



# City of Smyrna

2800 King Street  
Smyrna, Georgia 30080

## Meeting Minutes - Final Committee of the Whole

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Thursday, May 13, 2021

6:00 PM

A. Max Bacon City Hall  
H.R. Training Room / First Floor  
2800 King St SE, Smyrna Ga. 30080

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### Roll Call

**Present** 8 - Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Travis Lindley, Councilmember Austin Wagner, Councilmember Charles Welch, Councilmember Susan Wilkinson, Mayor pro tem / Councilmember Tim Gould, and Councilmember Lewis Wheaton

**Also Present** 1 - Jeffrey Tucker

**Staff** 13 - Joe Bennett, Penny Mocer, Heather Peacon-Corn, Julie Barwig, Jennifer Bennett, Dan Campbell, Bo Jones, Richard Garland, Russell Martin, Andrea Worthy, Keith Zgonc, Landon O'Neal, and Kristin Robinson

### 1. Call to Order

Mayor Derek Norton called the May 13, 2021 meeting of the COmmittee of the Whole to order at 6:00PM.

### 2. New Business

#### A. [COW21-35](#) FY 2022 Budget Presentation - Finance Director Kristin Robinson

Budget Officer Landon O'Neal and Finance Director Kristin Robinson presented the following updates to the FY22 Budget as discussed at the previous presentation.

Changes to Budget:

-Total Budget

\$20K increase to total budget

Addition to Special Revenue Funds

All \$20K accounted for in Hotel/Motel Fund

New total: \$110,205,348

-\$10K increase for both June and July concerts

Each increased from \$6K to \$16K

-Increased use of reserves to balance Hotel/Motel Fund

Increase from \$218K to \$238K

There will be a \$20K increase shown to Hotel/Motel, Special Revenue Funds, and Total Budget

Hotel/Motel: \$1,351,152 to \$1,371,152

Special Revenue Funds: \$6,301,526 to \$6,321,526

TOTAL BUDGET: \$110,185,348 to \$110,205,348

Hotel/Motel

Expenditures will increase in contract labor – goes up to \$143K from \$123K

Revenues: Use of reserves is shown as revenue. Increases from 218K to 238K

We do not anticipate using this amount of reserves. Optimistic that hotel/motel

charges will be higher than budgeted.

-General Fund

No net changes, but shifted expenditures

GF remains at \$55,491,625

We have balanced out all increases in Admin and Comm. Dev through decreases in unallocated contingencies

Have not had to adjust revenues

Changes to totals in departments for Gen. Gov't Allocations & Transfers, Admin, and Comm. Dev.

Total contingencies now at 455K – previously at \$483K

Still have to factor in merit increase for 264K

-\$28K decrease to unallocated contingency

Decrease from \$219K to \$191K

Moved to Administration & Comm. Development

-\$10K increase to Administration budget

Professional services account: Heritage Celebrations

Increase from \$20K to \$30K

-\$18K increase to Community Development budget

Professional services account: City Arborist

Increase from \$30K to \$48K

Arborist has kept prices low for us, but without the new position, the prices are going to go up

Recent invoices have been running around 4K per month – higher than when budget was proposed

-Part-time Court Clerk change to 75% of fiscal year

Previously budgeted for 50% of FY 2022

No budget changes. Sufficient budget to cover \$4K increase

Capital Project Funds

Most of this money is related to the 2016 SPLOST.

We're budgeting for Windy Hill Rd construction (\$11.3M), and with it a 7M contribution (11M last year) from Cobb County in FY22.

Special Revenue Funds

Decrease is mostly due to spending \$2.9M from CARES Act in FY21 vs. \$148K in FY22

Enterprise Funds

The increase shown here is related to our W/S CIP & W/S transfer-out to GF

GF - Moved some positions out, so greater amount of transfer, plus new positions.

W/S – Lead and Copper Inventory CIP project

Also increase for Stormwater Fund

Capital Project Funds

The use of reserves shown here is related to the 2016 SPLOST.

We are expecting to spend more than we bring in next year.

But for now, we've saved up sufficient fund balance to do that.

