



Meeting Minutes - Final
City Council

Friday, January 12, 2018

3:00 PM

Council Chambers

Special Called CIP Work Session

Roll Call

Council: Mayor Max Bacon, Derek Norton (Mayor Pro Tem), Susan Wilkinson, Maryline Blackburn, Ron Fennel, Charles Welch, Andrea Blustein

Staff: Tammi Saddler Jones (City Administrator), Scott Andrews (Assistant City Administrator), Terri Graham (City Clerk), Christy Ullman (Executive Assistant to Mayor and Council), Scott Cochran (City Attorney), Ashley Youmans (Management Fellow), Maxwell Ruppensburg (Special Projects Coordinator), Scott Stokes (Public Works Director), Eric Randall (City Engineer), Kristin Robinson (Finance Director), Jered Sigmon (Budget Officer), Charlotte Blachon (Intern), Maelle Hadjadji (Intern)

Guests: Larry Terry (Cory Engineering)

Absent: Doug Stoner

1. Discuss Public Works Department Water/Sewer/Storm Water Projects

Mayor Max Bacon called the meeting to order at 3:00 pm.

Assistant City Administrator Scott Andrews introduced Maelle Hadjadji and Charlotte Blachon who are students from Lyon, France and are interning in the Administration department until April 2018.

Mayor Max Bacon said the reason this work session was called is to discuss all public works projects and decide the next steps.

Public Works Director Scott Stokes began by explaining the first public works issue. Mr. Stokes explained that storm pipes carrying surface water from Atlanta Road to the Public Works Facility are collapsing. This can cause a storm water back-up on Atlanta Road and risks flooding the nearby Fouts Bros facility. Mr. Stokes said fixing the collapsed pipes will cost \$617,000 and will also include the installation of a detention pond.

Mr. Stokes explained that the second issue was a pipe collapse on Mason Avenue that City Attorney Scott Cochran has explained that the city is responsible for fixing. Mr. Stokes explained that fixing the pipe would require tearing up driveways and grass on the street and would cost \$257,000.

Mayor Bacon asked if the city won't know what the exact cost would be until the projects are put out for bid. Mr. Stokes said the estimates are based off the design concept. Mayor Bacon asked what the size of the pipe was at the Public Works facility. Mr. Stokes answered that the pipe was 36 inches and was only detaining water

at the Public Works facility, not the nearby business. Councilmember Susan Wilkinson asked if there was a detention pond at the facility in the past. Mr. Stokes answered no, there was only a hole. Ms. Wilkinson asked if the hole will be where the new detention pond will be installed and Mr. Stokes answered yes. Mr. Stokes said the project would be put out for bid during the next week. Councilmember Charles Welch asked if the pipe could be slip lined and Mr. Stokes answered that more than half of the pipe will be slip lined. Councilmember Andrea Bluestein asked about the process of slip lining and Mr. Stokes explained that slip lining is a way to repair pipe leaks by installing a smaller pipe into the larger pipe. Mayor Bacon mentioned that he would be worried about announcing the cost estimate before bids are placed.

Mr. Stokes asked City Attorney Scott Cochran if the city would be legally responsible if it replaces the pipes size for size on Manson Road and flooding still occurs. Mr. Welch asked if the pipe or the property were located in floodplains, and Mr. Stokes answered that both were. Mr. Cochran asked what it would take to build the pipe to current code and Mr. Stokes answered that the price of \$257,000 would be the cost of repairing the pipe to align with the city code. Mr. Cochran stated that the safest strategy would be to build the pipe to code. Mayor Bacon mentioned that buying the house would help mitigate the risk, and Mr. Stokes said that the house is worth around \$350,000. Mr. Cochran asked how much cheaper would it be to replace what is there currently and Mr. Stokes estimated around \$100,000-\$130,000 cheaper. Mr. Cochran suggested coming to an agreement with the owner including wording that outlines that future maintenance will be the responsibility of the owner. Mr. Cochran asked if the pipe is replaced now, will there be another collapse in the future. Mr. Stokes answered yes. Mayor Bacon noted that the owner has never complained about flooding in the past and that he believed an agreement could be reached to pay the owner the money, sign a release, and promise to get it fixed. Mr. Cochran added that the agreement could include future maintenance responsibility falling on the owner. Councilmember Ron Fennel stated that he concurred with the development of an agreement. Mr. Cochran said that he believed the best option was to outline the amount the city will agree to pay and have the owner agree that the amount is sufficient to fix the problem. Mr. Welch asked if the city is going to offer the owner \$160,000, and Mr. Cochran said he thought the city would get an estimate and then offer the estimated amount. Mr. Welch mentioned that the owner could get a price cheaper than the city's estimate and keep the remaining funds. Mr. Stokes explained that typically, public works will notify owners of broken infrastructure that it is at the fault of the city, ask owners to get quotes, and if reasonable, reimburse owner for the repairs. Mr. Stokes continued that the city would not want to be liable for fixing damages. Mr. Welch believed that it was a better approach to get estimates from multiple contractors. Mr. Cochran said that staff could meet with the owner to find out his estimate.

