



# City of Smyrna

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

## Action Summary - Final City Council

---

Monday, September 19, 2022

7:00 PM

A. Max Bacon City Hall - Council Chambers

---

### Roll Call

**Present:** 6 - Councilmember Glenn Pickens, Councilmember Latonia P. Hines, Councilmember Travis Lindley, Councilmember Charles Welch, Councilmember Susan Wilkinson and Mayor Pro Tem / Councilmember Tim Gould

**Absent:** 2 - Mayor Derek Norton and Councilmember Lewis Wheaton

**Also Present:** 1 - Scott Cochran

**Staff:** 11 - Jennifer Bennett, Joe Bennett, Lisa Collins, Jill Head, Dat Luu, Russell Martin, Penny Mocer, Heather Peacon-Corn, Enoch Serna, Joey Staubes and Ashley Youmans

### Call to Order

Mayor Pro Tem Tim Gould called to order the September 19, 2022 Mayor and Council Meeting held at A. Max Bacon City Hall in Council Chambers at 7:00 PM.

#### 1. Invocation and Pledge:

Pastor Dyke Verkerk from Life Church Assembly of God (4100 King Springs Rd) delivered the invocation and led the Pledge of Allegiance.

#### 2. Agenda Changes:

#### 3. Mayoral Report:

- A. [PRC2022-16](#) Proclamation in Recognition of Hispanic Heritage Month  
**Ward / Citywide**
- B. [PRC2022-18](#) Proclamation in Recognition of Constitution Week, September 17 - 23, 2022, Fielding Lewis Chapter, National Society Daughters of the American Revolution  
**Ward / Citywide**
- C. [2022-458](#) Smyrna Arts Council Artist Recognition for the new City Hall exhibit  
**Ward / Citywide**

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

- A. [2022-145](#) **Public Hearing** - Zoning Request - Z22-005 - Allow rezoning from GC & OI to TS-Conditional for the development of a 107 room hotel and rebranding of a 135 room hotel - 3.115 acres - Land Lots 846, 880 & 881 - Mogar Farms Funding LLC - 2855 Spring Hill Pkwy & 2685 Spring Rd.  
***The applicant requests to table to the October 17, 2022 meeting of Mayor & Council.***

**Ward 1 / Councilmember Pickens**

Councilmember Glenn Pickens made a motion to table item 2022-145 until the October 17, 2022 Council Meeting at the applicant's request, a public hearing and zoning request (Z22-005) to allow rezoning from GC & OI to TS-Conditional for the development of a 107 room hotel and rebranding of a 135 room hotel on 3.115 acres on land lots 846, 880 & 881 located at 2855 Spring Hill Pkwy & 2685 Spring Rd by applicant Mogar Farms Funding LLC; seconded by Councilmember Charles Welch.

The motion to table until the October 17, 2022 Council Meeting at the applicant's request carried with the following vote:

**Aye:** 5 - Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Welch and Councilmember Wilkinson

**Absent:** 2 - Mayor Norton and Councilmember Wheaton

- B. [2022-408](#) **Public Hearing** - Z22-008 - Rezoning from R-15 to R-10 for a two lot single-family subdivision at a density of 3.6 units per acre - 0.548 acres - Land Lot 561 - 2625 Highland Avenue - Joe Callahan

**Ward 3 / Councilmember Lindley**

Councilmember Travis Lindley made a motion to approve item 2022-408, a public hearing and rezoning (Z22-008) from R-15 to R-10 for a two lot single-family subdivision at a density of 3.6 units per acre on 0.548 acres on land lot 561 located at 2625 Highland Avenue by applicant Joe Callahan; seconded by Councilmember Charles Welch.

The motion to approve carried with the following vote:

**Aye:** 5 - Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Welch and Councilmember Wilkinson

**Absent:** 2 - Mayor Norton and Councilmember Wheaton

- C. [2022-451](#) **Plat Approval** - Approval for a three lot subdivision under the R-15 zoning requirements - Land Lot 384 - 1.87 acres - 825 Austin Drive - Sue Varon

**Ward 4 / Councilmember Welch**

Councilmember Charles Welch made a motion to approve item 2022-451, a plat approval for a three lot subdivision under the R-15 zoning requirements on land lot 384 on 1.87 acres located at 825 Austin Drive by applicant Sue Varon; seconded by Councilmember Travis Lindley.

The motion to approve carried with the following vote:

**Aye:** 5 - Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Welch and Councilmember Wilkinson

**Absent:** 2 - Mayor Norton and Councilmember Wheaton

- D. [ORD2022-18](#) Approval of Ordinance ORD2022-18 - Annexation request (100% owners requesting annexation) - all tract or parcels as attached and defined in the issue and background of land lying and being in Land Lots 396, 397, 398, 399 of the 17th District, 2nd Section, Cobb County, Georgia; 80.31 acres across eight (8) parcels known as Pebblebrook Road to be effective October 1, 2022 and part of Ward 7 and authorizes the Mayor to sign and execute all related documents.

