



City of Smyrna

A. Max Bacon City Hall
Council Chambers
2800 King Street SE
Smyrna, GA. 30080

Action Summary - Final City Council

Monday, April 18, 2022

7:00 PM

A. Max Bacon City Hall - Council Chambers

Roll Call

Present: 7 - Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Travis Lindley, Councilmember Charles Welch, Councilmember Susan Wilkinson, Mayor pro tem / Councilmember Tim Gould and Councilmember Lewis Wheaton

Also Present: 1 - Jeffrey Tucker

Staff: 9 - Joe Bennett, Dan Campbell, Jennifer Bennett, Jill Head, Russell Martin, Penny Mocer, Heather Peacon-Corn, Carol Sicard and Joey Staubes

Call to Order

Mayor Derek Norton called to order the April 18, 2022 Mayor and Council meeting held at A. Max Bacon City Hall Council Chambers at 7:00 PM.

1. Invocation and Pledge:

Deacon Justin Kier of International Gospel Outreach Church (1101 Windy Hill Rd) led the invocation and Pledge of Allegiance.

2. Agenda Changes:

A. [2022-223](#) Request to remove items 4E and 4F from Formal Business.

Councilmember Charles Welch made a motion to remove items 4E and 4F from Formal Business; seconded by Councilmember Travis Lindley.

The motion to remove items 4E and 4F from Formal Business carried with the following vote:

Aye: 5 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

Recuse: 1 - Mayor Norton

3. Mayoral Report:

4. Land Issues/Zonings/Annexations:

A. [2022-190](#) Apartment Complex Name Change Request 2022-190 - Change from Edison at The Battery, 5000 S. Lincoln Trace Avenue, to The Edison. The

applicant is Emma Venegas, Regional Manager with Windy Ridge Multifamily Partners, LLC.

Ward 1 / Councilmember Pickens

Councilmember Glenn Pickens made a motion to approve item 2022-190, an apartment complex name change request (2022-190) to change the name of Edison at The Battery, 5000 S. Lincoln Trace Avenue to The Edison by applicant Emma Venegas, Regional Manager with Windy Ridge Multifamily Partners, LLC; seconded by Councilmember Lewis Wheaton.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

B. [2022-147](#)

Public Hearing - Zoning Request - Z22-002 - Allow rezoning from GC to R-15 for an addition to a single-family home - 0.38 acres - Land Lot 453 - 3382 Ridgecrest Road - PLR Properties Inc.

Ward 3 / Councilmember Lindley

Councilmember Travis Lindley made a motion to approve item 2022-147, a public hearing and zoning request (Z22-002) to allow rezoning from GC to R-15 for an addition to a single-family home on 0.38 acres on land lot 453 located at 3382 Ridgecrest Road by applicant PLR Properties Inc.; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

C. [2022-148](#)

Public Hearing - Zoning Request - Z22-003 - Allow rezoning from LC to R-15 for the construction of a new single-family home - 0.35 acres - Land Lot 520 - 2635 Hickory Hill Drive - Harold Shoemaker

Ward 3 / Councilmember Lindley

Councilmember Travis Lindley made a motion to approve item 2022-148, a public hearing and zoning request (Z22-003) to allow rezoning from LC to R-15 for the construction of a new single-family home on 0.35 acres on land lot 520 located at 2635 Hickory Hill Drive by applicant Harold Shoemaker; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

D. [2022-149](#)

Public Hearing - Zoning Request - Z22-004 - Allow rezoning from R-15 to RDA-Conditional for the development of two-single family homes - 0.35 acres - Land Lot 632 - 2761 Mathews St - McBev One LLC

Ward 3 / Councilmember Lindley

Councilmember Travis Lindley made a motion to table to the May 2, 2022 Mayor and

Council Meeting item 2022-149, a public hearing and zoning request (Z22-004) to allow rezoning from R-15 to RDA-Conditional for the development of two-single family homes on 0.35 acres on land lot 632 located at 2761 Mathews St by applicant McBev One LLC; seconded by Councilmember Susan Wilkinson.

The motion to table until the May 2, 2022 Mayor and Council meeting carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

- E. [ORD2022-10](#) **Public Hearing** - Approval of a code amendment for Section 712 of the Zoning Ordinance related to the use of temporary screening for drive-in theaters - Community Development Department
Ward / Citywide

This Ordinance was removed from the agenda.

- F. [ORD2022-11](#) **Public Hearing** - Approval of a code amendment to Sections 82-15 and 82-16 of the City's Sign Ordinance related electronic wall signs for large scale retail tenants - Community Development Department
Ward / Citywide

This Ordinance was removed from the agenda.

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

- A. [2022-184](#) Approval to award of RFP 22-027 to Premier Events for an amount not to exceed \$35,000.00 for the production and management of a celebration of the sounds and tastes of Smyrna taking place in conjunction with the City of Smyrna Birthday Celebration on October 8, 2022.

