

June 11, 2020
Committee of the Whole Meeting Minutes
FINAL

PRESENT: Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Austin Wagner, Councilmember Travis Lindley, Councilmember Corkey Welch, Councilmember Tim Gould, Councilmember Lewis Wheaton

ABSENT: Councilmember Susan Wilkinson

STAFF: Scott Cochran, Penny Mocer, Landon O'Neal, Heather Peacon-Corn, Kevin Moore, Kristin Robinson, Janet Liberman, Jennie Eldredge, Joe Bennett, Richard Garland, Kelly Brown, Roy Acre, Rusty Martin and Joey Staubes

Derek Norton called the June 11, 2020 meeting of the Committee of the Whole to order at 6:00pm.

He began by introducing the newly appointed Annexation Committee for the Annexation Study. Mayor Derek Norton will be the Chair with Councilmember Lewis Wheaton, Mayor Pro tem Tim Gould and Councilmembers Travis Lindley making up the rest of the committee.

Mr. Robert Harrison came forward and spoke about the Indie Arts Project he wants to initiate with the City's approval and support. Phase 1 would be traveling art displays all over the City. Phase 2 would be located behind the History Museum and the block wall would be utilized for murals. He discussed possible options for funding, such as Crowd Sourcing and City Budget.

Councilmember Welch asked if Public Works could clean the wall up and make it presentable in its current state. He also asked the old brass plaques that are back in that area and wants someplace to put those items. He also questions the right of way owner and who dumped the railroad ties. Mr. Harrison responded that it is CSX who is using it for railroad tie storage. He would also like to have final approval of any murals that are painted there.

Mayor Norton moved to item C which is seminar ideas regarding race and Councilmember Lewis Wheaton spoke about the group that would be leading these sessions with the public as well as Council and Staff. He has discussed very briefly this with the Georgia Health Policy Center, a group his wife has association with, however, she would not be involved with this project.

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Councilmember Welch has concerns that the some of the groups wanting to participate may not have good intentions. Councilmember Tim Gould wants to move forward with this item and Councilmember Wheaton is willing to head this group.

Mayor Norton wants a presentation from the group before Council. Councilmember Wheaton will make the arrangements for this request.

Mayor Norton spoke about the Non-Discrimination Ordinance item to come before Council and he spoke about the Legislature voting on a bill in the next few weeks and waiting until they passed the Hate Crimes Legislation. He also wants to wait until the shelter in place is lifted to allow all to participate in comment in a public hearing / town hall type of event.

Attorney Scott Cochran discussed the Hate Crimes Bill and the Non-Discrimination Ordinance. He asked if there is a formal Committee to review these items and Mayor Norton responded , there is not. He would like to see a special called meeting / town hall the week of July 6th.

Police Chief Joe Bennett discussed recent events as well as the current policies in place regarding Use of Force. There are Eight Can't Wait policies and procedures for the Police Department that the public is asking be in place and Chief Bennett noted that we have all 8 spread across three policies and currently have 6 of the 8 in place in the same verbiage, and the additional two are in place with similar verbiage and are in the Vehicle Pursuit policy. The PD has transferred that to the Use of Force policy.

Mayor Norton spoke about the Public Safety Review Board and the reorganization of this group to review use of force situations on a quarterly basis. It will include educators, business owners, citizens and will meet one evening a quarter, review high profile incidents and be transparent with the group, show them the videos of use of force, pursuits, etc., and receive their feedback. The participants will be Reverend Hale of Smyrna First United Methodist Church, Pete Mortakis of United Distributors, citizen Allegra Goodman, citizen Steve Rasen, Dr. Ashley Campuli, principal at Belmont Hills.

Mayor Norton spoke about his personal interaction and experience after a high speed chase that crashed into his neighbors home across the street with a fatality. Watching our guys respond and working together was tremendous.

Mayor and Council Agenda Review:

The governor's new executive order will be reviewed by Mayor Norton during the Mayoral Report section.

Item A under Land Issues is a 75 unit senior living facility discussed by Planner I Joey Staubes. This was This item was previously scheduled back in March before COVID-19 and is a zoning amendment. Originally was scheduled to be two buildings (one three story and one four story), and they will consolidate to one four story building with 75 units.

Item B was discussed by City Attorney Scott Cochran and he remarked that this is one of the final condemnations on Windy Hill. Michaels Clothing Store will be keeping his building and we are taking all his parking.

Mayor Derek Norton recused himself from the discussion regarding this item for an RFQ submitted for the Energy Contract.

City Attorney Scott Cochran remarked that his item had received a bid protest late this afternoon and he had not had a chance to review it. He felt like there might be a possibility of tabling the item based on the protest received.

Environmental Services Director Janet Lieberman and Finance Director Kristin Robinson spoke about the process and answered questions regarding the same. This was an RFQ and no monetary quotes were received.

Scott Cochran remarked that the protest alleged that there was a tie in for the qualifications and the losing bidder was protesting based on the fact there is no tie breaking policy within the current purchasing policy.

