



Meeting Minutes - Final
City Council

Monday, July 20, 2020

7:00 PM

Smyrna 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

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: 12 - Tammi Saddler Jones, Heather Peacon-Corn, Russell Martin, Frank Martin, Roy Acree, Jennifer Bennett, Brian Marcos, Penny Mocerri, Kevin Moore, Landon O'Neal, Kristin Robinson and Tina Monaghan

Call to Order

Mayor Derek Norton called the July 20, 2020 Mayor and Council Meeting to order at 7:00 PM.

1. Invocation and Pledge:

Pastor Brian Downing, Oakdale Church of God (1631 Cooper Lake Rd) delivered the Invocation and led all in the Pledge of Allegiance.

2. Agenda Changes:

There were no agenda changes.

3. Mayoral Report:

There was no Mayoral Report.

4. Land Issues/Zonings/Annexations:

- A. [2020-235](#)** Public Hearing - Zoning Request - Z20-005 - Rezoning from RDA & R-20 to RDA-Conditional for the development of 3 single-family detached homes at a density of 4.9 units per acre - 0.611 acres - Land Lot 519 - 2495 Adams Dr & 1221 Pierce St - Ron Dickinson

City Administrator Tammi Saddler Jones provided the background information. Ron Dickinson is seeking approval of a rezoning for 2495 Adams Drive and 1221 Pierce

Avenue from RDA & R-20 to RDA for the development of three single-family detached residences. The applicant is currently under construction with one single-family house and is proposing to demolish an existing single-family house and accessory structure to subdivide the parcel into two lots and construct two individual single-family residences. The Planning & Zoning Board approved this item by a vote of 5-0 at the June 29, 2020 meeting. Community Development recommended approval of the rezoning from RDA & R-20 to RDA with conditions.

Community Development Director Rusty Martin came forward and presented a Powerpoint of information on the request. Community Development has reviewed the proposed development against the zoning standards of the recent nearby rezonings and found the proposed development to be compatible. The applicant is requesting a rezoning from RDA & R-20 to RDA and the proposed zoning is in line with the infill development patterns for this neighborhood and is in compliance with the City's 2040 Comprehensive Plan. Therefore, Community Development recommends approval of the rezoning from RDA & R-20 to RDA for the development of three single-family units at a density of 4.9 units per acre with the following conditions:

Standard Conditions

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. All utilities within the development shall be underground.
3. 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.
4. No debris may be buried on any lot or common area.
5. The developer will comply with the City's current tree ordinance. All required tree protection measures shall be adhered to by the developer during construction.
6. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
7. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
8. 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. 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

9. The development shall maintain the following setbacks:
 - Front - 15'
 - Side - 5'
 - Rear - 30'

10. Driveway - 22' minimum length from building face to private driveway.

11. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.

12. The developer shall meet all fire access requirements deemed necessary by the Fire Marshal during construction plan review.

13. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.

14. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.

15. Approval of the subject property for the RDA zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 2/14/2020 and created by Land Tec Surveying and all zoning stipulations above.

16. The applicant shall be bound to the elevations submitted on 2/14/2020 prepared by Design Basics Inc.

Attorney Garvis Sams, representative to the applicant came forward to present information regarding the application. This was previously approved by the Planning and Zoning Board. Any residents that had concerns received answers to their questions and everyone seemed fine after receiving the additional information. Two of the homes will be fronting on Adams Drive and one on Pierce Drive. The house that was built in 1946 will be removed because it is currently in disrepair and has been cited for code issues. The request is consistent with future land use map so no changes had to be made. Requesting three variances which staff supports.

The public hearing was announced and no one came forward to speak.

Councilmember Travis Lindley made a motion to approve Zoning Request - Z20-005 - Rezoning from RDA & R-20 to RDA-Conditional for the development of 3 single-family detached homes at a density of 4.9 units per acre - 0.611 acres - Land Lot 519 - 2495 Adams Dr & 1221 Pierce St - Ron Dickinson. 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

B. [2020-236](#)

Public Hearing - Zoning Request - Z20-007 - Rezoning from GC to R-8 for the development of 3 single-family detached homes at a density of 4.89 units per acre - 0.613 acres - Land Lot 559 - 1424 Spring Street, - Alexandio Properties LLC

The applicant requested that the zoning request be tabled to the August 3, 2020 Mayor and Council Meeting.