**Internal Service Fund (VRF)**

On the revenues side, budgeted the average annual contribution with transfers in from the GF and W/S Fund.

Doing that allows us to put a little extra toward VRF fund balance.

We'll need it when we get to FY24 and FY25 when we have a couple of Fire trucks to replace.

**Enterprise Funds**

The 1.9M transfer to cash reserves is in our W/S Fund.

Last year, it was budgeted at 2.2M.

We're comfortable recommending a budget with that kind of excess revenue b/c infrastructure is expensive.

Having a healthy fund balance there allows us to do things like pay for a 4.3M water line modification on WH Rd, as we did in FY20

FOR REFERENCE: Estimated CIP fund balances as of Jan. 2021

GF CIP: \$709K – Using \$225K of fund balance this year due to reduction of past year projects

E-911: \$21K

W/S (506): \$3.7M

W/S (505): \$7M (as of Dec 2019)

SW: \$355K

**Schedule**

May 13      Discuss any changes at COW

May 17      Formal budget presentation and public hearing at Council meeting

June 3      Discuss any changes at COW

June 7      Formal budget adoption at Council meeting

**B.      [COW21-38](#)****Defined Contribution (401a/457b) Retirement Plan Review & Recommendations - Human Resources Director Carol Sicard**

Human Resources Director Carol Sicard spoke about the City's current retirement benefits and the lack of governance that has occurred for the time we have been with Mass Mutual.

In an effort to offer better option for the staff and better fiduciary governance for the City, she has requested that Mr. David Griffin of One Digital give a brief presentation regarding the services he offers for being the liaison for the City with the City and Staff with the company that will manage the plan.

**Retirement Plan Consulting Services****FIDUCIARY SUPPORT SERVICES**

As a fiduciary, it is important to understand your role and responsibilities to the plan and to plan participants. These responsibilities can be complex, requiring a knowledgeable and experienced partner to support you in navigating an ever-changing regulatory landscape.

OneDigital Investment Advisers is the right partner to help you mitigate your risk by providing comprehensive fiduciary support to your Retirement Committee. We accomplish this support through various consulting services as outlined below.

**Fiduciary Governance**

- Review fiduciary practices, processes and procedures
- Review fiduciary governance documentation
- Document committee meeting notes and decisions

- Establish, document and measure committee goals & objectives
- Fiduciary checklist review
- Fiduciary guide
- Governance structure formation – charter template
- Provide an annual fiduciary calendar outlining important fiduciary dates
- Provide fiduciary education and training on current events/topics
- Corporate action oversight (M&A, spin-off, plan termination)

#### Investment Optimization

- Provide economic, legislative and market updates
- ERISA 3(38) Discretionary Investment Services or 3(21) Non-Discretionary

#### Investment Services,

status documented within advisory agreement

- Investment policy development, maintenance and review
- Execute a sound manager search, selection and monitoring Process
- Provide initial selection, ongoing monitoring and replacement recommendation for plan investments
- Target Date Fund review and selection process using a proprietary process
- Assist with the selection of an appropriate QDIA
- M&A / Multi-Plan Investment Standardization
- Quarterly fund to peer benchmarking
- Quarterly performance reports with quantitative analysis
- Pre-populated investment fiduciary notes

#### Plan Design & Administration

- Provide industry news, trends and regulatory updates
- Discuss plan features to optimize participant retirement readiness and encourage saving
- Review plan design for optimal efficiency
- Auto-feature evaluation
- Audit file checklist
- Audit support
- Corrective action support
- M&A support – plan standardization
- Review self-directed brokerage options to ensure equitable participant fee expense
- Plan feature project studies
- 404(c) checklist overview
- Administrative plan checklist overview

#### Participant Engagement

- Provide industry news, trends, and thought leadership
- Provide oversight to participant communication plan
- Focus on improving retirement readiness
- Review success measures with service vendor for participant outcome optimization
- Participant education calendar template
- Participant advice solution\*
- Employee meetings\*
- Financial wellness services\*
- OneDigital integration services – HR, wealth, health, etc.\*
- Transition/conversion oversight to record keeper\*

#### Cost & Vendor Management

- Fee benchmarking services
- Vendor fee negotiations

- Vendor management through RFI/RFP searches
- Vendor platform enhancement identification
- Vendor cybersecurity overview

### 3. Review of the May 17, 2021 Mayor and Council Agenda

#### A. [COW21-37](#) Review of the Preliminary May 17, 2021 Mayor and Council Agenda.

Pastor Brian Downing of Oakdale Church of God will present the invocation and lead all in the Pledge of Allegiance.

