



# City of Smyrna

2800 King Street  
Smyrna, Georgia 30080

## Meeting Minutes - Draft City Council

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Monday, June 16, 2014

7:30 PM

Council Chambers

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### Roll Call

**Present:** 7 - Mayor Max Bacon, Mayor pro tem/Councilmember Melleny Pritchett, Councilmember Andrea Blustein, Councilmember Teri Anulewicz, Councilmember Charles Welch, Councilmember Wade Lnenicka and Councilmember Ron Fennel

**Absent:** 1 - Councilmember Susan Wilkinson

**Also Present:** 14 - Scott Stokes, Jennifer Bennett, Toni Jo Howard, Eric Taylor, Robert Harvey, Kay Bolick, Russell Martin, Ken Suddreth, Terri Graham, Lisa Moore, Steve Ciaccio, Scott Cochran, Ann Kirk and Tammi Saddler Jones

### Call to Order

The meeting was called to order at 7:30 PM.

#### 1. Invocation and Pledge:

Mayor Max Bacon called on Pastor Robin Hancox, International Gospel Outreach Church, 1101 Windy Hill Road, Smyrna to deliver the invocation and lead all in the Pledge of Allegiance.

#### 2. Agenda Changes:

The Mayor informed that Agenda Item 4-D will be tabled to a later date.

#### 3. Mayoral Report:

##### A. Proclamation in Recognition of Lina Clare Isanhour

The Mayor called on Councilmember Welch. Mr. Welch stated that Ms. Isanhour has been a large contributor of time and effort to the Smyrna Library and it is appreciated. Mr. Welch read aloud the proclamation and presented it to Ms. Isanhour. Ms. Isanhour thanked the Mayor and Council for the recognition. She loves the City and is proud to be a resident. The Mayor noted that she has done a lot of good works not only for the Library but for the City as a whole. Mayor Bacon also recognized former Councilmember Pete Wood along with his wife, Lily, and past Mayor Harold Smith, and many others for their attendance and support for Ms. Isanhour.

The Mayor recognized Public Works Director Scott Stokes for his 35 years of service to the City and presented him with a certificate. The Mayor thanked Mr. Stokes for his service.

Mayor Bacon noted that Councilmember Susan Wilkinson was not in attendance

because she was out of town.

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

##### A. **Public Hearing** - Zoning Request Z14-003 - Rezoning from R-15 to RAD-Conditional - 4.38 Acre Tract - Land Lot 335 - 4105 North Cooper Lake Road - McLane Corporation

The Mayor asked City Administrator Eric Taylor to give the background on the zoning request. The McLane Corporation has requested a rezoning from R-15 to RAD – Conditional for the development of a twelve home subdivision on North Cooper Lake Road. This request was first heard by the Planning and Zoning Board on January 13, 2014 and was approved 7-0. Prior to the plan coming before Mayor and Council for a vote, there were concerns about using Plant Road to access the subdivision. The site plan has been redesigned with the access coming off North Cooper Lake Road. The new plan went before Planning and Zoning on June 9, 2014 and was approved. Staff recommended approval.

The Mayor called for a Public Hearing and three people came forward to speak. City Attorney Scott Cochran swore in the applicant, Brad Thompson along with citizens, Cheryl Carson, Kristin Sudduth, and Alex Neeley.

Councilmember Ron Fennel spoke about the rezoning of the property. He reiterated the process where the original plan had been submitted, but the Council had a problem with the egress point being off Plant Road. The plan has been redesigned with an entrance off North Cooper Lake Road. Mr. Fennel stated he had a Town Hall/Public Meeting with concerned citizens, staff and the developer, once with the first plan and then another one with the current application. Some of the issues raised at the meetings were tree cover and whether clear cutting was necessary, traffic from the twelve new homes, fencing around the park, and the impact on the school district. He has raised these issues with the Council and those issues will be addressed by the City with exception of the school questions as they are not City Council discussions, but are Cobb County School Board issues. Mr. Fennel reflected that not everyone is 100% in agreement with the plan, but this application is not different from the developments that have been built in the same area in the last few years. Mr. Fennel asked Community Development Director, Ken Suddreth to speak about the rezoning of this property. This proposal is for 12 new single family homes. The zoning map, future development map, and the proposed site plans were shown. The new proposed site plan has the number of lots remaining at 12, but the subdivision will face North Cooper Lake, which will involve removing a home, with the road extending to the back of that property and split into two cul-de-sacs. The proposed elevations were shown, which are similar to other new homes in the City. On the issue of trees, he stated that there is a tree ordinance that will have to be followed. Both staff and the planning commission recommended approval. Mr. Suddreth reviewed the standard and special conditions, which are as follows:

