



# City of Smyrna

2800 King Street  
Smyrna, Georgia 30080

## Meeting Minutes - Final City Council

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Monday, June 15, 2015

7:30 PM

Council Chambers

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### Rollcall

**Present:** 8 - Mayor Max Bacon, Mayor pro tem/Councilmember Melleny Pritchett, Councilmember Andrea Blustein, Councilmember Teri Anulewicz, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Wade Lnenicka and Councilmember Ron Fennel

**Also Present:** 15 - Toni Jo Howard, Ken Suddreth, Tammi Saddler Jones, Roy Acree, Kay Bolick, Steve Ciaccio, Heather Corn, Ann Kirk, David Lee, Dat Luu, Russell Martin, Mary Moore, Joel Powell, Jered Sigmon and Frank Martin

### Call to Order

The June 15, 2015 meeting of the Mayor and Council was called to order by Mayor Max Bacon at 7:28 PM.

#### 1. Invocation and Pledge:

Mayor Max Bacon called upon Pastor Dyke Verkerk, Assoc. Pastor, Life Church Smyrna Assembly of God (4100 King Springs Rd) to give the invocation and lead all in the Pledge of Allegiance.

#### 2. Agenda Changes:

Item 4A and 4D will be tabled until the July 6, 2105 meeting of the Mayor and Council.

#### 3. Mayoral Report:

Mayor Max Bacon remarked about the passing of formal Councilmember Pete Wood.

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

**A.** Public Hearing - Zoning Request Z15-009 - Rezoning from R-15 to RAD-Conditional for the development of two single-family homes - 0.35 Acres - Land Lot 489 - 2680 Grady Street - Pritchard Builders, Inc.

The applicant has requested that this zoning request be tabled indefinitely.

**Sponsors:** Anulewicz

A motion was made by Councilmember Teri Anulewicz to table until July 6, 2015 item 2015-165, the zoning request Z15-009, a rezoning from R-15 to RAD-Conditional for

the development of two single-family homes, on 0.35 Acres for Land Lot 489 located at 2680 Grady Street with Pritchard Builders, Inc., as the applicant; seconded by Councilmember Charles "Corkey" Welch. The motion carried by the following vote:

**Aye:** 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

**B.** Public Hearing - Zoning Request Z15-008 - Rezoning from R-15 to RAD-Conditional for the development of five single-family homes - 1.27 Acres - Land Lot 488 - 1091, 1107 & 1121 Bank Street - Pritchard Brothers, Inc. The applicant has requested to table this item to October 5, 2015.

**Sponsors:** Anulewicz

Mayor Max Bacon asked Interim City Administrator Toni Jo Howard to read the background. She stated that Pritchard Brothers, Inc. was requesting rezoning from R-15 to RAD-Conditional for the development of five residential lots. The applicant planned to demolish the two existing homes and construct five new single-family residences at a density of 3.94 units per acre.

Mayor Bacon called the public hearing and several residents came forward to be sworn in by Assistant City Attorney Jeffrey Tucker.

Councilmember Teri Anulewicz asked that Senior Planner Russell Martin give additional background on this item. He remarked that the subject property was originally rezoned for this five lot subdivision by the Mayor and Council on March 20, 2006 by a vote of 6-1 (Rezoning Case Z06-012). The rezoning was a conditional zoning which stipulated a specific site plan and building elevations. The zoning of the property was subsequently amended by the Mayor and Council on June 18, 2007 by a vote of 6-1 to add an additional parcel to the development (Rezoning Case Z07-013). The property was never developed due to the economic downturn from 2007 to 2009. During that time, the subject property was reverted back to its original R-15 zoning and lot layout on December 20, 2008. Section 1201 of the Zoning Ordinance requires all conditionally zoned property which have not taken affirmative action to perform said conditions of the zoning or to obtain building permits within 24 months of zoning approval be reverted back to its original zoning. The subject property has remained as two rental homes since the original zoning in 2006. The requested rezoning was recommended for denial by a vote of 4-2 by the Planning and Zoning Board at the May 11, 2015 meeting. At the Planning and Zoning meeting it was noted by neighbors that there were concerns as to the new homeowners backing out onto the busy street. As a result the applicant changed the concrete pads to allow for a turnaround and cars to enter the street facing forward.

