



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final City Council

Monday, June 15, 2020

7:00 PM

Smyrna Community Center Large Gym

Smyrna Community Center Large Gym / 200 Village Green Circle SE
Parking and entrance to meeting on Powder Springs Street Side of Building
MASKS REQUIRED / TEMPERATURE WILL BE CHECKED

Roll Call

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

Also Present: 1 - Scott Cochran

Staff: 13 - Tammi Saddler Jones, Heather Peacon-Corn, Roy Acree, Jennifer Bennett, Joe Bennett, Richard Garland, Janet Liberman, Penny Mocer, Tina Monaghan, Landon O'Neal, Kristin Robinson, Joey Staubes and Brendan North

Call to Order

Mayor Derek Norton called the June 15, 2020 Mayor and Council Meeting to order at 7:01 PM.

1. Invocation and Pledge:

Pastor Phil Manginelli, The Square (981 Powder Springs Street) delivered the Invocation and led all in the Pledge of Allegiance.

2. Agenda Changes:

There were no agenda changes.

3. Mayoral Report:

4. Land Issues/Zonings/Annexations:

- A. [2020-132](#) Public Hearing - Zoning Request - Z20-003 - Modification of site plan and building elevations for a 75-unit senior living facility - 3.10 acres - Land Lot 606 - 4225 E/W Connector - OneStreet Development LLC

Attachments: [Issue Sheet 2020-132.pdf](#)
[Staff Memo Z20-003 V2](#)
[Legal Ad Z20-003](#)
[Application for Zoning Amendment Z20-003](#)
[Cobb Water Letter Z20-003](#)
[Site Plan Z20-003](#)
[Stormwater Management Memo Z20-003](#)
[Tree Protection V2 Z20-003](#)
[Zoning Map Z20-003](#)
[Land Use Map Z20-003](#)
[Original Site Plan Color Z19-008](#)

Mayor Norton announced the public hearing and asked anyone wanting to speak to come forward and be sworn in by the City Attorney. One person came forward.

Mr. Joey Staubes, Planner II, Community Development, came forward to give information along with a Powerpoint presentation. One Street Development, LLC is requesting a site plan and building elevation amendment due to topography challenges and the discovery of heavy rock formations on the property. The applicant is proposing to consolidate the two buildings into one four-story building, and shift the access drive more to the east. Thus, the variance to reduce the building height to three (3) stories is no longer required.

The two setback variances will be carried over from the original Rezoning Case Z19-008. The number of units have been reduced from 80 to 75 units, and the number of parking spaces increased from 80 to 90 spaces. The proposed building will be screened from Creekside at Vinings by a 10' landscape buffer and a 22' tall retaining wall. Community Development has reviewed the proposed development against the zoning standards in Section 1015 of the Zoning Ordinance with respect to the senior residential high-rise developments. The proposed development meets nearly all the zoning requirements for residential high-rise development except for two requirements that deal with minimum setbacks (carried over from the original Rezoning Case Z19-008). Community Development Staff is supportive of the requested zoning amendment.

Councilmember Lewis Wheaton asked about what was being done as far as a wall to assist with separation between the new development and the existing neighborhood. There will be a wall as well as a lot of greenery so it will be aesthetically pleasing.

Councilmember Susan Wilkinson asked about the trail access. There is still a plan to build a pedestrian connection of some sort to the Silver Comet Trail but that will need to be arranged with Cobb County since they are in charge of that trail.

Attorney Kevin Moore came forward to represent the applicant. He explained that this was just a site plan modification. May of 2019 this project was approved by Mayor and Council. Senior Communities 65 and older with similar developments are already in Johns Creek and Woodstock. More detailed engineering work revealed that there was heavier rock on certain areas of the property. They moved entrance further east and combined two buildings into one. The connection to Silver Comet Trail is still part of the plan. There will be a wall with extensive landscaping to protect Creekside Vinings which is the neighborhood that adjoins. New entrance allows for better sight distance

to intersection. The project helps with senior housing which was a big part of the city's comprehensive plan.