Councilmember Travis Lindley made a motion to table Zoning Request - Z20-007 - Rezoning from GC to R-8 for the development of 3 single-family detached homes at a

density of 4.89 units per acre - 0.613 acres - Land Lot 559 - 1424 Spring Street, - Alexandio Properties LLC to the August 3, 2020 Mayor and Council Meeting at the request of the applicant. Councilmember Austin Wagner 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. [2020-237](#)

Public Hearing - Zoning Request - Z20-008 - Rezoning from GC & RM-12 to MU for the development of 105 multi-family units 15,100 sq. ft. of retail at a density of 35.8 units per acre - 2.93 acres - Land Lot 594 & 631 - 2930 - 2968 Jonquil Drive, 1650 Spring Road, and 1639 Corn Road, The Woodbery Group, LLC

The applicant requested that the zoning request be tabled to the August 17, 2020 Mayor and Council Meeting.

Councilmember Austin Wagner made a motion to table Zoning Request - Z20-008 - Rezoning from GC & RM-12 to MU for the development of 105 multi-family units 15,100 sq. ft. of retail at a density of 35.8 units per acre - 2.93 acres - Land Lot 594 & 631 - 2930 - 2968 Jonquil Drive, 1650 Spring Road, and 1639 Corn Road, The Woodbery Group, LLC to the August 17, 2020 Mayor and Council Meeting at the request of the applicant. Councilmember Travis Lindley 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

D. [RES2020-06](#)

Authorize the acquisition of a portion of 2415 S. Cobb Drive, by all lawful means, for improvements to Windy Hill Road. This authorization includes adopting a Resolution and Declaration of Taking. Either the Mayor or Mayor Pro Tem are authorized to execute such documents and all other documents incident to these acquisitions.

A summary of the acquisition was given by Ms. Saddler Jones. This is the final acquisition necessary for the Windy Hill project and consists of an acquisition of 978 square feet of property for a temporary construction easement for a period of three years and 789 square feet of property for a temporary construction easement to tie the driveway into the new road. Authorize the acquisition of a portion of 2415 S. Cobb Drive, by all lawful means, for improvements to Windy Hill Road. This authorization includes adopting a Resolution and Declaration of Taking. Either the Mayor or Mayor Pro Tem are authorized to execute such documents and all other documents incident to these acquisitions.

Councilmember Tim Gould made a motion to approve RES2020-06 Authorize the acquisition of a portion of 2415 S. Cobb Drive, by all lawful means, for improvements to Windy Hill Road. This authorization includes adopting a Resolution and Declaration of Taking. Either the Mayor or Mayor Pro Tem are authorized to execute such documents and all other documents incident to these acquisitions. Councilmember Austin Wagner seconded the motion.

The motion to approve was carried by the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Gould and Councilmember Wheaton

Nay: 1 - Councilmember Wilkinson

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

A. [2020-254](#)

Public Hearing for the 2020 Millage rate; there will be no vote on this date.

Finance Director Kristin Robinson came forward to speak and provide the background information. Because the tax digest grew, the city is required by law to advertise an increase. The mileage rate did not increase and will remain the same. There will be two more public hearings before the formal vote.

The public hearing was announced and no one came forward to speak.

Public Hearing only - no action was taken.

B. [2020-251](#)

Approval to purchase a 2021 Ford F-750 Chassis with a Monroe Spreader and Boss 9' (nine foot) plow for Public Works at a cost of \$106,532.00, funded in the FY21 vehicle replacement fund, and purchased through Wade Ford, 3860 S Cobb Drive, Smyrna, Ga 30082 using the Georgia State Contract #99999-01-SPD-0000155 as well as approval to authorize the Mayor to execute all related documents.

Background was given by Ms. Saddler Jones. The Public Works Department budgeted for replacement of a Sand Spreader Truck. The vehicle has already been competitively bid through the State of Georgia and it will be purchased from Wade Ford in the amount of \$106,532.00. funded in the FY21 vehicle replacement fund. The Public Works Manager and the Purchasing Manager recommended approval.

Councilmember Glenn Pickens made a motion to approve the purchase of a 2021 Ford F-750 Chassis with a Monroe Spreader and Boss 9' (nine foot) plow for Public Works at a cost of \$106,532.00, funded in the FY21 vehicle replacement fund, and purchased through Wade Ford, 3860 S Cobb Drive, Smyrna, Ga 30082 using the Georgia State Contract #99999-01-SPD-0000155 as well as approval to authorize the Mayor to execute all related documents. 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

C. [2020-252](#)

Approval to purchase three (3) 2021 Mack 42BR chassis with Heil PT-

1000, 20 cubic yard rear loader Recycling Trucks at a cost of \$541,806.00, funded in the FY21 vehicle replacement fund and purchased through Sourcewell Contract Member # 18956 - Carolina Environmental Systems Inc., 500 Lee Industrial Blvd., Austell, Georgia, 30168, as well as authorize the Mayor to execute all related documents.