The proposed elevations were shown.

The property has a future land use designation of moderate density residential. Site plans and elevations were shown and it was noted where the detention facilities would be located on each individual lot. There were potential driveway drawings shown as well.

Community Development recommends approval of the request rezoning from R-15 to RAD-Conditional for the construction of five new single-family residences at a density of 3.94 units per acre with the following conditions:

Standard Conditions

(Requirements #2, 3, 4, 8, 9, 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. 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.
3. All utilities within the development shall be underground.
4. 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.
5. The development of any streets (including private) shall conform to the City's standards for public right-of-ways.
6. No debris may be buried on any lot or common area.
7. 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".
8. The developer will comply with the City's current tree ordinance with the exception of the City's recompense requirements. Because the developer will be saving twelve specimen trees, no other specimen recompense shall be required. All applicable required tree protection measures shall be adhered to by the developer during construction and the developer will agree to work around as many of the existing Bank Street specimen trees as possible.
9. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
10. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
11. 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
12. The development shall maintain the following setbacks:  
Front - 30' (measured from existing right of way)  
Interior Side - 0' (minimum 10' between buildings)  
Exterior Side (Lots 1 & 5) - 10'  
Rear - 30'
13. Driveway - 22' minimum length from building face to edge of sidewalk. Each unit shall have a two-car garage.
14. The right-of-way along Bank Street shall be increased to 50 feet to match other residential road right-of-ways. Therefore a dedication of 5 feet is required.
15. Approval of the rezoning 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 5/7/2014 created by DGM Land Planning Consultants.
16. The developer shall be bound to the elevations submitted and dated 4/10/2015. Approval of any change to the elevations must be obtained from the Director of Community Development.
17. The developer shall install decorative wrought iron fencing and brick columns along Bank Street similar to the existing fence of Cottages at Parkview Village.
18. Each home shall provide a driveway with a turnaround area to allow cars to pull head first onto Bank Street. Future land use is moderate density residential.

Councilmember Teri Anulewicz had a question in regards to the storm water. She questioned whether other homes had individual detention. The applicant responded that there were a few, however it was relatively new. She asked if there was a general comfort level and Mr. Rusty Martin stated that City Engineer Eric Randall was comfortable with this type of water removal.

It was noted that from the illustrations of the home's driveways, there would only be an increase of two driveways from what was currently present.

Councilmember Blustein asked if there were four driveways and five homes would two of the homes be sharing a driveway.

Mr. Frank Pritchard, the applicant, came forward to speak to the Mayor and Council and answer questions. He stated he had met with homeowners in the area to get approval regarding the current elevations. There was homeowner opposition regarding the density, in particular the zero lot line. Also a question was raised regarding these homes looking like row housing. Councilmember Blustein asked Mr. Pritchard if there had been any thought into building four homes instead of five and he stated these homes would not be crowded and in fact, these lots were larger than those in Park View Village. Ronnie Raimes would be the builder for these homes, as he no longer built homes himself. Mr. Pritchard stated he had a contract for five homes with Mr. Raimes.

Councilmember Welch questioned if what he was seeing on the drawings regarding water runoff extending the length of the property, and there being five individual systems for these homes, was correct.

Councilmember Anulewicz also requested information on the maintenance for these types of systems. Mr. Pritchard said it was his understanding that these systems were more easily maintained than septic systems.

Councilmember Wilkinson thanked Mr. Pritchard for explaining water runoff and noted that the plan approved in 2007 had longer driveways and garages in the back. She questioned if that was a possibility for this location.

The public hearing was called and several residents came forward and spoke in opposition to these homes for reasons of density, water runoff, driveways, consistency of the street view, loss of trees and the retention systems.

1079 Banks Street, 1071 Banks Street, 1018 Banks Street, 1100 Banks Street, Travis R, resident of the Cottages and 1159 Banks Street.

Mr. Frank Pritchard responded to some of the questions and concerns raised by the residents. The suggested fencing was as a result of a meeting with residents of Park View Village who now were speaking against this project. He could have the fencing removed. He remarked that bio retention systems are more intrusive to the landscaping and the flow systems would be the backup plan.

