



City of Smyrna

A. Max Bacon City Hall
Council Chambers
2800 King Street SE
Smyrna, GA. 30080

Meeting Minutes - Final City Council

Monday, June 20, 2022

7:00 PM

A. Max Bacon City Hall - Council Chambers

Roll Call

Present: 5 - Councilmember Glenn Pickens, Councilmember Travis Lindley, Councilmember Charles Welch, Councilmember Susan Wilkinson and Councilmember Lewis Wheaton

Absent: 2 - Mayor Derek Norton and Mayor pro tem / Councilmember Tim Gould

Also Present: 1 - Scott Cochran

Staff: 3 - Joe Bennett, Penny Mocerri and Heather Peacon-Corn

Call to Order

Acting Mayor / Councilmember Travis Lindley called the June 20, 2022 meeting of the Mayor and Council to order at 7:00 PM.

1. Invocation and Pledge:

Rev. Bruce Griffith, Smyrna First United Methodist Church (1315 Concord Rd) offered the invocation and Pledge of Allegiance.

2. Agenda Changes:

There were no agenda changes.

3. Mayoral Report:

A. [PRC2022-13](#) Proclamation In Recognition of Juneteenth

*A PROCLAMATION
BY THE MAYOR OF THE CITY OF SMYRNA
In Recognition of Juneteenth
June 19, 2022*

Whereas: Juneteenth, also known as Freedom Day or Emancipation Day, is celebrated each year on June 19th in the United States to commemorate the end of slavery; and

Whereas: though the Emancipation Proclamation had been issued on September 22, 1862, with an effective date of January 1, 1863, it had minimal immediate effect on most slaves' day-to-day lives, particularly in Texas, which was almost entirely under Confederate control; and

Whereas: Juneteenth commemorates June 19, 1865, the day Union General Gordon Granger and 2,000 federal troops arrived in Galveston, Texas, to take possession of the state and enforce the emancipation of its slaves; and

Whereas: Juneteenth is the oldest known celebration of the ending of slavery. The celebration of June 19th was coined "Juneteenth" and grew with more participation from descendants. Juneteenth today celebrates African American freedom while encouraging self-development and respect for an cultures; and

Whereas: on June 17, 2021, the Juneteenth National Independence Day Act was signed into law, which established Juneteenth as an official federal holiday; and Whereas: in recognizing the holiday of Juneteenth in the City of Smyrna, we acknowledge the challenges, successes, tribulations, and perseverance of all those who lived during these periods in our history; Now

Therefore: I, Derek Norton, Mayor of the City of Smyrna, Georgia, do hereby proclaim June 19, 2022, as Juneteenth in the City of Smyrna and encourage the community to join the commitment for anti-racism, racial and social justice, by encouraging a day of reflection, recognition, acknowledgement, and healing.

Councilmember Lewis Wheaton read aloud the Proclamation in Recognition of Juneteenth.

4. Land Issues/Zonings/Annexations:

There were no land issues, zonings or annexations.

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

A. [2022-286](#)

Approval of the replacement of all front-line Self Contained Breathing Apparatus (SCBA) for the Fire Department, to be purchased from Municipal Emergency Services (6701-C North Park Blvd, Charlotte, NC 28216) using the NPPGov Contract # PS20120 in the amount of \$177,276.00, to be funded from the 2022 SPLOST and authorize the Mayor to sign and execute all related documents.

Ward / Citywide

Joe Bennett, City Administrator, presented the following background:

The City of Smyrna Fire Department budgeted to replace current SCBA (Self-Contained Breathing Apparatus) with 22 each - Air-Pak X3 Pro. The current SCBA equipment has reached the end of service life and it is recommended to transition to current NFPA Standard 1981, 2018 Edition. The new equipment includes "As Long as You Own It - Air-Pack SCBA Warranty".

A motion was made by Councilmember Glenn Pickens to approve item 2022-286 for the approval of the replacement of all front-line Self Contained Breathing Apparatus (SCBA) for the Fire Department, to be purchased from Municipal Emergency Services (6701-C North Park Blvd, Charlotte, NC 28216) using the NPPGov Contract # PS20120

in the amount of \$177,276.00, to be funded from the 2022 SPLOST and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Lewis Wheaton.

