



City of Smyrna

A. Max Bacon City Hall
HR Conference Room /
First Floor
2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final Committee of the Whole Work Session

Thursday, August 11, 2022

6:30 PM

A. Max Bacon City Hall - HR Training Room

Roll Call

Present 8 - Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Latonia P. Hines, Councilmember Travis Lindley, Councilmember Charles Welch, Councilmember Susan Wilkinson, Mayor Pro Tem / Councilmember Tim Gould, and Councilmember Lewis Wheaton

Also Present 1 - Scott Cochran

Staff 12 - Jennifer Bennett, Joe Bennett, Dat Luu, Russell Martin, Jodi Mills, Penny Mocer, Paul Osburn, Heather Peacon-Corn, Kristin Robinson, Joey Staubes, Keith Zgonc, and Brian Marcos

1. Call to Order

Mayor Derek Norton called to order the August 11, 2022 Committee of the Whole meeting held at A. Max Bacon City Hall in the HR Training Room at 6:30 PM.

2. New Business

A. [COW22-69](#) Review of the 150th Bday Celebration - Community Relations Director, Jennifer Bennett

Jennifer Bennett, Community Relations Director, presented performance, logistical, and scheduling information for the 150th Birthday Celebration taking place on October 8, 2022.

Main Points:

- There will be three stages with a staggered schedule. RCS will be working on and coordinating the sound so as not to overlap performers.
- Transition to main stage for Toad the Wet Sprocket and Train will happen around 6:00 PM.
- Closing of streets and set up will begin Friday night, October 7, 2022.
- Wells Fargo has expressed interest in becoming a sponsor for the celebration and is still deciding whether to close on Saturday, October 8, 2022.
- Security will be robust and well-organized.
- More details will be released as the event date draws nearer.

3. Review of the current Mayor and Council Agenda

A. [COW22-70](#) Review of the August 15, 2022 Mayor and Council Meeting Agenda.

3. Mayoral Report:

- A. 2022-402 Recognize Smyrna Little League Blue All-Stars (11u) - GA State

Champs

No discussion.

- B. 2022-403 Recognize Smyrna Elite Track Sports Club

No discussion.

- C. 2022-398 Authorization for the appointment and swearing in of Brian Marcos as Fire Chief for the City of Smyrna as a result of the retirement of Chief Roy Acree on July 29, 2022 and at the recommendation of the City Administrator, Joseph Bennett.

No discussion.

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. -

This item will be tabled to the September 19, 2022 meeting at the request of the applicant.

No discussion took place about this item.

- B. 2022-347 Plat Approval - Approval for the subdivision of property at 2400 Lake Park Drive into two parcels. Land Lot 779, 780, 805 & 806 - 9.73 acres - 2400 Lake Park Drive - 2400 Lake Park Atlanta LLC

Russell Martin, Community Development Director, stated that one parcel will have multi-family units on one property and an office building on the other parcel.

- C. RES2022-10 Public Hearing: Approval of Resolution RES2022-10 for a moratorium extension on the acceptance of rezoning and variance applications seeking to develop or otherwise use the property as a townhome or for a townhome development from September 15, 2022 to September 19, 2022 and authorize the Mayor to sign and execute all related documents.

No discussion took place on this item.

- D. ORD2022-12 Public Hearing: Approval of Ordinance ORD2022-12 - Annexation request (60% owners requesting annexation) - all tract or parcels as attached and defined in the issue and background section, of land lying and being in Land Lot 191, 242 and 243 of the 17th District, 2nd Section, Cobb County, Georgia; a subdivision known as Heritage Mill Subdivision to be effective September 1, 2022 and part of Ward 4 and authorizes the Mayor to sign and execute all related documents.

This is the last phase of the annexation process.

- E. ORD2022-15 Public Hearing: Approval of Ordinance ORD2022-15 - Annexation request (60% owners requesting annexation) - all tract or parcels as attached and defined in the issue and background of land lying and being in Land Lot 466 and 471 of the 17th District, 2nd Section, Cobb County, Georgia; a subdivision known as Vinings Brooke Subdivision to be effective September 1, 2022 and part of Ward 7 and authorizes the Mayor to sign and execute all related documents.

This is the last phase of the annexation process.

- F. ORD2022-16 Public Hearing: Approval of Ordinance ORD2022-16 - 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 Lot 611 of the 17th District, 2nd Section, Cobb County, Georgia; a subdivision known as Buckland Oaks Subdivision to be effective September 1, 2022 and part of Ward 7 and authorizes the Mayor to sign and execute all related documents.

No public hearing is required because it is 100% participation. Councilmember Welch asked Mr. Martin if there are other neighborhoods that have inquired about annexing into the City of Smyrna. Mr. Martin stated that he received an email from the Stoney Brook and Vinings Springs communities, but neither are contiguous so they are trying to get 100% participation. And there is an 86-acre, undeveloped tract of land that wants

to annex.