Councilmember Welch spoke about storage capacity of water flow and said he felt they were sufficient but he still had concerns. Mr. Pritchard assured Council that the system would hold water and it was going to flow downstream.

Councilmember Fennel questioned the comments regarding an HOA for these five homes and specifically wanted to know the requirements and would there be clarity for the homeowners as to responsibilities. Mr. Pritchard responded that he did plan to initiate an HOA and there would be clear terms for residents.

Councilmember Wilkinson asked if the HOA was a requirement by the City and the response was no. She continued by asking also about impervious surface in the front yards and she was concerned the additional turnabout areas still allowed for 25% impervious surface. Mr. Ken Suddreth, Community Development Director, responded and said that the builder would have to show at time of permitting that the requirement was still met for the impervious surface area.

A motion was made by Councilmember Teri Anulewicz to table until July 6, 2015 Item 2015-166, a zoning Request, Z15-008 for a rezoning from R-15 to RAD-Conditional for the development of five single-family homes on 1.27 Acres on Land Lot 488 located at 1091, 1107 & 1121 Bank Street by Pritchard Brothers, Inc., applicant;

seconded by Councilmember Ron Fennel. The motion carried by the following vote.

**Aye:** 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

**C.**

Public Hearing - Zoning Request Z15-010 - Rezoning from R-15 to RAD-Conditional for the development of two single-family homes - 0.53 Acres - Land Lot 488 - 1068 Bank Street - Frank L. Pritchard

**Sponsors:** Anulewicz

Mayor Bacon asked Interim City Administrator Toni Jo Howard. She stated applicant Frank L. Pritchard was requesting a rezoning for 1068 Bank Street from R-15 to RAD-Conditional the development of two new detached single-family residences at a density of 3.77 units per acre. No land use change from Moderate Density Residential will be required for this rezoning. The Planning and Zoning Board recommended approval of the rezoning request by a vote of 4-2 at the May 11, 2015 meeting. Community Development recommends approval.

The public hearing was called and additional residents were sworn by Assistant City Attorney, Jeffrey Tucker.

Councilmember Teri Anulewicz called upon Senior Planner Rusty Martin who came forward and gave additional background for this rezoning. He showed the proposed site plan that indicated a shared driveway for the two homes. Pictures of the subject property as well as the adjacent properties were also shown. The request was for rezoning from R-15 to RAD-Conditional for the construction of two new single-family residences at a density of 3.77 units per acre with the following conditions:

Standard Conditions

(Requirement #2, 3, 4, 8, 9, 10 and 17 from Section 1201 of the Zoning Code is 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. The storm water management facility 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.
3. All utilities within the development shall be underground.
4. 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.
5. No debris may be buried on any lot or common area.
6. 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.
7. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
8. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
9. 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

10. The development shall maintain the following setbacks:

Front - 30'

Side - 5'

Rear - 30'

11. Driveway - 22' minimum length from building face to back of sidewalk.

12. The right-of-ways along Bank Street shall be increased to 50 feet. Therefore a dedication of approximately 5' feet is required along Fleming Street.

13. The developer shall provide a 5' sidewalk with a 2' grass buffer along Bank Street for the length of the development.

14. The developer shall provide a 5' right-of-way dedication along Bank Street for the length of the development.

15. The developer shall provide an access easement for the length of the shared driveway.

16. 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.

17. Approval of the rezoning 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 5/7/2014 created by DGM Land Planning Consultants.

18. The applicant shall be bound to the elevations submitted and dated 4/9/2015. Approval of any change to the elevations must be obtained from the Director of Community Development.

19. The developer shall install decorative wrought iron fencing and brick columns along Bank Street similar to the existing fence of Cottages at Parkview Village. Councilmember Blustein asked for confirmation of a shared driveway and wanted to know where else in the City were there properties that shared driveways. Mr. Martin noted Williams Park and Medlin Park, built by David Weekly. Councilmember Wilkinson stated when you have a shared driveway no one gets to park in the driveway and Councilmember Anulewicz interjected that there were several examples of shared driveways that work because the driveways fork out towards the homes so there was independent parking available for the homeowners. Mr. Frank Pritchard came forward again to speak and noted that there were no storm water issues for this item. There would be extra parking for vehicles off street. He wanted to clarify that he met with resident living next to Lot 2 and those homeowners would be meeting with the architect to insure that there was adequate screening and coverage front their home and the new home to be built on Lot 2.