Mayoral Report:

Presentation of the LGCIO ( Local Government Chief Information Officer ) Certification from Mr. Michael Hourihan of Carl Vinson Institute of Government to Mr. Dan Campbell, Information Systems Administrator.

Land Issues / Zonings / Annexations

- Item 4A - Request for a name change for The Carriage House apartment complex located at 810 Windy Hill Road to 810 Windy Hill Road, LP dba Beckett Park Apartments.

- Item 4B - Approval of the code amendments to Sections 402, 712, 716 and 720 of the City's Zoning Ordinance to list private dog parks as permitted uses in the General Commercial (GC), Central Business District (CBD) and Mixed Use (MU) zoning districts and authorize the Mayor to sign and execute all related documents. Item 6A coincides with this item as ORD 2021-09 - Approval of code amendments to the City Alcoholic Beverage Ordinance with regards to alcohol pouring licenses for private dog parks.

Item 4C - Zoning Request - Z21-007 - Allow rezoning from R-15 to R-10 for a two lot subdivision at a density of 4.08 units per acre - 0.49 acres - Land Lot 304 - 454 Smyrna Powder Springs Road - AOS 454 LLC.

-Proposed Use:

The applicant is requesting a rezoning from R-15 to R-10 for two single-family detached lots at a density of 4.08 units per acre. The future land is LDR and a land use change to MODR is required.

-Staff Recommendation:

Denial of the rezoning from R-15 to R-10.

-Planning & Zoning Board Recommendation: Denial by a vote of 5-2 at the April 12, 2021 meeting.

Item 4D - Zoning Request - Z21-005 - Allow rezoning from GC to MU for a mixed use development - 9.73 acres Land Lots 779, 780, 805 and 806 - 2400 Lake Park Drive - 2400 Lake Park Atlanta Office LLC.

-Proposed Use:

Development of a Mixed Use development with 277 multi-family units, 21,000 sq. ft. of retail/office and existing 105,000 sq. ft. office building at a residential density of 28.5 units per acre.

-Staff Recommendation:

Community Development recommends approval of the zoning request from GC to MU-Conditional with conditions.

-Planning & Zoning Board Recommendation: Approval by a vote of 7-0 at the April 12,

2021 meeting.

Item 4E - V21-044 - Reduce the rear setback from 30 feet to 24 feet for a deck - Land Lot 384 - 632 Austin Drive - David Samani.

-The applicant is requesting a variance to reduce the rear setback from 30 feet to 21 feet to replace a deck on an existing home. Section 801 of the zoning ordinance requires a rear setback of 30 feet for lots zoned R-15.

-The applicant is proposing to replace an existing deck on the rear of the existing home, which has existed on the property since at least 2007 when the applicant purchased the home. The existing home is pushed to the rear of the property with a large front yard and little space for an addition in the rear. The rear of the home is 31 feet from the rear property line and the existing deck is 21 feet from the rear property line. Moreover, the door to the rear yard from the home is 7 feet off the ground, causing an unsafe condition if the deck were to be completely removed. To try to adhere to the rear setback as much as possible, the applicant will be reducing the length of the deck by 3 feet; this will reduce the current setback encroachment from 21 feet to 24 feet and improve the existing condition.

- After a review of the standards above, Community Development believes that the encroachment will not adversely affect surrounding residents; therefore staff recommends approval of the requested variance with the following condition: Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.

Item 4F - V21-045 - Allow encroachment into 50-foot undisturbed stream buffer setback for a deck - Land Lot 810 - 2946 Woodruff Drive - Suellen A. Stepp.