5. Privilege Licenses:

- A. LIC2022-10 Privilege License Request LIC2022-10 - Beer and Wine (retail package) - 3418 South Cobb Drive SE - Shah Kwik Mart, LLC dba Kwik Mart with Pathik Shah as agent.

No discussion took place on this item.

6. Formal Business:

- A. AGR2022-29 Approval of the proposed agreement with Croy Engineering (200 Cobb Parkway North, Building 400, Suite 413, Marietta, Ga. 30062) for professional services for Program Management of the 2022 SPLOST as requested for the fiscal year 2023 in the amount of \$420,000.00 for the projects as outlined in the attached proposal and authorize the Mayor to sign and execute all related documents.

Councilmember Welch stated he wants a clause in the agreement that Croy Engineering will provide Finance and Council with quarterly updates.

- B. AGR2022-30 Approval of the proposed agreement with Croy Engineering (200 Cobb Parkway North, Building 400, Suite 413, Marietta, Ga. 30062) for professional services for Program Management of the 2016 SPLOST as requested for the fiscal year 2023 in the amount of \$108,000.00 for the projects as outlined in the attached proposal and authorize the Mayor to sign and execute all related documents.

This is the same as the management of the 2022 SPLOST. Finance asked that an annual PO be given for tracking purposes.

- C. CON2022-12 Approval of the contract for Guaranteed Maximum Pricing between the City of Smyrna and Winter Construction Company (5616 Peachtree Road, Suite 100, Atlanta, Georgia 30341) for the Downtown Improvements - Green Space as referenced and approved in the agreement AGR2022-07 authorized by Mayor and Council on April 18, 2022 and authorize the Mayor to sign and execute all related documents.

Councilmember Welch stated he would like to see a cost summary on where the City stands on the downtown development project.

A brief presentation was given to Mayor and Council explaining the Guaranteed Maximum Price.

- D. RES2022-11 Approval of Resolution RES2022-11 for the City of Smyrna, Georgia adopting redistricting criteria for the redistricting of the City Council Ward's following the 2020 Census and authorize the Mayor to sign and execute all related documents. This acknowledges the criteria used for redistricting adhering to legal standards. The Council has to vote in two consecutive Council Meetings. They do not go into effect until January 1, 2023.

7. Commercial Building Permits: None

8. Consent Agenda: No discussion took place on any items in the Consent Agenda.

- A. MIN2022-53 Approval of the July 28 , 2022 Committee of the Whole Meeting Minutes.
- B. MIN2022-59 Approval of the August 1, 2022 Special Called Meeting of the Mayor and Council.
- C. MIN2022-54 Approval of the August 1, 2022 Pre-Council Meeting Minutes.
- D. MIN2022-55 Approval of the August 1, 2022 Mayor and Council Meeting Minutes.
- E. 2022-397 Approval to use Council Chambers for a joint Town Hall Meeting (Wards 1, 2 and 3), October 4, 2022, 7:00pm at A. Max Bacon City Hall, 2800 King Street SE, Smyrna Ga. 30080.
- F. 2022-401 Approval to use Council Chambers for a joint Town Hall Meeting (Wards

3 and 6), November 16, 2022, 7:00pm at A. Max Bacon City Hall, 2800 King Street SE, Smyrna Ga. 30080.

- G. 2022-410 Approval to use Council Chambers for a Town Hall Meeting on the proposed townhome design standards on Tuesday, August 23, 2022, 6:30 pm at A. Max Bacon City Hall, 2800 King Street SE, Smyrna Ga. 30080.

- H. 2022-411 Authorize the closing of downtown streets (managed by Smyrna PD) for the purpose of setup, facilitation and breakdown of the new Culture & Spirit Festival along with the 150th Birthday Celebration with Fireworks display to be held on Saturday, October 8, 2022 from 11:00 am until 10:00 pm with setup beginning as early as needed around City Hall and the Market Village - along with assets delivery and placement along various corridors - on Friday, October 7 and breakdown and removal of assets to begin at the conclusion of the festivities on Saturday, October 8 - streets opened early Sunday, October 9 am - with some assets to be collected on Monday, October 10 within open parking lots and along open roadways.

- I. 2022-415 Placeholder - Ward 5 Planning and Zoning Boardmember appointment.

- J. 2022-416 Placeholder - Public Safety Event with Street Closings

4. Other Business (as needed)

A. [COW22-12](#) City Administrator project updates and review of City business

Discussion took place regarding the updated information received by the City Administrator's office pertaining to Aunt Fanny's Cabin.