City Administrator Saddler Jones gave insight into this agenda item. The Public Works Department budgeted for replacement of three (3) 20 Cubic Yard Rear Loaders to replace 3 existing recycling trucks. The vehicle and bodies have already been competitively bid through Source Well cooperative contract from Heil Environmental in the amount of \$173,929.00 plus additional cost for warranty for DEF filters. The Public Works Director and Purchasing Manager recommended approval.

Councilmember Charles "Corkey" Welch asked how many recycling trucks the city currently had. Public Works Director Frank Martin said that the city currently has four recycling trucks.

Councilmember Glenn Pickens made a motion to approve the purchase of three (3) 2021 Mack 42BR chassis with Heil PT- 1000, 20 cubic yard rear loader Recycling Trucks at a cost of \$541,806.00, funded in the FY21 vehicle replacement fund and purchased through Sourcewell Contract Member # 18956 - Carolina Environmental Systems Inc., 500 Lee Industrial Blvd., Austell, Georgia, 30168, as well as 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

D. [2020-261](#)

Approval to install new stop conditions on the North and Southbound approaches of Mathews Street at the intersection with Whitfield St. Nearest address is 2020 Whitfield Street

The information was read aloud by Ms. Saddler Jones. The Council Member for Ward 3 Travis Lindley is requesting the installation of new stop signs and stop bar striping at the intersection of Matthews and Whitfield Street. Our Engineering Staff completed analysis of this intersection and a sign is warranted based upon volume, sight distance, and crash data. The City Engineer does not recommend approval.

Councilmember Travis Lindley acknowledged the President of the Williams Park Civic Association who was present at the meeting. He explained that three other signs should be coming as well once the budget allows. The neighborhood felt that speed humps would not be effective. There is a petition full of signatures asking that this move forward.

Councilmember Travis Lindley made a motion to approve to install new stop conditions on the North and Southbound approaches of Mathews Street at the intersection with Whitfield St. Nearest address is 2020 Whitfield Street. Councilmember Tim Gould 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

E. [2020-262](#)

Approval to install new stop conditions on the North and Southbound approaches of Dunn Street at the intersection with Collier Drive. Nearest address is 3215 Dunn Street

City Administrator Tammi Saddler Jones summarized the origin of this request. The Council Member for Ward 6 Tim Gould has requested the installation of new stop signs and associated stop bar striping at this intersection Dunn Street at the intersection with Collier Drive. Our Engineering Staff completed analysis of this intersection and a sign is warranted based upon volume, sight distance, and crash data. The City Engineer does not recommend approval.

Councilmember Tim Gould spoke about the concerns of residents that brought this request forward. This was a low cost, simple approach and it met with satisfaction by the residents that it will impact.

Councilmember Welch asked for clarification on the striping. The striping would be a stop bar stripe.

Councilmember Tim Gould made a motion to approve to install new stop conditions on the North and Southbound approaches of Dunn Street at the intersection with Collier Drive. Nearest address is 3215 Dunn Street. 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

F. [POL2020-04](#)

Approval of Annual Leave Policy (LVE 1-0) Update increasing annual carry-over limit and authorize the Mayor and City Administrator to sign all related documents.

The details were summarized by Ms. Saddler Jones. The revisions to the Annual Leave Policy increase the carryover limit to 200 hours (280 Fire) allowing the departments and employees additional flexibility when scheduling and using leave. The Policy would maintain the maximum payout of 120 hours (168 Fire) as stated in the current policy. Staff recommended approval.

Councilmember Charles "Corkey" Welch made a motion to approve POL2020-04 Approval of Annual Leave Policy (LVE 1-0) Update increasing annual carry-over limit and authorize the Mayor and City Administrator to sign 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

G. [POL2020-05](#)

Approval of Flex Time Policy (EMP 9-0) Update expanding flexible work

arrangements to include telecommuting and authorize the Mayor and City Administrator to execute all related documents.

The City Administrator provided brief explanation of the item to be voted on. The current Flex Time policy was adopted in 2011 and is need of some revisions. The Employee Task Force on Recruitment and Retention also recommends changes to include telecommuting options. The proposed updates include changing the policy title to ALTERNATE WORK ARRANGEMENTS, retains several options for flexible schedule and is expanded to include telecommuting, while simplifying the request, review and approval process. Staff recommended approval.