Councilmember Wheaton thanked Mr. Moore for reaching out to the residents and addressing their concerns.

Councilmember Tim Gould inquired as to why there was a deceleration lane but not an acceleration lane. The right of way as well as the improved sight distance from moving the entrance removed the need for the acceleration lane.

Mayor Norton opened the public hearing at 7:29 PM. No one came forward to speak. The public hearing was then closed.

Councilmember Lewis Wheaton made a motion to approve Zoning Request - Z20-003 - Modification of site plan and building elevations for a 75-unit senior living facility - 3.10 acres - Land Lot 606 - 4225 E/W Connector - OneStreet Development LLC. Councilmember Austin Wagner seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

B. [RES2020-05](#)

Authorize the acquisition of a portion of 2380 Ventura Road and a portion of 531 Windy Hill Road, by all lawful means, for improvements to Windy Hill Road. This authorization includes adopting a Resolution and Declaration of Taking. Either the mayor or mayor pro tem are authorized to execute such documents and all other documents incident to these acquisitions.

Attachments: [Issue Sheet RES2020-05.pdf](#)

[RES2020-05 Declaration of Taking and Resolution 531 Windy Hill Rd.pdf](#)

[RES2020-05 Declaration of Taking and Resolution 2380 Ventura Road.pdf](#)

City Administrator provided the background information. The agenda item is to authorize the acquisition of a portion of 2380 Ventura Road and a portion of 531 Windy Hill Road, by all lawful means, for improvements to Windy Hill Road. This is one of the final acquisitions necessary for the Windy Hill project and consists of an acquisition of 3183 square feet of right of way, 1436 square feet of temporary construction easement and 1931 square feet of construction easement to tie the driveway into the new road. Staff recommended approval.

Councilmember Gould noted that this was part of the continued work on the Windy Hill project. He thanked the City Attorney for his work on this and for making sure that the landowners were satisfied as well.

Councilmember Tim Gould made a motion to approve and authorize the acquisition of a portion of 2380 Ventura Road and a portion of 531 Windy Hill Road, by all lawful means, for improvements to Windy Hill Road. This authorization includes adopting a Resolution and Declaration of Taking. Either the mayor or mayor pro tem are authorized to execute such documents and all other documents incident to these acquisitions. Councilmember Travis Lindley seconded the motion.

The motion to approve was carried by the following vote:

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

Nay: 1 - Councilmember Wilkinson

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

- A. [2020-190](#) Award RFQ 20-022 Energy Performance Contract Services to Schneider Electric, 11475 Great Oaks Way, Alpharetta, GA 30022 and authorize the Mayor Pro Tem to sign and execute all related documents.

Attachments: [Issue Sheet 2020-190.pdf](#)
[20-022 Energy Performance Contracting Services Scoring Matrix - combined.pdf](#)
[Recommendation RFP 20-022 Energy Performance Contracting Services.pdf](#)

Mayor Norton recused himself and left the meeting room at 7:31 PM.

A summary was provided by Ms. Saddler Jones. The City of Smyrna requested qualifications from qualified energy services companies to provide a comprehensive system-wide infrastructure renewal including but not limited to energy and water efficiency improvements for facilities owned by the City. Sixteen (16) firms requested the Request for Qualifications document and we received four (4) responses. The proposals were scored by staff from Environmental Services, Public Works, Parks & Recreation and Finance. Staff held interviews with the top 3 scoring firms and based on the interviews and references contacted, staff recommended award of this RFQ to Schneider Electric. The team unanimously agreed that the selection of Schneider is in the best interest of the City. Schneider Electric is named one of the leading energy services companies in the market.

Councilmember Gould asked Ms. Janet Liberman, Director of Environmental Services to come forward and offer some additional information on the project. The purpose was to do more with environmental stewardship. Many different departments and staff were involved and the goal was to afford the city a plan with options to help with energy and water conservation measures. Schneider was unanimously selected.