Ms. Liberman stated there were sixteen people who expressed interest in the RFQ, four submitted documents, three were returned with a presentation and it was reduced to two groups whose references were reviewed. Schneider was the choice based on several factors.

Mr. Cochran wants the Council to review the protest and discuss at Monday's pre-council meeting to see if the protest is valid and should be responded to.

Ms. Liberman stated that the following people were on the Committee:

Janet Liberman
Kristin Robinson
Richard Garland
Tammi Saddler Jones
Landon O'Neal
Frank Martin
Bill Warren

The vote by the committee was unanimous in choosing Schneider. Ms. Liberman replied that the due diligence was done for these decisions and she firmly stands behind the choice of Schneider for the project.

Councilmember Welch asked some questions regarding scope of service. The Schneider representative was present and responded that they will act as the general contractor following the City's recommendations. They would design, install and guarantee the savings for the projects. They do not receive a consulting fee.

Mr. Cochran remarked that there is a three-page contract that has a "walk away" fee if the City does not do any projects as brought forward. The fee is to cover the design time that has been put into the projects. The City would retain those designs and be able to move forward with their own contractor to do the work.

Mayor Pro Tem Gould remarked that the item would remain on the agenda for formal vote and further discussion would occur at Pre-Council on Monday.

Mayor Norton returned to the meeting.

The RFP item for the remodel of some of the Community Center bathrooms was discussed by Parks and Rec Director Richard Garland. 13 bids were received and Everlast was the lowest with Folley Design as the project manager. The main floor men's and women's restrooms as well as locker rooms and lounge area would be reconfigured and updated.

Mayor Norton spoke about the reclassification for the Chief Building Officer position and the current employee Anthony Carter. Community Development Director Rusty Martin stated that we are lucky to retain him because his knowledge is vast as is his skillset and he does the job of two people.

Mayor Norton reviewed the Consent agenda and commented that it was inappropriate for Council to influence staff regarding the wording of official minutes. Any changes to the minutes could be made upon issuance of them at a public meeting.

Ward Reports:

Ward 1 Councilmember Glenn Pickens had no report.

Ward 2 Councilmember Austin Wagner Glenn spoke about the eviction relief fund similar to the one in Clarkston, Georgia. He spoke to Tammi Saddler Jones and spoke to representatives in Clarkston about other options. It was noted that involvement from Support Smyrna could be utilized at a later date but it was currently a venue for providing food and meals. Councilmember Welch replied that he had reservations about taking taxpayer monies to give to citizens to pay their rent. There will be further offline discussion. Mr. Cochran reminded Council that the Smyrna Housing Authority could work and assist this project.

Ward 3 Councilmember Travis Lindley spoke about the conversation with Smyrna Feed and Seed to host the Farmer's Market in light of the City not receiving any applications for a Market Manager.

Mr. Lindley asked about the current bike share program with Zagster and Mr. Garland replied that the program would be ending and it was not fiscally feasible to purchase the bikes.

City Administrator Tammi Saddler Jones asked Museum Director Jennie Eldredge to speak about the request for \$2,500 additional funds to do a ground penetrating survey at the cemetery. The Council verbally approved this expense.

Ward 4 Councilmember Corkey Welch had not report.

Ward 6 Mayor Pro tem / Councilmember Tim Gould asked how citizens could get questions answered from the Police Department.

He also discussed the upcoming protest for peace march organized by the Campbell Middle School students. He stated that the PD had attempted several times to contact the person incharge of the event to have further discussion and received no response. They did speak with an advisor at the school.

The march will leave the school at 10:00am and walk to the police department, returning to the school by 12:30pm.

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Chief Bennett commented that there were additional events on Saturday and Sunday and he had concerns about continuing to utilize PD resources, staff and funds. He stated the officers were tired and were not getting adequate days off.

Mr. Gould spoke about a possible 8th grade recognition parade. Landond O'Neal and Penny Mocerri were handling the details and organization of this event.

Ward 7 Councilmember Lewis Wheaton gave Penny Mocerri and Joey Staubes recognition for their work on a grant project.

He also remarked about a zoning application before Cobb County for a concrete crushing business outside city limits but adjacent to Smyrna neighborhoods

Finance Director Kristin Robinsons showed Council the upcoming tax ads that would be published for property taxed. She explained although the notice states tax increase, the City includes a paragraph explaining we roll the millage rate back. Will be published initially notice of a tax increase.

Mayor Norton will present our SPLOST list on June 18 along with other Cobb Mayors and Cobb County Commission Chairman Boyce.

Parks and Rec Director Richard Garland spoke about the playground replacement at North Cooper Lake and that the equipment structure was being replaced within a warranty period due to excessive cracking.

Community Development Director Rusty Martin spoke about the King Springs Elementary request for extended work hours and Council agreed to allow the extension.

The June 11, 2020 Committee of the Whole Meeting was adjourned AT 8:09 pm.