The following residents came forward to speak in opposition to this rezoning:

1159 Banks Street, 1079 Banks Street, 1071 Banks Street and 1071 Banks Street  
Their concerns were the shared driveway, storm water runoff, large homes on small lots, and tree loss.

Councilmember Anulewicz noted the future land use plan has been in existence since about 10 years and Mr. Suddreth commented that this area's plan came into effect since 2008. We need to find balance and not cross the line of dictating what goes onto a property. We need to respect property rights.

It was the opinion of Councilmember Blustein that a land use plan is just that, a plan and not set in stone. She felt if many people come out and voice concerns then changes should be made and the development reevaluated.

Mayor Bacon remarked that the Council needed to make a decision based on the facts and not what was in the best interest of the speakers.

Some of the issues raised were also discussions had by Councilmember Fennel regarding his own home purchase. He stated that Smyrna was a great community and an attractive community.

Councilmember Welch asked Mr. Martin to show the zoning map again and asked

inquired what the widths of neighboring lots were. It was noted they were between 50' and 53' feet. He talked about not being a fan of a shared driveway but it was hard to look at this variance and turn it down.

Councilmember Wilkinson voiced concerns about setting precedence for shared driveways as far as overloading onto the streets for parking.

The residents that came forward were thanked by Councilmember Lnenicka. He opined that there was too much uncertainty, too many concerns and too many unanswered questions. This was a different animal and he remarked this should be fair to everyone. What we do for one we do for another. He questioned how dense was too dense. He asked the question that if we cannot have density in a downtown than where could we have it. He said somewhere between Manhattan and Iowa there was a balance. He was not afraid of 3.5 units per acre downtown and builders do not build homes they cannot sell. He closed by saying that we all want good neighbors and he would will support this motion.

A motion was made by Councilmember Teri Anulewicz to approve item 2015-167, a zoning request, Z15-010 for a rezoning from R-15 to RAD-Conditional for the development of two single-family homes on 0.53 Acres on Land Lot 488 located at 1068 Bank Street, Frank L. Pritchard, applicant; seconded by Councilmember Ron Fennel. The motion carried by the following vote:

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

**Nay:** 2 - Councilmember Blustein and Councilmember Wilkinson

- D.** Public Hearing - Zoning Request Z15-002 - Rezoning of the subject property from Residential Townhouse District (RTD) to General Commercial (GC) for use of the property for commercial purposes - 5.039 Acres - Land Lot 342 - Vacant landlocked property off South Cobb Drive at the terminus of Ask-Kay Drive - William L. Askea.

**Sponsors:** Wilkinson

Mayor Bacon noted there was no discussion regarding this item as it would be tabled.

A motion was made by Councilmember Susan Wilkinson to table until July 6, 2015 item 2015-124, a zoning request, Z15-002 for a rezoning of the subject property from Residential Townhouse District (RTD) to General Commercial (GC) for use of the property for commercial purposes on 5.039 Acres located on Land Lot 342 located at the vacant landlocked property off South Cobb Drive at the terminus of Ask-Kay Drive with William L. Askea as applicant; seconded by Councilmember Teri Anulewicz. The motion carried by the following vote:

**Aye:** 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

## **5. Privilege Licenses:**

There were no Privilege Licenses.

## **6. Formal business:**

- A.** Approve the amendment to the City of Smyrna's Code of Ordinances,

Chapter 6 entitled Alcoholic Beverages, Article II, Division 2, Applications, Section 118, entitled Distance from certain locations

**Sponsors:** Blustein

Mayor Bacon called upon Interim City Administrator Toni Jo Howard who read the background as follows:

This proposal would give the city the ability to waive distance requirements for beer and wine sales by the drink. As it stands today the city does not have any waiver provisions in the ordinance to address unique circumstances. Approval of this amendment would have no impact on package stores. State law leaves distance requirements as to sales by the drink to local jurisdictions. Staff feels the best way to handle this is to add the waiver language to the ordinance dealing with distance requirements on pouring licenses.