Ward 3 / Councilmember Lindley

Councilmember Travis Lindley made a motion to approve item 2022-184 to award RFP 22-027 to Premier Events for an amount not to exceed \$35,000.00 for the production and management of a celebration of the sounds and tastes of Smyrna taking place in conjunction with the City of Smyrna Birthday Celebration on October 8, 2022; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

- B. [2022-178](#) Approval to award RFQ 22-031 for Dunn Street Drainage Improvements to Ardito Construction Company, 1290 Austell Road, Marietta, Georgia,

30080, in the amount of \$138,000.00 to be paid out of Water CIP Storm fund.

Ward 6 / Mayor Pro Tem/Councilmember Gould

Mayor Pro Tem/Councilmember Tim Gould made a motion to approve item 2022-178 to award RFQ 22-031 for Dunn Street Drainage Improvements to Ardito Construction Company, 1290 Austell Road, Marietta, Georgia, 30080, in the amount of \$138,000.00 to be paid out of Water CIP Storm fund; seconded by Councilmember Travis Lindley.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

C. [2022-191](#)

Award RFQ 22-028 Splashpad/Sprayground for Riverline Park to the highest scoring qualified bidder, Integrated Construction and Nobility, Inc., (3335 Carrollton Villa Rica Hwy., Carrollton, GA 30116) in the amount of \$1,200,000.00 to be paid from 2022 SPLOST and authorize the Mayor to execute any related documents.

Ward 7 / Councilmember Wheaton

Councilmember Lewis Wheaton made a motion to approve item 2022-191 to award RFQ 22-028 for a Splashpad/Sprayground for Riverline Park to the highest scoring qualified bidder, Integrated Construction and Nobility, Inc., (3335 Carrollton Villa Rica Hwy., Carrollton, GA 30116) in the amount of \$1,200,000.00 to be paid from 2022 SPLOST and authorize the Mayor to execute any related documents; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

D. [2022-194](#)

Approval to upgrade the outdoor warning system (OWS) siren software to Motorola OptiWarn outdoor warning software through Mobile Communications America (MCA), 2241 Tucker Ind. Rd., Tucker, Ga. 30084, utilizing SPLOST 2022 funds in the amount of \$152,747.50.

Ward / Citywide

Councilmember Travis Lindley made a motion to approve item 2022-194 to upgrade the outdoor warning system (OWS) siren software to Motorola OptiWarn outdoor warning software through Mobile Communications America (MCA), 2241 Tucker Ind. Rd., Tucker, Ga. 30084, utilizing SPLOST 2022 funds in the amount of \$152,747.50; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

E. [2022-213](#)

Approval of new pay grade bands and pay adjustments as recommended

in the UGA Classification and Compensation Study effective April 4, 2022 for \$1,316,133 to implement, increasing pay to new minimum pay for current employee and vacant positions and to address pay compression and authorize the Mayor to sign and execute all related documents.

Ward / Citywide

Councilmember Travis Lindley made a motion to approve item 2022-213 for new pay grade bands and pay adjustments as recommended in the UGA Classification and Compensation Study effective April 4, 2022 for \$1,316,133.00, increasing pay to new minimum pay for current employees and vacant positions and to address pay compression and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

F. [2022-210](#)

Approval of the award of Bid RFP 22-032 Design-Build Village Green Park to the lowest responsible bidder Winter Construction (5616 Peachtree Road, Suite 100, Atlanta, Georgia 30341) for an amount not to exceed \$1,000,000.00 to be paid from the Land Sale agreement with Village Green Realty, LLC in the amount of \$600,000.00 and amend the FY 2022 adopted budget to pay the remainder from ARPA grant funds and authorize the Mayor to execute any related documents.

Ward 3 / Councilmember Lindley

Councilmember Travis Lindley made a motion to approve item 2022-210 to award RFP 22-032 Design-Build Village Green Park to the lowest responsible bidder Winter Construction (5616 Peachtree Road, Suite 100, Atlanta, Georgia 30341) for an amount not to exceed \$1,000,000.00 to be paid from the Land Sale agreement with Village Green Realty, LLC in the amount of \$600,000.00 and amend the FY 2022 adopted budget to pay the remainder from ARPA grant funds and authorize the Mayor to execute any related documents; seconded by Mayor Pro Tem/Councilmember Tim Gould.

The motion to approve carried with the following vote:

Aye: 4 - Councilmember Pickens, Councilmember Lindley, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

Nay: 2 - Councilmember Welch and Councilmember Wilkinson

G. [AGR2022-07](#)

Approval of the agreement between the City of Smyrna and Winter Construction Company (5616 Peachtree Road, Suite 100, Atlanta, Georgia 30341) for the Downtown Improvements - Green Space located in front of Smyrna Community Center and Smyrna Library in the space previously occupied by the traffic circle and authorize the Mayor to sign and execute all related documents.

Ward 3 / Councilmember Lindley

Councilmember Travis Lindley made a motion to approve AGR2022-07, an agreement between the City of Smyrna and Winter Construction Company (5616 Peachtree Road, Suite 100, Atlanta, Georgia 30341) for the Downtown Improvements - Green Space located in front of Smyrna Community Center and Smyrna Library in the space previously occupied by the traffic circle and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 5 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

Nay: 1 - Councilmember Wilkinson

H. [AGR2022-08](#)

Approval of the Master Agreement for Energy Related Equipment Sale and Installation between Georgia Power Company (241 Ralph McGill Blvd., Atlanta, GA, 30308) and the City of Smyrna for install of certain energy efficient related equipment throughout the City and authorize the Mayor to sign and execute all related documents.