***Ward 7 / Councilmember Wheaton***

Councilmember Glenn Pickens made a motion to approve item ORD2022-18, an ordinance (ORD2022-18) for the annexation request (100% owners requesting annexation) of all tract or parcels as attached and defined in the issue and background of land lying and being in land lots 396, 397, 398, 399 of the 17th District, 2nd Section, Cobb County, Georgia; 80.31 acres across eight (8) parcels known as Pebblebrook Road to be effective October 1, 2022 and part of Ward 7 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:** 5 - Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Welch and Councilmember Wilkinson

**Absent:** 2 - Mayor Norton and Councilmember Wheaton

- E. [ORD2022-21](#) **Public Hearing** - Approval of ORD2022-21 for code amendments to Appendix A of the Zoning Ordinance pertaining to townhome design standards with an effective date of October 1, 2022 and authorize the Mayor to review and sign all documents related thereto.

***Ward / Citywide***

Councilmember Travis Lindley made a motion to approve item ORD2022-21, a public hearing and ordinance (ORD2022-21) for code amendments to Appendix A of the Zoning Ordinance pertaining to townhome design standards with an amended effective date of September 20, 2022 and authorize the Mayor to review and sign all documents related thereto; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

**Aye:** 5 - Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Welch and Councilmember Wilkinson

**Absent:** 2 - Mayor Norton and Councilmember Wheaton

**5. Privilege Licenses:**

**6. Formal Business:**

- A. [ORD2022-19](#) First approval of charter amendment adopting the redistricting plan subsequent to the 2020 decennial census and authorize the mayor to sign and execute all related documents.

**Ward / Citywide**

Councilmember Travis Lindley made a motion to approve item ORD2022-19, the first approval of two of a charter amendment adopting the redistricting plan subsequent to the 2020 decennial census 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 Hines, Councilmember Lindley, Councilmember Welch and Councilmember Wilkinson

**Absent:** 2 - Mayor Norton and Councilmember Wheaton

**B. [2022-462](#)**

Authorization for Change Order #1000 in the amount of \$56,285.90 to Ardito Construction (1290 Austell Road SE, Marietta, Ga. 30008) for the drainage work at 3307 Fieldwood Drive and 3309 Fieldwood Drive, Smyrna to be paid from Capital Outlay - Stormwater Infrastructure / Stormwater Project and authorize the Mayor to sign and execute all related documents.

**Ward 6 / Councilmember Gould**

Councilmember Glenn Pickens made a motion to approve item 2022-462, Change Order #1000 in the amount of \$56,285.90 to Ardito Construction (1290 Austell Road SE, Marietta, Ga. 30008) for the drainage work at 3307 Fieldwood Drive and 3309 Fieldwood Drive, Smyrna to be paid from Capital Outlay - Stormwater Infrastructure / Stormwater Project 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:** 5 - Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Welch and Councilmember Wilkinson

**Absent:** 2 - Mayor Norton and Councilmember Wheaton

**C. [RFQ23-003](#)**

Approval to award RFQ 23-003 City wide resurfacing project bid to Magnum Paving LLC, 140 Baker Industrial Ct. Villa Rica, GA 3018, in the amount of \$1,328,883.10 and authorize a total of up to \$1,434,145.00 (\$ 523,031.85 LMIG and \$ 911,113.15 SPLOST) for paving and resurfacing of fourteen (14) city streets (Vineyard Way, Bordeaux Walk, Lake Drive, Terry Meyer Drive, Emory Road, Wooddale Drive, Cliff Crest Drive, Mill Pond Road, Afton Way, Woodruff Drive, Cumberland Valley Drive, Shenandoah Valley Lane, Nappa Valley Court, Laurel Springs Way) and authorize the Mayor to sign and execute all related documents.

**Ward / Citywide**

Councilmember Susan Wilkinson made a motion to approve item RFQ23-003 to award Citywide resurfacing project bid (RFQ 23-003) to Magnum Paving LLC, 140 Baker Industrial Ct. Villa Rica, GA 30180, in the amount of \$1,328,883.10 and authorize a total of up to \$1,434,145.00 (\$ 523,031.85 LMIG and \$ 911,113.15 SPLOST) for paving and resurfacing of fourteen (14) city streets (Vineyard Way, Bordeaux Walk, Lake Drive, Terry Meyer Drive, Emory Road, Wooddale Drive, Cliff Crest Drive, Mill Pond Road, Afton Way, Woodruff Drive, Cumberland Valley Drive, Shenandoah Valley Lane, Nappa

Valley Court, Laurel Springs Way) 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 Hines, Councilmember Lindley, Councilmember Welch and Councilmember Wilkinson

**Absent:** 2 - Mayor Norton and Councilmember Wheaton

- D. [2022-474](#) Authorization for emergency sewer lining of Concord Road, Manson Avenue, Fawn Lane, Highview Drive, and Rosedale by Utility Asset Management, Inc. (Perry, GA, 31069) in the amount of \$104,705.00 to be paid for out of the Water/Sewer CIP fund.