A motion was made by Councilmember Andrea Blustein to approve item ORD2015-10, the amendment to the City of Smyrna's Code of Ordinances, Chapter 6 entitled Alcoholic Beverages, Article II, Division 2, Applications, Section 118, entitled Distance from certain locations; seconded by Councilmember Teri Anulewicz. The motion carried by the following vote:

**Aye:** 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

**B.**

Public Hearing - Variance Request - V15-022 - Allow pouring of wine and malt beverages at a restaurant within 600 feet from a public school and 200 feet from residential property - Land Lot 634 - 0.55 Acres - 1651 Roswell Street - Gursha Ethiopian Cuisine.

**Sponsors:** Anulewicz

Toni Jo Howard, the Interim City Administrator read the background for this item. She stated this variance was to allow pouring of beer and wine at a restaurant within 600 feet of a public school and 200 feet from residential property. The applicant was requesting a variance to allow pouring of beer and wine at a restaurant within 600 feet of a public school. The restaurant would be located at 1651 Roswell Street Suite C, and the school within 600 feet is Haven Academy, located at 1595 Hawthorne Avenue, as well as Morgan's Point Apartments within 200 feet. Chapter 6 - Alcoholic Beverages, Section 6-118 (b)(4) states:

For a license for pouring wine and malt beverages, a suitable distance is 600 feet from a school, and 200 feet from a church, park, public building, library or residence; provided, however, in no event shall the primary customer entrance of the proposed premises be located closer than 75 feet from the property line of the school, church, park, public building, library, or residence.

The applicants, Gursha Ethiopian Cuisine were recognized and the public hearing was called with no one coming forward to make comments or speak in opposition to this variance.

Councilmember Anulewicz clarified that this was the variance only and they will have to return for the privilege license at a later date.

She thanked the owners for wanting to open their business in Smyrna in particular, Ward 3.

They stated they just opened and have lived here for 10 years their children go to Campbell and they want to introduce Ethiopian food to the community.

Councilmember Welch asked about Ethiopian food and was told that it was delicious and spicy as needed. Councilmember Anulewicz commented that her children liked it because it can be eaten with their fingers.

A motion was made by Councilmember Teri Anulewicz to approve item V15-022 a variance request V15-022 to allow pouring of wine and malt beverages at a restaurant within 600 feet from a public school and 200 feet from residential property on Land Lot 634 on 0.55 Acres located at 1651 Roswell Street for Gursha Ethiopian Cuisine, applicants; seconded by Councilmember Ron Fennel. The motion carried by the following vote:

**Aye:** 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

### C. Approval of the 2015 Pay Plan Update

**Sponsors:** Lnenicka

Mayor Bacon requested Interim City Administrator Toni Jo Howard read the background for this item. She stated that considering recent and pending changes in the market, and questions as to the competitiveness of senior management positions, the City engaged the Archer Company to update its market data from 2014 and reassess the relative placement of senior management classifications in the pay plan. As a result of the market analysis, recommendations for updating the City of Smyrna's pay ranges are submitted and requested to be adopted by Council, effective with the beginning of the FY16 budget.

A motion was made by Councilmember Wade Lnenicka to approve item 2015-193 for the approval of the 2015 Pay Plan Update; seconded by Councilmember Charles "Corkey" Welch. The motion carried by the following vote:

**Aye:** 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

### D. Adoption of Proposed Budget for Fiscal Year 2016.

**Sponsors:** Anulewicz

Interim City Administrator and Finance Director Toni Jo Howard remarked that she was thankful to all the departments' heads for their diligent work during the budget process.

Budget Manager, Jerod Sigmon was called to podium and read aloud specific updates that had been made to the budget.

The total budget, as proposed, is \$74,768,207. The General Fund budget is \$42,151,572, Special Revenue Funds are \$3,227,504, Capital Project Funds are \$7,484,054, Internal Service Fund is \$839,000 and the Enterprise Funds are \$20,922,166.

Councilmember Anulewicz gave many thanks to employees who made the budget process successful. She noted that the City made it through the recession without a raise to the millage rate.