Joe Bennett, City Administrator, stated that Jim Lane, the individual whose proposal was accepted by the City of Smyrna to remove Aunt Fanny's Cabin, had his variance hearing in Mt. Zion on August 9, 2022. On August 10, 2022, Mr. Bennett learned that the City of Mt. Zion had tabled Mr. Lane's request indefinitely because his application was incomplete. Mr. Lane chose to relinquish any rights he had to Aunt Fanny's Cabin back to the City of Smyrna. Mr. Bennett then reached out to Ms. Shockley who had the only other acceptable proposal. Ms. Shockley told Mr. Bennett she had purchased the land that she would have moved the cabin to, but she was too far along in the design process to be able to take the cabin because it would no longer fit the space. Mr. Bennett reviewed the other two proposals that had failed to meet the minimum requirements of the RFP. Those two proposals did not identify land to move the cabin to - one proposed to leave the cabin where it is, and the other proposed a location to be determined.

Mayor Norton reminded the Council that the decision made by this Council was to demolish the cabin if they did not have an acceptable proposal to move forward with. He reiterated that this body has progressed through this process thoroughly for almost a year and even extended the deadline for proposals to accommodate requests. At this juncture, the City has no acceptable proposals, has a condemned building, and the dismantling of the cabin had already begun by Mr. Lane.

Mr. Bennett gave the timeline of events in order to explain how this situation came about:

* Mr. Lane had received verbal permission from Mt. Zion to move the cabin to his property.

* Mr. Lane began dismantling the building - the two chimneys were disassembled and a wall was removed.

* Mr. Lane was summoned to Mt. Zion for a meeting when he was told he would need

to get a variance.

* All deconstruction stopped.

* Smyrna staff covered a significant hole in the roof of the cabin so it did not incur damage while awaiting the decision from Mt. Zion.

- Councilmember Lindley stated that the Council has thoroughly vetted this issue and has exhausted all measures. It is time to demolish the building and move on.

- Councilmember Wheaton echoed Councilmember Lindley's points. The site where the cabin sits is also where the memorial for Fanny Williams is to be placed. If the cabin stays, it presents a hindrance to be able to place a proper memorial there which is what the Committee's purpose is. It is time to move forward.

- Mayor Pro Tem/Councilmember Gould agreed with Councilmembers Lindley and Wheaton. The Committee to Honor Fanny Williams is in the process of finalizing the mission statement upon which an RFQ/RFP will be sent out to the art community. The committee is targeting NOMA, the National Organization of Minority Architects.

- Councilmember Welch stated he does not support tearing the cabin down because he believes there is historic significance there.

- Councilmember Pickens expressed that the decision has been made, and it seems clear no one wants to take the cabin.

- Councilmember Wilkinson stated that she feels strongly it should not be torn down. She mentioned a letter from the AIA who offered their services to assist.

- Councilmember Hines stated that from her understanding, the vote has already taken place. The cabin was not removed from the property, so now it needs to be demolished. She continued and stated that speaking personally as a Black woman, not as a new council member, she wants the City's commitment that there is something truly significant there - not the cabin - to honor the woman Fanny Williams. She further asked that she be added to the Committee to Honor Fanny Williams because Fanny Williams was more than a cook.

Mayor Norton stated that from the conversation, two council members do not want to demolish the cabin, five do. City Attorney Scott Cochran said that it should be noted that the decision from the previous vote is not being changed.

Council and Staff Updates:

Joe Bennett, City Administrator, stated that Dat Luu, Assistant IT Director, has won an award for Outstanding Professional from GMIS International. Mr. Luu explained he will be receiving the award at the conference being held in Las Vegas, NV. Hiring is occurring in Public Works, specifically Sanitation has had a slight increase of applicants, but Public Works is still down several employees. Phones were down for a couple days, but IT has done a great job of fixing that.

Councilmember Hines stated that she is excited about the Ward 2 town hall on August 30, 2022 at the Community Center.

Councilmember Wheaton stated there will be a Ward 7/Short-term Rental meeting coming up.

Mayor Pro Tem/Councilmember Gould stated that he is looking forward to the addition of Councilmember Hines to the Committee to Honor Fanny Williams.

Councilmember Welch stated that the Smyrna Historical Society is doing a narrated tour on September 10, 2022. There will also be a cookbook published which will be

focused on recipes of a certain era.

Councilmember Wilkinson stated that Jill Gordon-Evans is very excited about serving on the Planning and Zoning Board.

Penny Mocer, Deputy City Administrator, had a good planning session with members of the community for the Hispanic Heritage celebration.

Mayor Norton asked if the City of Mableton passes, will annexed properties have an address change? Ms. Mocer stated it should not affect the addresses as it stands currently.

5. Executive Session (as needed)

6. Adjournment

Mayor Derek Norton adjourned the August 11, 2022 Committee of the Whole Meeting at 7:54 PM.