##### Standard Conditions

(Requirements #2, 8, and 17 from Section 1201 of the Zoning Code are not applicable)

1. The composition of the homes in a residential subdivision shall include a mixture of elements including; but not limited to: brick, stone, shake, hardy plank and stucco. No elevation shall be comprised of 100% hardy plank siding. The residences whose lots abut external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.

2. There shall be protective covenants with a mandatory homeowners association on all lots. These protective covenants shall be supplied to the City prior to the issuance of a building permit.

3. The developer shall provide at least 200 square feet of common space per lot. This common space shall be developed with improvements for the residential subdivision such as: gazebos, fountains, recreational/playground equipment or walking trails. The common space shall be controlled and maintained by the Homeowners Association.

4. The detention pond shall be placed and screened appropriately to be unobtrusive to homes inside and outside the development. The storm water detention plan shall be designed to create at least a 10% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.

5. All utilities within the development shall be underground.

6. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by either the City or the County during construction plan review. Sidewalks shall be provided by the developer inside the subdivision and outside the subdivision adjacent to any public right-of-way consistent with City's requirements for the extent of the development. A grass buffer with a minimum width of 2' shall be provided between the back of curb and sidewalk. The grass buffer may be waived if it is deemed unnecessary by the City Engineer.

7. A strip of brick pavers or stamped concrete shall be installed on the street at the subdivision entrance for a minimum distance of 20 feet.

8. The development of any streets (including private) shall conform to the City's standards for public right-of-ways.

9. No debris may be buried on any lot or common area.

10. The developer will install decorative streetlights within the development, subject to approval by the City Engineer. Utilization of low intensity, environmental type lighting, the illumination of which shall be confined within the perimeter of the subject property through the use of "full-cutoff lighting".

11. The developer will comply with the City's current tree ordinance (unless noted elsewhere). All required tree protection measures shall be adhered to by the developer during construction.

12. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.

13. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

14. All single-family and/or duplex residential lots shall provide the following at the time of certificate of occupancy: either four 3" caliper trees or three 4" caliper trees, unless otherwise approved by the City's Arborist. The following species of trees may be used: Nuttall Oak, Swamp Chestnut Oak, Allee Elm, and Village Green Zelkova. Other species may be used if approved by the City.

#### Special Conditions

15. The development shall maintain the following setbacks: Front – 20', Side – 5', Street Side - 10', and Rear – 20'

16. The development shall be developed with a minimum lot size of 7,000 square feet.
17. The proposed homes shall have a minimum floor area of 2,000 sq. ft.
18. All new homes shall be accessed from the new proposed public roads for the subdivision.
19. Driveway – 22' minimum length from building face to back edge of sidewalk. Each unit shall have a two-car garage.
20. The developer shall provide access from the 50' cul-de-sac to the existing 5' sidewalk along Plant Road to provide pedestrian access to the City park.
21. The developer shall be responsible for the installation of all water and sewer lines.
22. No stormwater management facility or portion thereof shall be located on any portion of the proposed lots. The stormwater management facilities shall be solely located on the HOA's property.
23. The proposed stormwater management facility shall be tied into the existing city stormwater system on Plant Road.
24. The developer shall be responsible for the provision and dedication of a sanitary sewer easement for the connection to the city sanitary sewer system at time of final platting. The City Public Works Director and Parks Director shall review and approval all easements.
25. All trees within the limits of disturbance and not located within a tree protection area must be removed during the land clearing and grading phase of the development.
26. Approval of the subject property for the Residential Attached Detached (RAD) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 5/22//2014 created by London Patterson Engineering Support Services.
27. The applicant shall be bound to the elevations submitted and dated 12/13/2013. Approval of any change to the elevations must be obtained from the Director of Community Development.

Councilmember Welch questioned how the stormwater run-off would get to the pond. Mr. Suddreth stated he would leave this question up to the developer and the City Engineer. There are still plans that must be submitted for review for roadway and drainage issues which will be reviewed by Community Development as part of the process of building the development.