A motion was made by Councilmember Teri Anulewicz to approve item 2015-161 for the adoption of Proposed Budget for Fiscal Year 2016; seconded by Councilmember Charles "Corkey" Welch. The motion carried by the following vote:

**Aye:** 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

### E. Authorization to enter into a Contract with Zagster, Inc. for Bike Share

Program Services in the amount of \$32,960.00, to be funded out of CIP Fund Balance.

**Sponsors:** Anulewicz

Interim City Administrator Toni Jo Howard read the following background for this item:

Staff requested authorization to enter into a contract with Zagster, Inc. for the City's first time Bike Share Program. A Request for Information (RFI) was sent to 9 bike share program suppliers/partners. From the information received from three respondents, staff believes that Zagster is the best fit for our proposed program. There is considerably less upfront capital required with the Zagster proposal and a strong customer service and feedback component which will be needed as a first time program for our City. The bike maintenance provisions of the Zagster proposal were also better than the other respondents. Zagster will own the bicycles, maintain the bicycles/racks, provide a website (software), and replace the bicycles at a minimum of every 3 years. Our proposed Bike Share Program will initially consist of 16 bikes at four stations and Zagster will rebalance the fleet at the stations on a weekly basis.

The requests for Information (RFI 15-1) for the City's first public bike share program were solicited nationally to 9 identifiable providers of public and private bike share program services. The RFI was used to provide information about the companies so that measurable comparisons could be made. Although pricing was not considered, bike share suppliers/partners were asked to provide a "ball park" financial scenario based upon the program proposed by the City of Smyrna in the RFI. There were 3 responses to the RFI. They were: Zagster Inc., Social Bicycles Inc., and B Cycle, LLC. The total amount of \$32,960 includes the \$8000 one time set up fee and the \$24,960 annual bike rental and theft coverage for 16 bicycles. This will be the annual recurring amount unless the city decides to rent additional bicycles. Zagster, Inc. is the recommended service provider because they are more suited for smaller bike share programs and have experience with the type of program the City will be providing through a contract. The other respondents have a much larger scale program that does not allow the flexibility of the Zagster product.

Councilmember Teri Anulewicz excitedly spoke about this new program and mentioned the number of bikes that would be available with the addition of more if the program was successful. The Atlanta Journal Constitution had an article about the new Atlanta Braves stadium and it was stated that residents would be able to ride their bicycles to a game. With the addition of the program, residents would have the availability to rent bikes and use them for just such an outing.

Councilmember Fennel noted that other larger cities were taking on this program and Smyrna was one of the few smaller cities participating. He was eager to see the success and looked forward to it extending down to Ward 7.

A motion was made by Councilmember Teri Anulewicz to approve item 2015-185 for the authorization to enter into a Contract with Zagster, Inc. for Bike Share Program Services in the amount of \$32,960.00, to be funded out of CIP Fund Balance; seconded by Councilmember Ron Fennel. The motion carried by the following vote:

**Aye:** 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

## 7. Commercial Building Permits:

There were no Commercial Building Permits.

## 8. Consent Agenda:

The consent agenda was read aloud by Interim City Administrator, Toni Jo Howard.

A motion was made by Councilmember Charles "Corkey" Welch to approve the consent agenda; seconded by Councilmember Ron Fennel. The motion carried by the following vote:

**Aye:** 7 - Mayor pro tem/Councilmember Pritchett, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Lnenicka and Councilmember Fennel

- A. Approval of the Mayor and Council Meeting Minutes for June 1, 2015
- B. Approval to use Council Chambers for Ward 1 Meeting with Melleny Pritchett Wednesday, June 24, 2015, 6:30 PM to 8:00 PM

Sponsors: Pritchett

## 9. Committee Reports:

Committee reports began with Councilmember Ron Fennel who called upon Fire Chief Roy Acree.

Chief shared information on the news link on the City home page and the City Fire Department page. Heat safety would be posted next week. What was currently listed on the website homepage was added this day regarding lightning safety awareness week. There was a two page document that contained detailed information about safety during a lightning storm. He also spoke about the new legislation regarding the sale and purchase of fireworks in the State of Georgia. He spoke about the safety as well as the legality. 12,000 people get injured from consumer fireworks every year and he asked residents not to allow children to play with any type of firework, including sparklers.