Mr. Stokes then played a video of the collapsed pipes. Mr. Stokes pointed out where the piping was bent and said that the junction box was collapsing. He explained that a junction box is the location that two pipes meet. He then explained that since the pipe collapsed, the junction box had dropped. Ms. Wilkinson asked if this is what would be replaced and Mr. Stokes answered yes. Mayor Bacon asked where the pipe was located and Mr. Stokes answered that it was underneath the fence between public works and the Fouts Bros facility, 33-feet underground. Mayor Bacon asked if the pipe was still functional. City Engineer Eric Randall explained that over time, as water escapes outside the pipe, it forms a sinkhole. Mayor Bacon asked if there was an option to ask the State of Georgia to split the cost. Mr. Randall explained that the city owns the road, so it is the city's responsibility to maintain. Mayor Bacon asked if the pipe will continue to collapse if nothing is done, and Mr. Stokes answered yes. Mr. Welch mentioned that during high water events, the water will wash through the cracks

and further expand them. Mayor Bacon asked if it was possible to repair the pipe in patches. Mr. Stokes explained that by the time all the repairs would be made, the city would fare better replacing the whole pipe. Mayor Bacon said that the first time this issue was discussed; the price was around \$300,000. Mayor Bacon asked if the price was doubled because of the detention pond installation, and Mr. Stokes answered yes. City Administrator Tammi Saddler Jones asked Mr. Stokes to discuss the timeline for the projects. Mr. Stokes mentioned that there will be a contractor on board in March. Mayor Bacon asked if it will be okay to add these items to the upcoming City Council Meeting agenda. Mr. Stokes mentioned that it would be going out for bid during the next week and that Mayor and Council approval would be required for a funding transfer. Mayor Bacon asked if the total estimated cost included the design, and Mr. Stokes said the design was already paid for. Finance Director Kristin Robinson noted that it would be a better idea to wait and see how much it will cost. Mayor Bacon asked if anyone heard of other pipe issues on Manson Avenue and no one said they had.

Mr. Welch asked what if the owner agrees to fixing for a certain amount but finds out it is not enough. Mr. Cochran explained that it was not definitively the city's responsibility and would have a chance to battle in court. Mr. Welch expressed that unless the owner is an expert in the field, he may not know the exact amount. Mr. Welch believed that it was not fair to let the owner agree to less than what it would actually cost to fix. Mr. Cochran said that with the agreement, the city would pay for the damages and the owner would be responsible for future maintenance.

2. Funding Source for Water Projects

Discussion moved to the funding source available for the public works projects. Finance Director Kristin Robinson explained that these projects are a pressing need and are the only projects that are not part of a current or future budget allocation. Mayor Max Bacon asked how much money was in surplus and Ms. Robinson answered that the water and sewer fund balance was \$38.8 million. She explained that this number is not representative of what is in the general fund. She further explained that \$26 million of that amount is included in capital asset investments and about \$12 million is undesignated. Mayor Bacon said the project funding should come out of that amount. Ms. Robinson explained that water projects do not get funded out of undesignated funds but that the amount is broken up into the water fund, the water CIP, and the storm water fund. She explained that the water CIP was broken down in 2015 and at the end of last fiscal year, the fund had \$8.6 million. Ms. Robinson said that based on the projects that have been budgeted, and if everything is spent, at the end of fiscal year 2018 there will be about \$4.5 million left. Mayor Bacon asked if the account is depleted, will there not be money for unexpected projects that may arise. Ms. Robinson said the funds will be taken from the water and sewer fund and transferred to the storm water fund for the \$600,000 needed for the projects. Mayor Bacon asked if there will still be a \$4 million surplus and Ms. Robinson answered that it would be \$2.4 million. Councilmember Charles Welch asked if the funds will be taken out of the water CIP, and Ms. Robinson answered

3. Other Business

Along with the public works pipe projects, public works staff announced two other projects to the Mayor and Council. Public Works Director Scott Stokes explained that staff had drafted a neighborhood traffic calming policy. Management Fellow Ashley Youmans passed around copies of the policy draft. Mr. Stokes asked the Council to look over the proposed policy and report any recommendations or changes. Mr. Stokes

said he would like to add this to the February 5, 2018 City Council Meeting agenda. City Engineer Eric Randall explained that he wanted to know if the wording in the draft will make sense to residents and wanted to make sure everyone understood the safety portion of the policy.