- The applicant is requesting a variance to allow encroachment into the City's 50-foot undisturbed stream buffer setback to replace the existing detached deck at 2946 Woodruff Drive. The City's stream buffers are controlled by Chapter 46 of the City's Code of Ordinances.

The applicant is proposing to replace a 177 square foot detached deck in the rear yard, which was hit by a tree and damaged in 2020. The existing detached deck has existed on the property at least since 1993 according to the survey dated February 24, 1992, prior to the adoption of the City's Stream Buffer Ordinance in 2005. Currently, the rear yard is greatly encumbered by the State's 25-foot stream buffer, the City's 50-foot undisturbed stream buffer, and the City's 75-foot impervious setback. Additionally, the rear yard has a steep slope to the back of the property, making it mostly unusable. The detached deck provides a small amount of usable space to enjoy the privacy of the backyard.

- After a review of the standards above, Community Development believes that the encroachment will not adversely affect surrounding residents; therefore staff recommends approval of the requested variance with the following conditions:

1. Approval is conditioned upon substantial compliance with the site plan submitted with the variance application.
2. If the City of Smyrna must work within the 30-foot drainage and utility easement, the property owner may be required to move the deck at their own expense.

Item 4G - V21-046 - Allow new construction on lot of record below minimum lot size requirements - Land Lot 304 - 436 Smyrna Powder Springs Road - AOS 454 Land LLC.

- The applicant is requesting to build a new single-family home at 436 Smyrna Powder Springs Road on a substandard lot. Section 1208 requires a variance to build on a lot of record below minimum lot size requirements.

- The applicant is proposing to build a new 2,200 square foot two-story single-family home which will consist of 4 bedrooms, 2.5 bathrooms, and a 2-car garage. The new

home will have a mixture of façade materials and will not have 100 percent hardiplank on the front elevation. The lot is 12,308 square feet and the R-15 Zoning District requires lots to be a minimum of 15,000 square feet in size. Since the subject property is an existing lot of record, originally platted in 1962, the hardship is not self-created. The proposed home will meet all the R-15 zoning requirements and no other variances are required to build the new home.

- Community Development has reviewed the request against the variance review standards and found it to be in compliance with the four (4) standards and believes that the variance will not adversely affect surrounding residents. Therefore, staff recommends approval of the requested variance with the following condition: Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.

Formal Business:

Item 6A - ORD2021-09 - The Community Development Department has received requests for alcohol pouring licenses for private dog parks. Under the City's Alcoholic Beverage Ordinance, requires pouring licensees to have at least 50% of sales derived from the sale of food prepared to be consumed on premises. Private dog parks cannot meet that requirement. Staff has reviewed the City's Alcoholic Beverage Ordinance and is proposing code amendments to address the issue.

Community Development recommends approval of the proposed text amendments to the City's Alcoholic Beverage Ordinance.

Item 6B - ORD2021-203 - This is the Public Hearing for the FY 2022 proposed budget. The total budget, as proposed, is \$110,205,348. The General Fund budget is \$55,491,625, Special Revenue Funds are \$6,321,526, Capital Project Funds are \$23,488,029, Internal Service Fund is \$1,248,000 and the Enterprise Funds are \$23,656,168.

For comparative purposes, the total revised FY 2020 budget, to date, is \$113,342,785. The General Fund budget is \$53,598,327, Special Revenue Funds are \$9,081,435, Capital Project Funds are \$26,013,114, Internal Service Fund is \$1,331,463 and the Enterprise Funds are \$23,318,447.

The budget is scheduled for adoption on June 7, 2021.

Budget Officer Landon O'Neal spoke about the various sources of revenue and the differences between this year and last year and he provided explanation for each of these. Revenues versus expenditures were shown and it was noted that the state requires that the budget be balanced. Spending more than we are taking in this year but this was the opposite case for previous years which helps moving forward. 58% of general fund revenues are from property taxes. The page numbers on the slides correspond with the budget book pages that can be found on the website, at the Library and at the Office of the City Clerk. Public safety is the biggest expenditure. Hotel/motel was the hardest hit area of revenue due to the pandemic. There are some proposed fee changes among departments. See budget book page 25 for more detailed explanations of the proposed fee changes. A sanitation increase in the amount of 3% to commercial only due to increases that the city has been absorbing for some time now. Street light fee which is something that most cities and counties already have in place which helps recoup what we already pay in streetlights. This fee is only to recoup, not to profit and will be used to fund energy projects etc. Separate rates for residential versus commercial which are \$42 a year for residential, \$84 a year for commercial/industrial.