Police Chief David Lee came forward and Councilmember Fennel mentioned his appreciation of the DUI efforts. Chief Lee said this was his third year of the budget process and he felt it was the smoothest he has participated in. He thanked Finance Director Toni Jo Howard. He spoke about a new senate bill for DFACS, and said there was a regional advisory board established that Smyrna Detective Meredith Remaldy was selected for. Chief was chosen to serve on the Brown Mackey College Advisory Board and he wants to be able to recruit officers from this opportunity. On Labor Day there will be a 5K with the Smyrna Optimist Club. There is a new program that will be offering businesses inside City limits an escort for bank drops as long as both the business and bank are in the City limits and pending safety calls.

Councilmember Fennel reminded citizens that when we see a peace officer we owe a great debt of gratitude and appreciation for their service. There will be a Ward 7 Town Hall meeting on Wednesday, June 17th at 7:00 pm at Brawner Hall. Ward 7 residents were encouraged to attend and there would be many updates discussed. He also wanted to pay tribute to two citizens. Dorothy Bacon endured a lot putting up with Arthur and Max Bacon. She was tough as nails. She was the former first lady and had military experience. Dorothy Bacon would be missed and he offered his condolences to the Bacon family. The other citizen was Charles Ronald "Pete" Wood, a career banker. Mayor Bacon did a tremendous job with the eulogy. Mr. Wood wrote a book called The Paperboy and it was representative of his life's work. Councilmember Fennel read aloud an email he wrote.

Councilmember Wade Lnenicka asked Human Resources Director Kay Bolick forward and she gave a brief report of service milestones. There were three 5 year anniversaries; Andy Harold, David Bartlett, Joe Paul. Tiffany Wallace celebrated 10 years of service and Samuel Jones celebrated 15 years of service.

Councilmember Lnenicka mentioned the grand opening of Sprouts on the East West Connector and the very large turnout. He also commented on the passing of Police Captain Ed Clack, Powder Springs Mayor Richard Sailors and Councilman Pete Wood. He remarked that Pete wood was all the things people said he was and more. He expressed condolences to all the families mentioned. Finally he expressed condolences to Mayor Bacon on the passing of his mother.

Councilmember Susan Wilkinson asked Library Director Mary Moore to come forward and she spoke about the current exhibits at the library. There are portraits and landscapes in acrylic by Joe Lore on the walls and a pottery exhibit in display cases by Pat Gresham. The strong Wi-Fi at the library was being utilized by residents and over 10,000 people have used it so far in 2015. Summer readers have read 250,000 minutes with many weeks left in the Summer Reading Program.

Parks and Rec Director, Steve Ciaccio came forward and noted the next movie by moonlight on Saturday, June 20th at Taylor Brawner Park would be Alexander and the Terrible, Horrible, No Good, Very Bad Day. There are opportunities to purchase tables for the summer concert series. Residents pay \$30 and non-residents pay \$40 per table.

Councilmember Wilkinson offered condolences at the loss of Pete Wood and to Mayor Bacon for the loss of his mother.

Councilmember Charles "Corkey" Welch asked Keep Smyrna Beautiful Director Ann Kirk to give a committee report and she stated that there were still community plots available for lease. The Jonquil Club had a plant sale at Saturday's Fresh Market. The Market is held every Saturday at First Baptist Church from 8:00am - 12:00pm. The market will be open July 4th. The new van has been received and in use. The litter index was completed and the City is in great shape. This is a windshield view, drive through the City to assess litter. The score was a 1.4 on a scale from 1-4, with a 4 being the worst.

Public Works Director Scott Stokes was out of town, so Mr. Frank Martin came forward and gave the committee report.