Councilmember Charles "Corkey" Welch stated that he felt this is a good project but he had some concerns about the contract and the \$59,000 fee.

Mayor Norton returned at 7:38 PM after the vote had been taken and recorded.

Councilmember Charles "Corkey" Welch made a motion to approve and award RFQ 20-022 Energy Performance Contract Services to Schneider Electric, 11475 Great Oaks Way, Alpharetta, GA 30022 and authorize the Mayor Pro-tem to sign and execute all related documents, with the following provisions:

- 1) Upcoming SPLOST must pass.

- 2) City is able to sit at the table to assist with the selection of the project scope on each of these projects that the company chooses.
- 3) The City will have 12 months to select project for construction after receiving the audit.
- 4) The City may essentially terminate the contract after the 12 month period has expired for a payment of \$59,200.00.
- 5) The City and this Council, anyone on the Council, has a right to review all solicitations for contractors and bids received for each of the contracts through our general contractor.

Councilmember Lewis Wheaton seconded the motion.

The motion to approve with provisions was carried by the following vote:

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

Nay: 1 - Councilmember Wilkinson

B. [2020-195](#)

Award bid RFP 20-020 Community Center Renovation Phase 2 to the lowest qualified bidder Everlast Construction Group, 1355 Union Hill Industrial Ct, Alpharetta, GA 30004 in the amount of \$372,306.12 to be funded by CDBG and authorize the Mayor to execute any related documents.

Attachments: [Recommendation RFP 20-020 Community Center Renovation Phase 2.pdf](#)

Details on this project were relayed by City Administrator Saddler Jones. The City of Smyrna requested bids for a unit-price contract for renovation of the Community Center main level, men's and women's locker rooms, restrooms and shower rooms located at 200 Village Green Circle, Smyrna, GA 30080. Thirteen (13) contractors submitted bids. Staff recommends award to the lowest bidder, Everlast Construction Group, LLC in the amount of \$372,306.12. This project will be managed by Foley Design. This project will be funded by the Community Development Block Grant (CDBG).

Councilmember Travis Lindley made a motion to approve to award bid RFP 20-020 Community Center Renovation Phase 2 to the lowest qualified bidder Everlast Construction Group, 1355 Union Hill Industrial Ct, Alpharetta, GA 30004 in the amount of \$372,306.12 to be funded by CDBG and authorize the Mayor to execute any related documents. Councilmember Charles "Corkey" Welch seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

C. [2020-191](#)

Approval to reclassify the Chief Building Official position from a pay grade 23 to a pay grade 25.

Attachments: [Issue Sheet 2020-191.pdf](#)
[Building Official Salary Chart.xlsx](#)

City Administrator Tammi Saddler Jones offered some insight into the position to be discussed. The Chief Building Official (CBO) salary range is significantly below that of other municipalities in Metro Atlanta. The proposed reclassification will bring the City's CBO salary closer to the industry norm for Metro Atlanta and keep Smyrna competitive with respect to this highly skilled position. The CBO position is in high demand with very few qualified workers. If Smyrna were to lose our current CBO, the city may have a very difficult time finding a qualified replacement with the experience and skills of a plan reviewer as well as a building inspector at the current salary range. Community Development Director recommended approval of the proposed reclassification for the Chief Building Official position.

Councilmember Charles "Corkey" Welch made a motion to approve to reclassify the Chief Building Official position from a pay grade 23 to a pay grade 25. Councilmember Tim Gould seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

7. Commercial Building Permits:

There were no commercial building permits.

8. Consent Agenda:

City Administrator Tammi Saddler Jones read aloud the consent agenda for Mayor and Council.