The motion to approve carried by the following vote:

Aye: 4 - Councilmember Pickens, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

Absent: 2 - Mayor Norton and Mayor pro tem / Councilmember Gould

B. [2022-320](#)

Appointment of Deputy City Administrator, Penny Mocer, to serve as the Chairperson of the License and Variance Board effective July 1, 2022 upon the retirement of current Chairperson / Fire Chief Roy Acree and for all other boardmembers and alternate boardmembers to remain the same.

Ward / City Wide

Joe Bennett, City Administrator, presented the following background:

With the upcoming retirement of Fire Chief Roy Acree, the Chairperson position on the License and Variance Board must be filled. Previous boardmembers have included a member of the Administration staff. There has not been an Admin staff member since 2020, therefore, the request is made for the appointment of the Deputy City Administrator to serve as the Chairperson for the License and Variance Board.

A motion was made by Councilmember Glenn Pickens to approve 2022-320 for the appointment of Deputy City Administrator, Penny Mocer, to serve as the Chairperson of the License and Variance Board effective July 1, 2022 upon the retirement of current Chairperson / Fire Chief Roy Acree and for all other boardmembers and alternate boardmembers to remain the same; seconded by Councilmember Charles Welch.

The motion to approve carried by the following vote:

Aye: 4 - Councilmember Pickens, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

Absent: 2 - Mayor Norton and Mayor pro tem / Councilmember Gould

C. [POL2022-03](#)

Approval of the revised 2022 City Holiday calendar to include Juneteenth and Veteran's Day as observed paid holidays for eligible staff.

Ward / Citywide

Joe Bennett, City Administrator, presented the following background:

Juneteenth was recognized as a federal holiday on June 17, 2021, when President Joe Biden signed the Juneteenth National Independence Day Act into law. Cobb County and several of its cities have adopted this day as an observed holiday. Additionally, Veteran's Day will also be added to the City's observed holiday schedule, bringing the total observed holidays to a total of 12 scheduled holidays and one floating holiday for the 2022 calendar year.

A motion was made by Councilmember Pickens to approve and adopt POL2022-03 for the revised 2022 City Holiday calendar to include Juneteenth and Veteran's Day as observed paid holidays for eligible staff; seconded by Councilmember Lewis Wheaton.

The motion to approve and adopt carried by the following vote:

Aye: 4 - Councilmember Pickens, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

Absent: 2 - Mayor Norton and Mayor pro tem / Councilmember Gould

D. [CON2022-05](#)

Approval of a work order with Georgia Power in the amount of \$716,976.00 from the Green Energy CIP Fund for the replacement of interior and exterior lighting at City Hall and for the installation of new HVAC controls for Brawner Hall, City Hall, Community Center and Library, Police Station and Jail, Fire Station 1 and the Wolfe Center and to authorize the Mayor to sign and execute all related documents.

Ward / Citywide

Joe Bennett, presented the following background:

Over the past months, City staff has been working with Georgia Power to identify and prioritize energy conservation projects from their audit which was presented to Council at the April 18, 2022 Committee of the Whole meeting. Staff has identified two critical projects from the audit which can be completed utilizing Green Energy CIP funds.

First is the purchase and installation of new HVAC controllers for Brawner Hall, City Hall, Community Center and Library, Police Station and Jail, Fire Station 1 and the Wolfe Center. The integration of our HVAC units to a common control system and replacement of those systems with obsolete technology is necessary for the continued operation of our HVAC units citywide. The cost to complete this portion of the project is \$360,901.00.

Additionally, with this project we plan to address the interior and exterior lighting of City Hall. Including: interior LED lighting; retrofitting cans/tubes for council chambers; replacement of the dimming and controls system; replacement of theatrical spots with LEDs; 150 exterior bollards and 20 decorative poles. The cost to complete this portion of the project is \$356,075.00 which includes a \$5,000.00 energy savings rebate.

When completed, the potential energy savings is estimated to be around 140,000 kWh per year which is equivalent to offsetting 61 metric tons of CO2. The savings are equivalent to reducing green house emissions from 6,800 pounds of coal burned, and 7,355,123 smart phones charged.

A motion was made by Councilmember Lewis Wheaton to approve item CON2022-05 for the approval of a work order with Georgia Power in the amount of \$716,976.00 from the Green Energy CIP Fund for the replacement of interior and exterior lighting at City Hall and for the installation of new HVAC controls for Brawner Hall, City Hall, Community Center and Library, Police Station and Jail, Fire Station 1 and the Wolfe Center and to authorize the Mayor to sign and execute all related documents; seconded by Councilmember Glenn Pickens.

