



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final Committee of the Whole

Wednesday, December 2, 2020

6:00 PM

Community Center Magnolia Room

**** NEW DATE ****

Smyrna Community Center Magnolia Room / 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 7 - Mayor Derek Norton, Councilmember Travis Lindley, Councilmember Austin Wagner, Councilmember Charles Welch, Councilmember Susan Wilkinson, Mayor pro tem / Councilmember Tim Gould, and Councilmember Lewis Wheaton

Absent 1 - Councilmember Glenn Pickens

Also Present 0

Staff 12 - Roy Acree, Julie Barwig, Jennifer Bennett, Joe Bennett, Scott Cochran, Frank Durrance, Richard Garland, Russell Martin, Penny Mocerri, Kevin Moore, Heather Peacon-Corn, and Joey Staubes

1. Call to Order

Mayor Derek Norton called the December 2, 2021 Committee of the Whole Meeting to order at 6:00PM.

2. New Business

A. [COW20-23](#)

Discussion regarding an Essential Workers Appreciation Day - Councilmember Lewis Wheaton

Councilmember Lewis Wheaton spoke about doing a proclamation to honor essential workers in the City and have different persons represent the different essential worker areas.

B. [COW20-11](#)

Parks and Rec Tennis Court Reservations Discussion - Parks and Rec Director Richard Garland

Parks and Rec Director Richard Garland spoke about the difficulties with tennis court reservations. People were calling everyday right at 8am and the phone was bombarded so it is rolling to City Hall receptionists and within an hour the reservations are completely booked.

The overview given was as follows:

Basically, people call the office every morning, we reserve their court time based on what they asked for a particular park. Teams will reserve courts to practice as well. And if someone shows up and doesn't check the reservation sheet and no one is on the court at the moment, they just start using it. And we don't have anyone answering phones on the weekends so people are calling making reservations for three days through the weekend.

So to streamline the process we want to utilize an online reservation system. Tennis Instructors are being encouraged to teach more classes at Rose Garden to alleviate some of the backup at Tolleson.

C. [COW20-21](#)

Adoption of Resolution 2020-12 for defining and cataloging gifted property at the Smyrna Museum and authorize the Mayor to sign and execute all related documents - Interim Assistant City Administrator Penny Mocerri.

The City has taken over operation of the Smyrna Museum and through that process found various items of property with no historical significance or other value; and over several years this property was received from unknown sources who have made no efforts to claim the property; and this property has continuously remained in the museum from the time that it was received. Additionally, the property has not been claimed by any person within 90 days of its discovery; and the City reasonably assumes that this property was intended as a gift. Therefore in an effort to catalog and reasonably display meaningful pieces, as well as remove gifted pieces with no historical significance, the City wishes to adopt this resolution.

Jennie Eldridge, Museum Manager, came forward to speak regarding the resolution regarding items gifted to the museum. The museum currently houses a whole lower floor of donated items that are not currently on display as well as three storage units that everything from vacuum cleaners to organs that have been donated. Proper procedure is to contact the donors and ask what they want done with the donated items. The intent is to remove all the items from the storage units as well as the POD that currently sits in the parking lot and then move through the items that are in the lower lobby and remove as much excess donation as possible. The museum was treated as a general donation center, such as a Goodwill, for too many years and the results are overwhelming.

Ms. Eldridge spoke about an extensive timeline to catalog, notify and disperse museum items. Interim City Administrator Joe Bennett and Interim Assistant City Administrator Penny Mocerri have both been to the museum on several occasions as well as the storage units. They have visually inventoried the items and discussed with Ms. Eld

3. Review of the Mayor and Council Agenda

A. [COW20-20](#)

Review of the December 7, 2020 Mayor and Council Meeting Agenda.

Mayor Norton reviewed the December 7, 2020 Mayor and Council Agenda as follows:

5A. - Viking Alchemist Privilege License for Brewery and Retail Pouring. Rusty Martin gave background regarding the business and their request.

5B. - Go Puff Privilege License, Retail Package. Rusty Martin gave background regarding the business and their request.

5C. - Sparkles Privilege License, Retail Packaging - this item will be tabled until the January 4, 2021 M&C Meeting.

6A. Ord2020-21 - City Attorney Scott Cochran reviewed the state code for compliance and found the City's definition of gross receipts varies from the State's definition. Community Development is recommending a text amendment to bring the City's definition of gross receipts inline with the State's definition. Community Development recommends approval of Ordinance 2020-21 for the amendment of the Code of Ordinances of the City of Smyrna, Chapter 22, Businesses, Article, Administrative Fees, Regulatory Fees and Occupational Taxes to amend Section 22 through 26 - Definitions and authorizes the Mayor to sign and execute all related documents. Councilmember Tim Gould reiterated that this change is to keep the City in line with the current State definitions regarding gross receipts.

6B. Res2020-12 - Museum resolution as previously discussed.

6C. Res2020-13 - In 1998, the City received a gift of property consisting of the rear portion of lot 71 of the Reed and Walker subdivision, the size of the property is 0.176 acres (7653 Square Feet). The property has no road frontage, is landlocked with no access to a public road and sized and shaped as to be incapable of being used independently. An independent appraiser indicated that the property has marginal independent value. This is confirmed by the five thousand-dollar (\$5,000) valuation from the Cobb County Tax Assessor. The highest and best use of the property is to assemble it with the adjoining tract. In accordance with O.C.G.A. § 36-37-6, the City of Smyrna is authorized to dispose of property under certain conditions. The City concludes that this property is a narrow strip of land with no access and is too small to be used independently. A conveyance to the abutting property owner would produce the highest value for the property and facilitate the highest and best use of the abutting owner's property. The abutting property owner has agreed to purchase the property for the sum of \$39,259. A recommendation is offered for the adoption of Resolution 2020-13 approving the sale of a small tract of land consisting of 0.176 acres (7653 Sq Ft.) known as the rear portion of lot 71 or the Reed and Walker Subdivision to the adjoining property owner for the price of \$39,259.89 and authorize the mayor to sign all related documents.

6D. Reappointment of DDA members for a one year term beginning January 1, 2021.

Consent Agenda:

8A, 8B and 8C. Minutes reviewed

8D. Belmont Circle Road Closure for Baldwin Paving reviewed.

4. Other Business (as needed)

5. Executive Session (as needed)

Mayor Norton called for a motion to enter into Executive Session to discuss Personnel matters. A motion was made by Councilmember Corkey Welch; seconded by Councilmember Travis Lindley.

Mayor Norton called for a motion to return to regular session. A motion was made by Councilmember Travis Lindley; seconded by Councilmember Corkey Welch.

6. Adjournment

Mayor Derek Norton adjourned the meeting of the December 2, 2020 Committee of the Whole at 7:41PM.