Brad Thompson addressed Mr. Welch's questions regarding drainage. Mr. Thompson stated there are a number of ways to design this to address drainage. He does not know the best method but would defer to his engineer and the City Engineer. Mr. Welch wanted to make sure this is addressed in the final plan. The property naturally drains today through Mr. Fouts' property to the south. There is a drainage ditch that currently exists. The required run-off has to be reduced by 10% once fully developed than the current flow rate. The Mayor stated that the City does not want to impact Mr. Fouts' property. Mr. Thompson informed he also needed to

change the name of his company from McLane Corporation LLC to McLane Company LLC. He reminded all that he is not asking for anything that hasn't already been approved in the immediate area and he asked to be granted the same opportunity as other developers.

The Mayor called any of the citizens who were sworn in for the Public Hearing to come forward to speak. Ms. Cheryl Carson, 4701 Derby Lane, Smyrna, spoke about her concerns about the development. She put together a survey and had 75 people respond. Her key points were that most of the respondents were long time Smyrna residents, who own their homes and have children in school. No one who responded was in favor of over 3 houses per acre. Most respondents were concerned with the increased traffic on North Cooper Lake. Ms. Carson asked if a traffic study had been done and if so, she would like to see a copy of it.

Kristin Sudduth, 4045 North Cooper Lake Road, Smyrna, stated she lives 1/4 of a mile up the road and this development is directly behind her in-law's home. She is concerned about the "process" to ensure that the stormwater does not damage surrounding properties. Her parents, the Howser's, have had drainage problems because their property is directly behind the Weatherbrooke subdivision and they claim they have problems that were not addressed. She would like to know what the process is to make sure all plans are followed and who is responsible for enforcing the problems when they arise. Another concern was with construction traffic. She also was concerned that Mr. Thompson will not be developing the community himself, but will be handing it off to other builders.

Alex Neely, 4700 Harness Court, Smyrna, expressed his concerns over density and traffic along North Cooper Lake Road. Speeding and running stop signs are a problem on the road. He is concerned that, in the future, homes on larger lots will be bought and the same type of developments will be put in which will cause even more traffic on the road.

Councilmember Fennel asked Ken Suddreth to return to the podium to discuss the issues raised. He explained that the land use plan designated the area as a low density area, which means up to 3 units per acre. This development is under that at 2.74 homes per acre. Mr. Suddreth explained that there are multiple departments in the City who have different roles in managing a new development. The City Engineer would address storm water issues. There is an ordinance that regulates work hours to 7:00 – 6:00 and if anyone sees a contractor work beyond allowed work hours, they can call the police. During work hours, someone from Community Development may be contacted to check for violations in regard to noise. The Mayor asked about a traffic study and Mr. Suddreth said he was not aware of one being completed. Brad Thompson stated the builders for the development will be Magnolia Homes, who have built many homes in Smyrna. Mr. Thompson stated that for a development of this size, there is usually not a traffic study done. Mr. Cochran swore in the builders for the development, Mike and Corbin Adams. Mike Adams stated that the name and phone numbers of the developers are posted at the site. They have a guideline that if their contractors break the hours of operation ordinance, they fine them, and in addition, they have to pay the City's fines. The builders will hire a General Contractor for the project, but Mr. Adams will be at the site on a daily basis.

The Mayor recognized that Ms. Carson had more questions. She asked how the new precedent of the new zoning will affect the traffic, emergency response time, etc. for the community. Mr. Fennel requested that Mr. Stokes come forward to address the questions on traffic. Mr. Stokes said that since this has been brought up, he will have his department evaluate the condition and capacity of the road. When the East-West Connector was being developed, the decision was made to cut off North Cooper Lake Road and make the end of the road into a cul-de-sac due to citizen

interest in keeping the road from becoming a thoroughfare from the East-West Connector. The Mayor stated that a fifth grade teacher told him she heard the City was cutting a road through to Fontaine Road; but that is not true. The Mayor reiterated that if the zoning stayed the same, it could be built with around 8 homes with no stipulations. The proposed development has 27 stipulations which are being put into the agreement. Mr. Stokes said his department would do a study on the road, but one hasn't been done to date because this road has not been recommended for improvements. Stop signs have been put up with the new developments and speed signs have been budgeted in the upcoming fiscal year that can be used. Mr. Stokes said they have been paying careful attention to drainage issues in the pre-zoning meetings and will continue to make sure the drainage issues are addressed.

