks and Recreation Director Richard Garland if CDBG funds could be used (for Ms. Blustein’s proposed projects at the park). Ms. Blustein advised that she would speak to City Administrator Tammi Saddler Jones about that because she had spoken to Mr. Garland and nothing was done.

Councilmember Tim Gould advised that there was a dog attack in Creatwood Forest – 2 pit bulls attacked a person and his dog. He stated that Smyrna PD responded to the scene and the dogs were taken by Cobb County Animal Control but there was concern because the dogs had since been returned to the owner. Mr. Gould stated that he was also concerned because he deemed the dogs were “dangerous” and advised that he would follow up with the case. Councilmember Corkey Welch inquired about the timeline. Mr. Gould advised that the incident “happened on Sunday and someone came out on Wednesday” and stated that he was unsure of what the timeline should be. Mr. Gould announced that Campbell High School held a casino night fundraiser and that they had raised over 100,000K over the course of the year. He advised that Habitat for Humanity contacted Assistant City Administrator Scott Andrews about partnering to help citizens with home repairs. Councilmember Ron Fennel inquired if there were advertisements about this for the citizens. Mr. Gould stated that he would like Mr. Andrews work with the vision group to “facilitate” the advertisements. Mr. Andrews stated that with Council’s approval he would “look into” the program and its resources. There was a brief discussion about how the process worked. Mr. Gould announced an upcoming basketball game.

Councilmember Susan Wilkinson advised that she had taken classes on Mayor’s Day – an open records class and a sustainability class. She advised that there was a warning about holding open meetings in a room with one exit.

Councilmember Corkey Welch congratulated Assistant City Administrator Scott Andrews on his recent engagement. Mr. Welch advised that the Optimist Club had

*fun*ds to assist children with special needs.

City Clerk Terri Graham advised Council that their disclosure forms would be due the upcoming week and noted that the personal financial disclosure forms had a deadline in June. She also advised Council to revisit their affidavits in case they had to redo them.

Assistant City Administrator Scott Andrews gave out the non-emergence number for Cobb County Animal Control; 770-499-3911. City Administrator Tammi Saddler Jones advised that they could also contact Captain Craig Owens at Cobb County Animal Services. Mr. Andrews then gave out Mr. Owens' email – craig.owens@cobbcounty.org.

6. Adjournment

Mayor A. Max Bacon adjourned the meeting at 6:51 pm.