Mr. Stokes then explained that one of the 2017 Council and Staff Retreat goals was to work on sidewalk connectivity across the city. Mr. Stokes said that the plan was to approach the work in phases and asked Croy Engineering to provide concepts. Mr. Stokes explained that the first phase will be to address sidewalk connectivity issues in school zones and the second will be the infill of areas with missing pieces of sidewalks. Councilmember Ron Fennel asked how much money the Cobb County School District will contribute to construction of sidewalks in school zones. Mayor Bacon said he has spoken with school district representatives and they did not have funding. Mr. Stokes passed around the sidewalk plan proposal. He explained that on 35 miles per hour or more roads, sidewalks will be installed on both sides of the street and on 25 miles per hour or less roads; sidewalks will be installed on one side. Mayor Bacon noted that there is a mix of sidewalks across the city and asked if there would be a plan to connect those sidewalks. Mr. Stokes answered that when it gets to the second phase of the project, staff will analyze if it makes sense to connect all sidewalks because zoning requirements may have changed since sidewalks were installed. Mr. Stokes said that since this was one of the goals from the retreat, he would like the approval to move forward and is ready for comments on adjusting the proposed plans. Mayor Bacon mentioned that both the traffic calming policy and the sidewalk discussion will be readdressed at the next Committee of the Whole meeting. Mr. Stokes said the total dollar estimate for the sidewalks is \$377,000 and the price would decrease if the work is done by the city. He also said the budget for sidewalks is over \$1 million from SPLOST.

City Administrator Tammi Saddle Jones asked City Attorney Scott Cochran to address a recent police issue. Mr. Cochran explained that there was video uploaded on YouTube that showed a local group that audits police departments at the Smyrna Police Department. He explained that in the video, the videographer films both inside and outside the police station and is asked by a police officer to show his identification. The videographer said he did not need to show his identification. Mr. Cochran continued that in the video, the original police officer leaves and the supervisor addressed the man, stating that he will need to show his identification under Georgia law. Mr. Cochran explained that the interaction had escalated and the videographer posted the video. Councilmember Charles Welch asked if the videographer was handcuffed and Mr. Cochran answered no. Councilmember Ron Fennel asked if public safety officers have the ability to address these kinds of safety concerns and Mr. Cochran answered that officers cannot without probable cause. Mr. Fennel then asked how the department is dealing in a public relations perspective and Mr. Cochran said he would find out from Police Chief David Lee but would suggest the supervisor receive training.

Councilmember Susan Wilkinson asked that as developments continue along Old Concord Road to evaluate the needs of the road. She asked if the road needs multiuse trails or sidewalks and noted that residents over 12 years old are not allowed to ride bikes on 5-foot sidewalks. Mr. Randall said he would confirm with Councilmember Doug Stoner. Ms. Wilkinson asked if future development will show a multiuse path. Mayor Bacon then asked if the road was entirely within the Smyrna city limits, and Ms. Wilkinson answered not yet. Mr. Randall said he believed that until the corridor is upgraded and the city has control of the right-of-way, the sidewalks will only be the minimum 5-foot length. He continued that currently there is not room for a trail and the

city would have to condemn property to construct a trail. Ms. Wilkinson asked if there will be room with reductions and front setbacks of new development along the road. Mr. Randall answered that setbacks are separate from the right-of-way. Ms. Wilkinson suggested focusing on the area because it is large and there are a lot of areas without sidewalks. Mr. Stokes said he would take it into consideration.

Councilmember Maryline Blackburn announced the Martin Luther King, Jr. Day service at Turner Chapel AME Church and invited everyone to attend.

Councilmember Ron Fennel said he wanted to have a discussion about an alternate sidewalk fund in the future. Mr. Fennel said that for alternate funding, there can be the creation of a sidewalk bank. Ms. Wilkinson stated she would be opposed. Mr. Fennel also reiterated neighborhood thefts happening both within Smyrna and beyond the city limits. Mr. Fennel then said he would like to have a future discussion on environmental enforcement both pre- and post-Obama administration and what is happening in neighborhoods about retention and detention management and infrastructure. Mr. Randall said he is pulling together a list of all detention facilities within the city that will help identify responsible parties to address at future City Council meetings.

4. Brief discussions regarding the following 2 items to be discussed further at the next Committee of the Whole Meeting.

a) Sidewalks

b) Traffic Calming

5. Adjourn

Mayor Max Bacon declared the meeting adjourned at 4:29 pm.