The Mayor reiterated that this proposal has been approved by the Planning and Zoning Board twice and is within the City's future land use plan. Mr. Welch stated that while he personally does not support the development, professionally and legally he has no reason not to support the vote.

A motion was made by Councilmember Ron Fennel to approve 2014-163 Zoning Request Z14-003 - Rezoning from R-15 to RAD-Conditional - 4.38 Acre Tract - Land Lot 335 - 4105 North Cooper Lake Road - McLane Company LLC including 27 stipulations as provided for in the application process through the Planning and Zoning process and Staff, seconded by Mayor Pro Tem/Councilmember Melleny Pritchett. The motion carried by the following vote:

**Aye:** 6 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Lnenicka and Councilmember Fennel

**B. Mayor and Council grant a sanitary sewer easement between the City of Smyrna and McLane Corporation LLC to allow the installation of sanitary sewer piping for a proposed adjacent residential development.**

The Mayor asked Mr. Taylor to give the background on the easement. There is not a sewer line to support the North Cooper Lake development, so McLane Company LLC is requesting the City of Smyrna to grant a sanitary sewer easement through the North Cooper Lake Park in order to develop a residential tract of land adjacent to this city park. The easement will amount to approximately 21,080 square feet with 1054 feet of sanitary sewer main. They will build the sewer line and then will dedicate it to the City once complete.

Mr. Fennel stated the applicant is paying for this line and it will be deeded to the City. This allows the capacity to be greater than required by the state. Mr. Lnenicka asked if the developer was in agreement to the stipulation that the sewer line will be built to City specifications, approved and inspected by the appropriate City staff and will be deeded over to the City as a public sewer line. Mr. Thompson agreed.

A motion was made by Councilmember Ron Fennel to approve 2014-036 that the Mayor and Council grant a sanitary sewer easement between the City of Smyrna and McLane Company LLC to allow the installation of sanitary sewer piping for a proposed adjacent residential development, the city attorney will be involved in the drafting of the easement and a condition of the easement be that the sewer line be dedicated to the city once it is constructed, seconded by Mayor Pro Tem/Councilmember Melleny Pritchett. The motion carried by the following vote:

**Aye:** 5 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Lnenicka and Councilmember Fennel

**Nay:** 1 - Councilmember Welch

**C. Public Hearing - Zoning Request Z14-014 - Rezoning from NS to GC - 1.74 Acre Tract - Land Lot 381 - 790 Smyrna Hill Drive - Raymond E. Fowler**

Mr. Taylor gave the background for the zoning request. The applicant is requesting a change in zoning for the property from Neighborhood Shopping to General Commercial for use as a contractor's office. The applicant is not proposing any improvement for the property at this time. The applicant is proposing the existing building be used for office space for a landscaping company. The Staff has recommended approval.

The Mayor called for a Public Hearing and no one came forward to speak. Councilmember Welch called Ken Suddreth to discuss the request. This has been to the Planning and Zoning Board and they recommended approval. There is a proposed to be a contractor/landscaping office in the building. It is unclear why this was zoned as Neighborhood Shopping. The future development map shows this as commercial. Most of the nearby properties are zoned General Commercial or Light Industrial. A current zoning map, pictures of the property, and adjacent properties were shown. There are no improvements proposed to the building.

Mr. Lnenicka stated that in the Council's discussion of the issue, it was determined that while no one is opposed to the current use of the property, there were concerns that there are a lot of uses that are allowed under the General Commercial zoning that would not be appropriate to this street or the abutting neighborhood. These uses include pawn shops, tattoo parlors, massage parlors, etc. A request was made for staff to look at a number of exclusionary uses that the applicant might agree to as a stipulation of the rezoning.

Councilmember Wade Lnenicka moved to table for twenty minutes this item to give the applicant and staff from Community Development an opportunity to discuss stipulations on how the rezoned property could be used. There was no second, the motion failed.

Councilmember Welch stated he understood the concern, but he did not move forward with the stipulations because the properties around this one are zoned General Commercial. Mayor Bacon called Mr. Fowler to come forward and be sworn in by Mr. Cochran. Mr. Fowler stated that most of the properties in the area are General Commercial. The area is mostly being used for auto repair businesses and the recycling center is there. He does not believe this particular property would be a good site for the types of businesses that Mr. Lnenicka alluded to because there is not enough traffic on the street.