The motion to approve carried by the following vote:

Aye: 4 - Councilmember Pickens, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

Absent: 2 - Mayor Norton and Mayor pro tem / Councilmember Gould

7. Commercial Building Permits:

There were no commercial building permits.

8. Consent Agenda:

A motion was made to approve the consent agenda by Councilmember Glenn Pickens as read aloud; seconded by Councilmember Charles Welch.

The motion to approve carried by the following vote:

Aye: 4 - Councilmember Pickens, Councilmember Welch, Councilmember Wilkinson and Councilmember Wheaton

Absent: 2 - Mayor Norton and Mayor pro tem / Councilmember Gould

- A.** [MIN2022-41](#) Approval of the June 2, 2022 Committee of the Whole Meeting Minutes
Ward / Citywide
These Minutes were Approved on the Consent Agenda.
- B.** [MIN2022-42](#) Approval of the June 6, 2022 Pre-Council Meeting Minutes
Ward / Citywide
These Minutes were Approved on the Consent Agenda.
- C.** [MIN2022-43](#) Approval of the June 6, 2022 Mayor and Council Meeting Minutes
Ward / Citywide
These Minutes were Approved on the Consent Agenda.
- D.** [2022-318](#) Amendment to the authorization of street closures of the Upper Market Village (around the fountain area) as well as use of the street and center landscape section along W. Spring Street from the circle to the midsection at Café Lucia (see site map) for the Smyrna is Fabulous Event Saturday, June 25, 2022 from 9:00 am-6:00 pm. the start time previously approved by Council was 10:00 am.
Ward 3 / Councilmember Lindley
This Authorization was Approved on the Consent Agenda.
- E.** [2022-321](#) Retroactively authorize the emergency expenditure of Green Energy CIP funds to MAXAIR Mechanical for the repair of the walk-in cooler and walk-in freezer for the Smyrna Jail in the amount of \$29,814.00. (\$13,943.00 for the cooler and \$15,871.00 for the freezer).
Ward 3 / Councilmember Lindley
This Authorization was Approved on the Consent Agenda.

9. Ward / Committee Reports:

Councilmember Susan Wilkinson wished all a happy Fourth of July.

Councilmember Lewis Wheaton discussed the Short-term Rental Ordinance. There will be a Ward 7 meeting to discuss.

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

Jamie Rolston, president of the Ennisbrook HOA, read from a prepared statement:

Hello Mayor Norton and Councilmembers,

My name is Jamie Ralston and I am the President of the Ennisbrook Community Association, a gated community at Church & Old Concord Roads. I am here tonight along with my fellow board members to request a meeting with the Mayor and City Directors to address the following objectives:

- 1. To understand the City's responsibility to maintain and replace water and sewer mains that run under private streets en-route to an end user's meter.*
- 2. To understand how user fees paid to the City 's Enterprise Fund are allocated to maintain capital infrastructure.*
- 3. To understand the City's original engineering approval and legal agreements with the developers of Ennisbrook.*
- 4. To understand how City services to residents of Ennisbrook have changed since the inception of the development.*
- 5. To discuss a path forward for more transparent dialogue between the City and Ennisbrook in order to understand current and future planned work that has an impact on our community.*

For example, over 3 weeks ago the City dug a very large trench at the Old Concord Rd perimeter, and has left it open and vacated ever since. I had to call the City to find out from the Water Supervisor that a master meter was being installed. Why was there no advance communication to Ennisbrook about this? What is the purpose of the meter and how will that affect Ennisbrook? Additionally, the City' s refusal to maintain the water and sewer mains that serve 175 City of Smyrna homeowners has had an enormous impact on the community.

The Ennisbrook Board has made numerous requests by phone, voicemail, email, and letters to meet with City Officials. It is my hope that you respond to our earnest attempts to resolve these issues, and agree to meet with me and fellow Board members.

Thank you,

*Jamie Ralston
President - Ennisbrook Community HOA*

Jamieralston@gmail.com
(770) 403-4034

12. Adjournment:

Acting Mayor / Councilmember Travis Lindley adjourned the June 20, 2022 meeting of the Mayor and Council at 7:21 PM.