Councilmember Austin Wagner made a motion to approve POL2020-05 Approval of Flex Time Policy (EMP 9-0) Update expanding flexible work arrangements to include telecommuting and authorize the Mayor and City Administrator to execute all related documents. Councilmember Tim Gould 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

H. [AGR2020-01](#)

Approval of MetLife Insurance Company's 2021 Life and AD&D Insurance Renewal with no rate increase, with the stipulation that this product line will not be marketed by our broker at this time and authorize Mayor to execute related documents.

Explanation was given by Ms. Tammi Saddler Jones. The carrier for employee and retiree life insurance is MetLife. (Metropolitan Life Insurance Company). MetLife has offered a 0% renewal on the life insurance for 2021 if the City agrees not to go to the market. If the City markets the life insurance, the renewal would be at least +9% which equates to an increase of \$15,925. Our broker's initial discussions with other vendors has indicated that they would not be competitive due to the large number of covered retirees as compared to the active population. Staff recommended approval of the 0% renewal.

Councilmember Austin Wagner made a motion to approve AGR2020-01 Approval of MetLife Insurance Company's 2021 Life and AD&D Insurance Renewal with no rate increase, with the stipulation that this product line will not be marketed by our broker at this time and authorize Mayor to execute related documents. 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

7. **Commercial Building Permits:**

There were no commercial building permits.

8. **Consent Agenda:**

City Administrator Tammi Saddler Jones read aloud the contents of the Consent Agenda for Mayor and Council.

Councilmember Austin Wagner made a motion to approve the consent agenda as read aloud by City Administrator Tammi Saddler Jones. 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

- A. [2020-259](#) Approval of the July 6, 2020 Pre-Council Meeting minutes.
- B. [2020-260](#) Approval of the July 6, 2020 Mayor and Council Meeting minutes.
- C. [ORD2020-07](#) Approve Amendment to the City of Smyrna's Code of Ordinances by amending Article II, §§ 46-30-46-39, of Chapter 46 of the Code by repealing the existing Article II and enacting a new Article II. This amendment is to satisfy mandatory requirements of the Georgia Environmental Protection Division. This item requests the Mayor and Council approve updates to Chapter 46, Article II, in include new and revised sections of the City's Code of Ordinances and authorize the Mayor to sign all related documents.
- D. [2020-271](#) Approval of the Appointment of Ward 2 resident, Noble Dwarika, to the Smyrna Hospital Authority. This is a four year term that expires 5/31/2024.

9. Ward / Committee Reports:

Councilmember Lewis Wheaton commented on the passing of Congressman John Lewis. He noted the improvements going on at the various schools that serve families in the area.

Councilmember Tim Gould spoke about the schools starting off remotely and that the Education Committee will aim to assist families with access to internet and are working on other ways to help.

Councilmember Susan Wilkinson announced the Library news. Adjustments to Library services include closing the second floor of the library unless you need access to a public computer. She spoke about stop signs in her ward which are still under consideration.

Councilmember Travis Lindley provided updates about the cemetery restoration that is ongoing. He spoke about the grocery card program and thanked Penny Mocerri for her work on the Rose Garden assistance drive. He thanked the engineering department for their work and spoke of some additional traffic calming measures that will be coming forward.

Councilmember Austin Wagner encouraged everyone to wear masks and to do what will keep us all safe.

Councilmember Glenn Pickens also encouraged everyone to be safe and wear masks whenever possible.

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

Mr. Alex Backry, 3459 Shawnee Trail, spoke about term limits. He encouraged elected officials to ask their constituents what they would like to see happen. 14,060, 37%, participated voters in Smyrna. He suggested closing the communications gap any chance we can. We need to build up the participation of the people in Smyrna to come out to meetings. Mr. Backry thinks we need more town hall meetings as well. Marietta's meetings are standing room only and Smyrna's could be the same with some effort.

Mr. Rob Allen, Williams Park Neighborhood Association President wanted to express his thanks on behalf of himself and the Williams Park community. He thanked Councilmember Lindley for his work on traffic calming solutions. Stripe painting, stop signs were installed, and an unsightly guardrail was removed. Mr. Allen thanked many members of staff for all that they have done to help with bettering the Williams Park area of the city.

12. Adjournment:

Mayor Norton adjourned the July 20, 2020 Mayor and Council meeting at 7:50 PM.