Mr. Lnenicka suggested that in the past, the City has eliminated some uses under General Commercial when the site is near a neighborhood. He requested that they come up with some limitations for the property conditions that will prohibit certain businesses for this property to prevent a future owner from putting those businesses in the location.

Mr. Cochran stated there are number of ways to accomplish what was being

discussed. One way is to zone it to be General Commercial with its only allowable use being a landscaping company. Mr. Fowler did not agree to that because he rents the building and if this tenant moves out, he would have to come back to Community Development to change the zoning if another type business rented his building.

Mr. Welch stated that he does not see an issue with rezoning this property General Commercial and there are properties in the area that would be much more likely to be used for the types of businesses which Mr. Lnenicka had concerns about. Mr. Lnenicka noted that he does not have objections to Mr. Fowler's proposed use of the property, he does not support opening up that property for uses that would be inappropriate for the City and the neighborhood. He stated he wanted to protect the neighborhood. The Mayor stated that he agrees in theory with Mr. Lnenicka, but looking at the zoning map, there are some zoning changes that need to be made in the area.

A motion was made by Councilmember Charles (Corkey) Welch to approve 2014-142 Zoning Request Z14-014 - Rezoning from NS to GC - 1.74 Acre Tract - Land Lot 381 - 790 Smyrna Hill Drive - Raymond E. Fowler, seconded by Mayor Pro Tem/Councilmember Melleny Pritchett. Motion carried by the following vote:

**Aye:** 5 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch and Councilmember Fennel

**Nay:** 1 - Councilmember Lnenicka

**D. Public Hearing - Zoning Request Z14-015 - Modification of currently approved site plan and building elevations - 3.13 Acre Tract - Land Lot 519 and 562 - Hawthorne Avenue, Davis Drive and Saint Charles Avenue - Traton Homes, LLC.**

The Mayor called for a Public Hearing and no one came forward to speak.

A motion was made by Councilmember Teri Anulewicz to table 2014-164 Zoning Request Z14-015 to July 7, 2014 for the Modification of currently approved site plan and building elevations - 3.13 Acre Tract - Land Lot 519 and 562 - Hawthorne Avenue, Davis Drive and Saint Charles Avenue - Traton Homes, LLC., seconded by Mayor Pro Tem/Councilmember Melleny Pritchett. The motion carried by the following vote:

**Aye:** 6 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Lnenicka and Councilmember Fennel

**5. Privilege Licenses:**

There were no Privileged Licenses.

**6. Formal business:**

**A. Public Hearing - Allow extended work hours for QuikTrip, Monday through Saturday from 7am to 8pm, until November 15, 2014 - 4495 S Cobb Dr - Land Lot 676 - General Commercial Zoning District.**

Mr. Taylor gave the background, he stated the City has an ordinance which allows work hours Monday to Friday from 7:00 AM to 6:00 PM and Saturday from 9:00 AM

to 6:00 PM. QuikTrip requested that the contractor expedite the development of the property so the project would be completed by November 15, 2014. In order to meet this completion date, a request was made to extend the work hours to Monday – Saturday from 7:00 AM to 8:00 PM and no work performed on Sunday for the duration of the project. The Staff recommended approval.

Mayor Bacon announced the Public Hearing and no one came forward to speak. Mr. Lnenicka stated this property is in a General Commercial zoning area and the nearest home is a great distance away, therefore, he does not object to the extension of work hours. He believes this is a benefit to the community. He wanted to note that he has heard a rumor that the QuikTrip at the intersection of South Cobb Drive and King Springs Road will close when the new location is opened. He thinks that is a mistake. He has signed a letter to QuikTrip stating this belief and requesting they reconsider that decision if in fact, the rumor is correct.