- Concord Road SPLOST Project – The water sewer contractor continues to locate and raise to grade all the water valves, manholes, and meter boxes. CW Matthews is following behind to concrete these items into place. The contractor continued replacing broken sidewalk and curbing along the project, and irrigation system repairs were also made this week. Debris and landscaping continued, and it is anticipated that by the end of next week the City will start developing a punch list for the contractor.
- Windy Hill/Atlanta Road SPLOST Intersection Improvement Project – A utility coordination meeting was held this week with all utilities in conflict. A relocation of storm sewer was discussed in order to reduce the amount of conflict. Additional survey and pot holing is scheduled next week for verification.
- Gann Road Storm Sewer – About 66% of the box culvert bottom is in place and the last third should be completed by the end of this week. The forming of the box culvert walls started this week.
- Belmont Sewer Outfall – The development of a punch list is scheduled to start on Friday and continue on next week until complete.
- Work Orders – Crews addressed several work orders including landscape and

asphalt work orders. Sod replacement continued at Jonquil Park (35,000 square feet), and the building repairs at Riverline Park should be completed this week. Curb replacement on Linnwood Court will start next week. Paving bids were opened this week and will be put on the July 20th agenda.

- Projects Scheduled – Curb replacement on Howell Drive and water main replacement on South Cobb from Concord to Wisteria Lane.
- Projects Out for Design – Hickory Acres Drive Storm culvert, Smyrna Powder Springs Road Sanitary outfall, Lake Drive at Magnolia Dr Storm Sewer Replacement, Fox Creek Lake, Hickory Hill Drive Sanitary and Storm Sewer Rehabilitation, Lois Street at Lois Point, Lake Drive at Brentwood, King Springs Road near Kings View, Walker Court near Morris Circle, Doeskin Lane, and Pat Mell Rd,
- Projects Out for Bid – Street paving
- Projects to Award – 2-F750 Dump Trucks, 1 Water Sewer Service Truck, 1 Sanitation Service Truck, Knuckle Boom Truck, and Street Paving.

Councilmember Welch also extended condolences to the Bacon Family and the Wood family.

Finance Director Toni Jo Howard was asked by Councilmember Teri Anulewicz if they had additional information to report and she had none.

Councilmember Anulewicz remarked that Food Truck Tuesdays continued to be a positive event with a great turnout. She stated that Halpern submitted plans for the Jonquil Plaza site and the plans would be available at Community Development. Councilmember Anulewicz said that Dot Bacon was a great, classy lady, as is Pete Woods' wife, Lillie.

Councilmember Blustein asked Community Development Director Ken Suddreth reported that Community Development was up \$50,00 between April to May. Councilmember Blustein attended that plant sale and said it was wonderful with great prices. She also attended the grand opening of Sprouts and there were so many people in the store you could not move around. She offered her condolences for the loss of Dot Bacon. She was such a sweet lady and also offered condolences to Pete Woods' family.

Councilmember Pritchett reminded that her Ward 1 town hall meeting would be held June 24 from 6:30pm - 8:00pm, in the City Hall Council chambers. The vision process was underway and the five workgroups have had several meetings. She remarked that the groups were happy to have a community liaison and she extended her appreciation to Christy Ullman, Executive Assistant to the Mayor and Council for her diligence and hard work with the Vision Committee. Councilmember Pritchett offered her condolences to Mayor Bacon on the loss of Dot Bacon and also to the family of Pete Woods. She remarked that the funeral for Mr. Wood was one of the sweetest she had attended. She too attended the grand opening of Sprouts and noted how very busy it was and she was happy to have them in the City.

## 10. Show Cause Hearings:

There were no Show Cause Hearings.

## 11. Citizen Input:

Alex Backry commented on a newspaper article regarding the bicycle program for accessibility and connectability. He opined that this would be dangerous for bikers and traffic. He stated a bike ride was meant for the Silver Comet Trail, not downtown. He remarked that Grand Junction tried the program but most of the bikes were stolen and there was no interest in the community for this program. The article said that to

ride a bike to the Food Truck Tuesdays was unreasonable. He was concerned that this was not a feasible program for our tax dollars. He also questioned who would be paying for the bike helmets.

Tara Simmons of Tara Simmons studios announced her candidacy for the Ward 6 Council seat. She is a citizen as well as business owner in Smyrna. She was excited about the election.

## **12. Adjournment:**

The June 15, 2015 meeting of the Mayor and Council was adjourned by Mayor Max Bacon at 11:00 PM.