**Ward 4 / Councilmember Welch**

Councilmember Charles Welch made a motion to approve item 2022-474, and authorization for emergency sewer lining of Concord Road, Manson Avenue, Fawn Lane, Highview Drive, and Rosedale by Utility Asset Management, Inc. (Perry, GA, 31069) in the amount of \$104,705.00 to be paid for out of the Water/Sewer CIP fund; seconded by Councilmember Susan Wilkinson.

The motion to approve carried with the following vote:

**Aye:** 4 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch and Councilmember Wilkinson

**Absent:** 3 - Mayor Norton, Councilmember Hines and Councilmember Wheaton

**7. Commercial Building Permits:**

**8. Consent Agenda:**

Councilmember Travis Lindley made a motion to approve the Consent Agenda; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

**Aye:** 4 - Councilmember Pickens, Councilmember Lindley, Councilmember Welch and Councilmember Wilkinson

**Absent:** 3 - Mayor Norton, Councilmember Hines and Councilmember Wheaton

- A. [MIN2022-62](#) Approval of the August 11, 2022 Committee of the Whole Meeting Minutes.

**Ward / Citywide**

These Minutes were Approved on the Consent Agenda.

- B. [MIN2022-63](#) Approval of the August 15, 2022 Pre-Council Meeting Minutes.

**Ward / Citywide**

These Minutes were Approved on the Consent Agenda.

- C. [MIN2022-64](#) Approval of the August 15, 2022 Mayor and Council Meeting Minutes.  
**Ward / Citywide**  
These Minutes were Approved on the Consent Agenda.
- D. [2022-456](#) Approval of the Appointment of Ward 5 resident, Corey Ingram, to the Parks & Recreation Commission to fulfill the term that expires 12/31/2023.  
**Ward 5 / Councilmember Wilkinson**  
This Appointment was Approved on the Consent Agenda.
- E. [2022-435](#) Approval to use Council Chambers for Concord Lake Village Annual HOA Meeting, Thursday, November 10, 2022, 7:00 pm  
**Ward 3 / Councilmember Lindley**  
This Authorization was Approved on the Consent Agenda.
- F. [2022-436](#) Authorization for the installation of stop signs at the intersection of Gilbert St & Rileys Walk and authorize the Mayor to sign and execute any related documents.  
**Ward 3 / Councilmember Lindley**  
This Authorization was Approved on the Consent Agenda.
- G. [2022-437](#) Approval of raised pedestrian crossing on King Springs Road in the vicinity of Brinkley Park and Tolleson Park and authorize the Mayor to sign and execute all related documents.  
**Ward 3 / Councilmember Lindley**  
This Authorization was Approved on the Consent Agenda.
- H. [2022-439](#) Approval of speed humps on Wells Drive and authorize the Mayor to sign and execute all related documents.  
**Ward 5 / Councilmember Wilkinson**  
This Authorization was Approved on the Consent Agenda.
- I. [2022-438](#) Authorize Atkins Park Tavern (Kevin Drawe), Zucca Bar & Pizzeria/Vintage Tavern/The Corner Taqueria (Tim Langell), The Stout Brothers (Brandon King), Cafe Lucia (David Jackson), and The Vineyard Wine Market/Smyrna Village Bourbon & Cigar (Anthony Alvarez) to operate alcohol sales stations / trailer(s) outside of their respective businesses (beyond / adjacent to their licensed place of business) at the following approved event: City of Smyrna Culture & Spirit Festival and 150th Birthday Celebration to be held from 11:00 am until 10:00 pm on Saturday, October 8, 2022.  
**Ward 3 / Councilmember Lindley**  
This Authorization was Approved on the Consent Agenda.

- J. [2022-459](#) Approval of 2022 Hispanic Heritage Celebration Street Closings for the starting Friday, October 14, 2022 at 6:00 a.m. until Saturday, October 15, 2022 at 11:59 p.m. at King Street from Bank Street to Stephens Street, at Bank Street from Village Walk to King Street, and at W. Spring Street.

**Ward 3 / Councilmember Lindley**

This Authorization was Approved on the Consent Agenda.

- K. [2022-460](#) Approval of the 2022 modified Crown Castle Site Lease Agreement BU 844202 / GA2383 Smyrna Police Fire / 2646 Atlanta Road, Smyrna Ga. (Site Lease Agreement, dated January 9, 1997) and authorize the Mayor to sign and execute all related documents.

**Ward 3 / Councilmember Lindley**

This Authorization was Approved on the Consent Agenda.

- L. [2022-472](#) Authorization for temporary closure of the crossover for Ward Street at Windy Hill for utility and shoring construction from 9/17/2022 to 10/2/2022.

**Ward 3 / Councilmember Lindley**

**Ward 5 / Councilmember Wilkinson**

This Authorization was Approved on the Consent Agenda.

**9. Ward / Committee Reports:**

**10. Show Cause Hearings:**

**11. Citizen Input:**

**12. Adjournment:**

Mayor Pro Tem Tim Gould adjourned the Mayor and Council meeting at 8:12 PM.