A motion was made by Councilmember Wade Lnenicka to approve 2014-171 which allows extended work hours for QuikTrip, Monday through Saturday from 7am to 8pm, until November 15, 2014 - 4495 S Cobb Dr - Land Lot 676 - General Commercial Zoning District, seconded by Councilmember Ron Fennel. Motion carried by the following vote:

**Aye:** 6 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Lnenicka and Councilmember Fennel

**B.****Approval of Services Agreement and associated costs for Smyrna In the Civil War Exhibit and Speakers Series / Expanded & Temporary Exhibit of Cox/Armstrong Collection Artifacts**

City Administrator Eric Taylor discussed the background on the agreement. The City has recently set up three displays in the City buildings; one in City Hall, one in the Library and one at Brawner Hall showcasing a collection of Civil War artifacts. In recognition of the 150th Anniversary of the Civil War in the City of Smyrna area, the City is proposing a temporary exhibit of more items, activities and a speaker series showcasing Smyrna's history in the Civil War to be held July 1 - 3, 2014 at Brawner Hall. This item is to approve the associated cost of \$18,892.59 to be paid for out of the Hotel/Motel fund and to approve a service agreement with Brockington and Associates to facilitate the exhibit. Staff recommended approval.

Mr. Welch stated that he and Staff have worked on this exhibit and it will be something of which the City should be proud.

Mr. Lnenicka stated he has no objection to the expenditure or the exhibit, but the Council has made a decision to include on July 1st, during Food Truck Tuesday, an artillery firing exhibition which he believes will be a safety problem.

A motion was made by Councilmember Charles (Corkey) Welch to recommend approval of 2014-170 for the Services Agreement and associated costs for Smyrna In the Civil War Exhibit and Speakers Series / Expanded & Temporary Exhibit of Cox/Armstrong Collection Artifacts in the amount of \$18,890.00 not to exceed, seconded by Councilmember Teri Anulewicz. Motion carried by the following vote:

**Aye:** 5 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch and Councilmember Fennel

**Nay:** 1 - Councilmember Lnenicka

**C.** Approval to allocate funds for purchase of E911 voice recorder

Mr. Taylor gave the background on the allocation. The 911 Voice Recorder is nearing the end of its life span and is running on Windows XP and is not upgradeable. It is necessary to replace this recorder which will cost \$27,841 with the funding coming from drug seizure money. Staff recommended approval.

A motion was made by Councilmember Teri Anulewicz to approve item 6C, 2014-169 which is approval to allocate funds for purchase of E911 voice recorder, seconded by Councilmember Ron Fennel. Motion carried by the following vote:

**Aye:** 6 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Lnenicka and Councilmember Fennel

**7. Commercial Building Permits:**

There were no Commercial Building Permits.

**8. Consent Agenda:**

City Administrator Eric Taylor read aloud the Consent Agenda.

A motion was made by Mayor Pro Tem/Councilmember Melleny Pritchett to approve the consent agenda, seconded by Councilmember Charles (Corkey) Welch. Motion carried by the following vote:

**Aye:** 6 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Lnenicka and Councilmember Fennel

**A.** Approval of the June 2, 2014 Mayor and Council Meeting Minutes**B.** Mayor and Council award RFP 14-027 Atlanta Road Median Landscape to TruGreen Landcare for \$56,109.45 and authorize the Mayor to execute any related documents.**C.** Mayor and Council award RFP 14-025 Recycling Center Construction to the two lowest Bidders Camdur Building Group and P.E. Structures for a total bid amount between the two for \$783,244.43 and authorize the Mayor to execute any related documents.**D.** Approval for the City of Smyrna to continue as a member of the Cobb Urban County CDBG Program and authorize the Mayor to sign the Cooperation Agreements.**9. Committee Reports:**

Mayor Pro Tem/Councilmember Melleny Pritchett attended Cumberland Diamond Exchange's Ribbon Cutting after their renovation last Thursday. The owners are very involved in the City. She announced that on June 25th at 11:00 there will be a grand

re-opening for the newly renovated Burger King on Spring Road. On Thursday, June 18th, the Vision Committee will meet with its Steering Committee to review the results of the recent survey.

Councilmember Andrea Blustein called on Community Development Director Ken Suddreth. The numbers in the summer months are typically down, because this is not the time of year that most developers start their planning. Ms. Blustein asked about the progress at Belmont Hills. Mr. Suddreth stated that right now they are putting in the infrastructure for the future development. The apartment plans have been approved, the potential commercial development information has not been received and Mr. Suddreth expects plans from David Weekly Homes very soon.