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

The motion to approve was carried by the following vote:

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

Nay: 1 - Councilmember Wilkinson

A. [2020-192](#) Approval of the May 28, 2020 Committee of the Whole Meeting Minutes.

Attachments: [May 28, 2020 COW Meeting Minutes-FINAL.pdf](#)

B. [2020-196](#) Approval of the June 1, 2020 Pre-Council Meeting Minutes.

Attachments: [06-01-2020 June 1, 2020 Pre-Council Meeting Minutes - FINAL.pdf](#)

C. [2020-193](#) Approval of the June 1, 2020 Mayor and Council Meeting Minutes.

Attachments: [06-01-2020 June 1, 2020 M&C Meeting Minutes-Final.pdf](#)

- D. [2020-194](#) Approval of the Appointment of Ward 2 resident, Melba Barberan, to the Smyrna Housing Authority. This is a five year term that expires 5/31/2025.

9. Ward / Committee Reports:

Mayor Derek Norton asked everyone to be mindful and follow CDC guidelines when entering city facilities.

Councilmember Glenn Pickens thanked everyone for coming out and making the Council meetings a priority.

Councilmember Austin Wagner said to stay healthy and take the necessary steps to do so. He spoke of the importance of mental health. Know that there is help out there for everyone that needs it.

Councilmember Travis Lindley noted that initial funding was approved to renovate Zion cemetery. There are traffic calming petitions for Williams Park and Smyrna Heights, please seek them out and make your voice be heard.

Councilmember Charles "Corkey" Welch thanked everyone for coming out to the meeting.

Councilmember Susan Wilkinson spoke as to why she voted against the consent agenda. Following the last meeting on June 1st, she requested that her questions and the responses of the City Attorney be reflected in the record of the meeting. When she received the draft on Thursday, it was a summary, but there was a sentence in there that didn't really reflect the question that she had and the response that she received and she asked that the minutes be considered to be amended and that was rejected so that was the reason she voted against it tonight. That was the public meeting minutes from the last Council Meeting on June 1st. She appreciates the citizens coming out including those from Ward 5.

Councilmember Tim Gould wanted to acknowledge the positive demonstrations which have recently taken place in the city.

Councilmember Lewis Wheaton spoke about the positive social interaction by members of the community of all ages. He asked that everyone go above and beyond what is needed to stay safe.

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

Mr. Alex Backry, 3459 Shawnee Trail, spoke about term limits. The City of Marietta recently passed a term limit. He has brought it up in the past and hopes that the new council will step up and get people involved. Consider putting term limits on the ballot for a vote. He would like to see Town Hall meetings every 6 months. What the taxpayers want is important and he wants feedback from the elected officials.

Mr. Johnny Robertson, 4103 Shamrock Place, moved here in 2007 from Massachusetts. He is a 100% disabled veteran and was able to buy a home in Mableton. He found out that he is not in a city and therefore has no local government. He wants to be annexed in so that he can be part of the city and get quality law enforcement. Drugs and crime are becoming out of control near his home. He can't get any adequate rest or any assistance. He needs a quality Police Department and Fire Department to help him.

A current resident of Smyrna was looking to move to Spring Hill Parkway. She was not aware that it was outside of the city limits. Mayor Norton explained that the area is in the Smyrna zip code but not the city limits and that she would vote through Cobb County.

Mr. Mark Smith, 2800 Spring Creek Place, wanted to make people aware of the dangers of 5G. Electro magnetic frequency is what effects people in relation to 5G. It has been proven to cause birth defects, headaches, anxiety, and more. Please stop 5G.

A resident of 2599 Bates Street in Rose Garden Hills came to speak about his neighborhood. He recently organized a walk from Rose Garden Park to Braves Stadium. He has lived in Smyrna for about 2 ½ years. He would like to see more funding going into the neighborhood including more lighting. He would like the city to put more of an investment in the historical neighborhood and would like to help with suggestions.

A resident of 2640 Birch Street, spoke of his grandma who lived off of Spring Road for over 30 years. Concerned about kids having a safe place to grow up. There are programs outside of the city such as big brother and he wants to advocate for different programs to help at risk kids here in the city. He stated that advocacy puts a value on someone's life that could potentially change the entire direction of their lives.

12. Adjournment:

Mayor Norton adjourned the June 15, 2020 Mayor and Council meeting at 8:08 PM.