Ward / Citywide

Councilmember Glenn Pickens made a motion to approve item AGR2022-08, the Master Agreement for Energy Related Equipment Sale and Installation between Georgia Power Company (241 Ralph McGill Blvd., Atlanta, GA, 30308) and the City of Smyrna for install of certain energy efficient related equipment throughout the City and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Travis Lindley.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

7. Commercial Building Permits:

A. [2022-195](#)

Approval of the issuance of a commercial building permit for construction of a new McDonald's restaurant - 5150 South Cobb Drive - Hudson Company.

Ward 7 / Councilmember Wheaton

Councilmember Lewis Wheaton made a motion to approve item 2022-195, the issuance of a commercial building permit for construction of a new McDonald's restaurant located at 5150 South Cobb Drive by applicant Hudson Company; seconded by Mayor Pro Tem/Councilmember Tim Gould.

The motion to approve carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

8. Consent Agenda:

A motion was made by Councilmember Travis Lindley, seconded by Councilmember Glenn Pickens, that the consent agenda be approved.

The motion carried with the following vote:

Aye: 6 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

- A. [MIN2022-23](#) Approval of the March 17, 2022 Committee of the Whole Meeting Minutes
Ward / Citywide
These Minutes were approved.
- B. [MIN2022-24](#) Approval of the March 21, 2022 Pre-Council Meeting Minutes
Ward / Citywide
These Minutes were approved.
- C. [MIN2022-25](#) Approval of the March 21, 2022 Mayor and Council Meeting Minutes
Ward / Citywide
This Minutes were approved.
- D. [AGR2022-09](#) Approval to upgrade UKG (Ultimate Kronos Group) Workforce Central timekeeping platform to UKG Ready cloud-based platform under the US Communities Contract using FY22 budgeted funds. Impact thereafter is \$4,659 per year.
Ward / Citywide
This Agreement was approved.
- E. [AGR2022-10](#) Approval of Property/Liability Insurance annual renewal with Georgia Local Government Risk Management Agency (GIRMA) for \$675,567 and authorize Mayor to execute related documents
Ward / Citywide
This Agreement was approved.
- F. [CON2022-02](#) Approval of Signal Retiming for 34 signalized intersections on sole source contract to Kimley Horn (3930 East Jonesboro Road, Suite 350, Peachtree Corners, GA 30092) in the amount of \$182,940.00 to be paid from Professional Services as budgeted in the FY22 approved budget and authorize the Mayor to sign and execute all related documents. Two other companies were non-responsive to this request for quotes.
Ward / Citywide
This Contract was approved.
- G. [2022-176](#) Approval of the closing of the Market Village upper area around the fountain, including blocking vehicle access from Atlanta Road and

portions of the Market Village streets/vehicular access and parking for the purpose of special event series on Saturday, November 5 and Saturday, December 3, 2022 titled "College Football Saturday in Smyrna."

Ward 3 / Councilmember Lindley

This Authorization was approved.

H. [2022-182](#)

Approval for two-day outdoor New Orleans style crawfish and music focused event organized and managed by Atkins Park and Redbird Events. On Saturday, April 23 from 11:00 am until 11:00 pm (outdoor music ending at 10:00 pm) and Sunday, April 24 from 11:00 am until 11:00 pm (outdoor music ending at 10:00 pm) in the upper portion of the Market Village with street closures to vehicular traffic.

Ward 3 / Councilmember Lindley

This Authorization was approved.

I. [2022-183](#)

Approval of Secrets of Smyrna taking place on Saturday, October 22 and Sunday, October 23, 2022 from 5:00 pm to 9:30 pm with three 45-minute performances per night with street closings to include Memorial Place between Church Street and Atlanta Road with request to utilize the paver/steps area of the front of City Hall for check-in for each tour, making use of the outdoor power outlets at the City Hall location.

Ward 3 / Councilmember Lindley

This Authorization was approved.

J. [2022-204](#)

Approval of Amendment No. 3 to the Community Development Block Grant (CDBG) Sub Recipient Agreement No: CD21-C21SA-A and CD21-C21SA-F to extend the termination date for the agreement to December 31, 2022 and authorize the Mayor to sign and execute all related documents.

Ward / Citywide

This Authorization was approved.

K. [2022-205](#)

Approval of the Kings Springs Elementary 5th Grade Celebration Parade on Wednesday, May 25, 2022 starting at 2:45 pm with rolling road closures and police presence following the attached route from North Cooper Lake Park to Kings Springs Elementary.

Ward 4 / Councilmember Welch

This Authorization was approved.

9. **Ward / Staff Reports:**
Ward / Staff Reports

10. **Show Cause Hearings:**

There were no show cause hearings.

11. Citizen Input:

12. Adjournment:

Mayor Derek Norton adjourned the April 18, 2022 Mayor and Council meeting at 8:20 PM.