Councilmember Teri Anulewicz called on Jennifer Bennett to report on Community Relations. The first summer concert was a success. Food Truck Tuesdays are continuing every Tuesday. The special Civil War exhibit will begin July 1 during Food Truck Tuesday. Speakers will be Michael Schaffer, and Bryan S. Wills, both from Kennesaw State University Civil War Studies. There will be cannons on site that will be fired, but will be percussion sound at half the sound of a live mortar. On July 1st, there will also be an unveiling a copy of the original City of Smyrna Charter. July 2nd, Dr. Bill Marchione, author, will be the speaker to discuss the City's role in the Civil War. The last evening, there will be a closing reception and Dr. Bohannon, Director of History Studies at the University of West Georgia will be speaking.

Councilmember Corkey Welch called Ann Kirk to come forward. Ms. Kirk announced that the Fresh Market will have the first of the season's first fresh tomatoes, Georgia peaches, and fresh vegetables. The City does not charge vendors, in an effort to keep prices reasonable. The Market is in the parking lot of the First Baptist Church in Smyrna on Saturday mornings from 8:00 – noon. She also thanked the three volunteers, Lisa Castleberry, Carlene McNabb and Betty Williams, who assisted her and Virginia Davis in touring to develop Smyrna's Litter Index, which is an annual requirement for Keep America Beautiful certification for their programs. The score's range is 1 (best) to 4 (worse), and Smyrna scored a 1.16, which is the City's best score.

Mr. Welch stated he has been asked by many citizens when the Concord Road project will be completed. The plan is to be completed around the end of the year. It is moving forward faster now because of more dry weather. He asked for Smyrna citizens' patience through the construction.

Councilmember Wade Lnenicka mentioned that on June 7th, the City assisted a group of veterans from around the country in placing and dedicating a bench to a fallen Smyrna soldier, Michael Glenn. He thanked Scott Stokes, Steve Ciaccio and Tammi Saddler Jones for their assistance. Ms. Jones was especially recognized for her guidance in the project. The veterans had many positive comments about the hospitality of Smyrna. Mr. Lnenicka reiterated his concern about firing the cannon in Taylor-Browner Park.

Councilmember Ron Fennel called Battalion Chief Eric Farmer, who reported about the Fire Department in the absence of Chief Day. He discussed the "Cereal Drive" in partnership with MUST ministries. Citizens may drop off breakfast items at any Smyrna Fire Department. Captain Robert Harvey reported on the Police Department in the absence of Chief Lee. Chief Lee was planning to be back at work the next day. Deputy Chief Brown was at Turner Field with other Cobb Law Enforcement officials to discuss with Atlanta Braves staff the impending move to Cobb County. Comp stat training with Captain Leonard is ongoing with the line staff, civilian staff and detectives. A long time Smyrna Police Department officer, Billy Hood is retiring July 1st. He has been with the department 31 years and has been a great leader and

mentor to many. A reception is planned for June 20 at Brawner Hall from 2:00 – 4:00. July 25th, the Honor Guard will be represented at the opening ceremonies of the Rome Braves Game.

Mr. Fennel thanked the members of the Weatherbrooke HOA and the Riverline Crossing HOA for having him there to speak. Mr. Fennel wished all fathers a belated “Happy Father’s Day”. The Smyrna Sharks brought back the third place trophy in the Metro Atlanta Region.

**11. Citizen Input:**

**10. Show Cause Hearings:**

**A. Appeal to Mayor and Council the denial of application for alcohol servers permit for Douglas James Barnes**

The Mayor asked City Attorney Scott Cochran to give the background on the appeal. Mr. Cochran stated this is an appeal from the decision of the License and Variance Board regarding the denial of an alcohol server's permit. Mr. Cochran swore in Mr. Barnes. Mr. Barnes stated he has never had a problem in his employment, but made one mistake and lost his permit which has caused him to work there at reduced pay. Mr. Barnes' legal proceedings will be concluded in October and at the completion of his probation, the charges will be taken off his record. Mr. Barnes has worked at Carrabba's since 2000 and has held a Smyrna permit since then until this denial.

A motion was made by Councilmember Andrea Blustein to approve 2014-180 the application for alcohol servers permit for Douglas James Barnes, seconded by Councilmember Teri Anulewicz. Motion carried by the following vote:

**Aye:** 6 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Lnenicka and Councilmember Fennel

**12. Adjournment:**

The meeting was adjourned at 9:52 PM.