He also presented information on debt obligations. The city has held back on projects due to COVID to be fiscally responsible. Eleven projects are receiving

recommendation this coming fiscal year. Reed House landscaping to increase rentals and the maintenance areas/buildings at some parks need renovations. Air filling system which is a replacement, police laptop computer refresh, swat tactical vest replacement. Public Works projects include green energy projects, carpet replacement, roof repairs and replacements, detention pond maintenance, replacement of underground sanitation can, sanitation carts. Storm water Capital Improvement Projects (CIP) includes a .07 increase effective in January. 2016 SPLOST will stop collecting 1% sales tax in December 2021. Future SPLOST will begin in January 2022. Recommending 17 vehicle replacements and additions. Recommending 6 full time positions and 1 part time position.

Consent Agenda:

2021-185- Award Ward Park grandstand seating to GT Grandstands, Inc. using TIP cooperative contract #181101 in the amount of \$252,426.00 and authorize the Mayor to execute any related documents. The Parks and Recreation Department has been authorized to purchase grandstand seating at Ward Park - Lattanzi Field. The grandstands will be designed and installed by GT Grandstands, Inc. using TIPS cooperative contract

#181101. The TIPS Cooperative increase efficiency, effectiveness and provides substantial savings for participating public entities. The City of Smyrna has been a member since 2016.

This is part of the budget amendment passed from May 3, 2021 Mayor and Council Agenda regarding use of the Reserves.

GT Grandstands

2810 Sydney Road

Plant City. Florida 33566.

2021-187 - Ms. Angela McReynolds, resident at 5204 Afton Way is requesting a no parking zone installation across from her property. She has obtained and submitted the required signatures from the affected property owners reflecting community support for the request. The City Engineer supports the request to install a no parking zone on the East side of Afton Way from approximately 5206 Afton Way to approximately 5191 Afton Way.

2021-196 - The City of Smyrna Public Works requested funds from CDBG Public Facilities balance to replace two (2) evaporative air-cooled chillers at the Smyrna Community Center. We received three quotes using various cooperative contracts, Public Works and Finance recommend contract be awarded to MaxAir Mechanical at 814 Livingston Ct, Marietta Ga, 30067 in the amount of \$276,011.00.

2021-205 - Approval of the King Springs Elementary Mobile 5th Grader Parade on Wednesday, May 26, 2021 at 10:00am with rolling road closures with police presence following the attached route from North Cooper Lake Park to King Springs Elementary.

#### **4. Other Business (as needed)**

Councilmember Austin Wagner asked about Short Term Rental fees.

Assistant City Administrator Penny Mocerri responded that Rusty Martin has the information with recommendations and we will have to do an audit to identify the properties that owe the City fees. We estimate rentals to be in the neighborhood of 300-400.

Ward Reports:

Ward 1 - Glenn Pickens: No Report  
Ward 2 - Austin Wagner: No Report  
Ward 3 - Travis Lindley: No Report  
Ward 4 - Corkey Welch: No Report  
Ward 5 - Susan Wilkinson: No Report  
Ward 6 - Tim Gould: He and Derek will have lunch regarding framework agreements and build on the relationship with the County .  
Ward 7 - Lewis Wheaton: No Report

Mayor Norton: Spoke about the school district dumping dirt with rocks on the softball field that has ruined the field. The County will have the infield repaired at a cost of \$13,000.

Councilmember Susan Wilkinson said she received a lot of calls from the residents who live behind the fields that it stirred up a lot of dirt into the neighborhoods.

Joe Bennett: No Report

Penny Moceris: No Report

## **5. Executive Session (as needed)**

## **6. Adjournment**

Mayor Derek Norton adjourned the May 17, 2021 meeting of the Mayor and Council at 7:34PM.