



# City of Smyrna

2800 King Street  
Smyrna, Georgia 30080

## Meeting Minutes - Final City Council

Monday, October 15, 2018

7:00 PM

Council Chambers

### Roll Call

**Present:** 7 - Mayor Max Bacon, Councilmember Derek Norton, Councilmember Maryline Blackburn, Councilmember Andrea Blustein, Councilmember Charles Welch, Councilmember Tim Gould and Councilmember Ron Fennel

**Absent:** 1 - Councilmember Susan Wilkinson

**Also Present:** 10 - Tammi Saddler Jones, Terri Graham, Scott Cochran, Roy Acree, Scott Andrews, Frank Martin, Davi Santos, Tina Monaghan, Russell Martin and Ken Suddreth

### Call to Order

Mayor A. Max Bacon called the meeting to order at 7:00pm.

#### 1. Invocation and Pledge:

Pastor Brian Downing, Oakdale Church of God (1631 Cooper Lake Rd) delivered the invocation and led all in the Pledge of Allegiance.

#### 2. Agenda Changes:

Mayor Bacon announced that there were agenda changes under Four (4) Land Issues, Zonings and Annexations. Item 4 (A) through 4 (G) would be tabled. There would be an explanation regarding these items when they got to them on the agenda.

#### 3. Mayoral Report:

*Mayor Bacon took the time to thank the Smyrna Fire Department for coming to his house on Saturday, October 13 to help with a vehicle fire in his carport. His 1940 Ford car is a loss but the house was saved. He also thanked his neighbor for helping with his dog.*

#### 4. Land Issues/Zonings/Annexations:

##### A. [2018-433](#)

**Public Hearing** - Variance Request V18-065 - Reduction of building setback from residential property for veterinary clinics from 200' to 60' - 0.31 Acres - Land Lot 632 - 1741 Spring Street - PWH Engineering, Inc.

**Sponsors:** Blackburn

Per the recommendation of City Attorney Scott Cochran, items 4A through 4G were tabled by a motion under Item 4H.

- B.**     [2018-434](#)            **Public Hearing** - Variance Request V18-066 - Reduction of rear setback for an accessory structure from 25' to 5' - 0.31 Acres - Land Lot 632 - 1741 Spring Street - PWH Engineering, Inc.  
**Sponsors:**         Blackburn  
  
Per the recommendation of City Attorney Scott Cochran, items 4A through 4G were tabled by a motion under Item 4H.
- C.**     [2018-435](#)            **Public Hearing** - Variance Request V18-067 - Reduction of residential buffer from 10' to 5' for existing accessory structure - 0.31 Acres - Land Lot 632 - 1741 Spring Street - PWH Engineering, Inc.  
**Sponsors:**         Blackburn  
  
Per the recommendation of City Attorney Scott Cochran, items 4A through 4G were tabled by a motion under Item 4H.
- D.**     [2018-430](#)  
  
Approval of Ordinance 2018-11 - Annexation request (100% of owners requesting annexation) - Land Lot 632, 17th District, 2nd Section, Cobb County, Georgia .33 acre tract - 1741 Spring Street, Smyrna, Georgia, Ward 3 - effective date November 1, 2018  
**Sponsors:**         Blackburn  
  
Per the recommendation of City Attorney Scott Cochran, items 4A through 4G were tabled by a motion under Item 4H.
- E.**     [2018-437](#)            **Final Vote** - Variance Request V18-065 - Reduction of building setback from residential property for veterinary clinics from 200' to 60' - 0.31 Acres - Land Lot 632 - 1741 Spring Street - PWH Engineering, Inc.  
**Sponsors:**         Blackburn  
  
Per the recommendation of City Attorney Scott Cochran, items 4A through 4G were tabled by a motion under Item 4H.
- F.**     [2018-438](#)            **Final Vote** - Variance Request V18-066 - Reduction of rear setback for an accessory structure from 25' to 5' - 0.31 Acres - Land Lot 632 - 1741 Spring Street - PWH Engineering, Inc.  
**Sponsors:**         Blackburn  
  
Per the recommendation of City Attorney Scott Cochran, items 4A through 4G were tabled by a motion under Item 4H.
- G.**     [2018-439](#)            **Final Vote** - Variance Request V18-067 - Reduction of residential buffer from 10' to 5' for existing accessory structure - 0.31 Acres - Land Lot 632 - 1741 Spring Street - PWH Engineering, Inc.  
**Sponsors:**         Blackburn  
  
Per the recommendation of City Attorney Scott Cochran, items 4A through 4G were tabled by a motion under Item 4H.
- H.**     [2018-445](#)            Table items A-C Public Hearings for Variances requests and item D -

Annexation request - Ordinance 2018-11 - Items E, F, and G Final Vote for Variance requests.

*Mayor Bacon asked City Attorney Cochran for some explanation behind tabling 4A-G which were three public hearings, three final votes in relation to the hearings, and an annexation. Mr. Cochran explained there was some pending legal matters regarding this property that had been set to be heard in court later in the week. Mr. Cochran thought it to be wise that the items be tabled for one meeting to hear what the court says in regards to this, therefore it was his recommendation to table these items until the next meeting for further clarification.*

Councilmember Maryline Blackburn made a motion to table items (4) A-C Public Hearings for Variance requests for item (4) D for an annexation request - Ordinance 2018-11 and Item (4) E, F, and G for the Final Vote for Variance requests all items for 1741 Spring Street, to the next Mayor and Council Meeting November 5, 2018; Councilmember Charles "Corkey" Welch seconded the motion.

The motion to table carried by the following vote:

**Aye:** 6 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Gould and Councilmember Fennel

**Absent:** 1 - Councilmember Wilkinson

## 5. Privilege Licenses:

There were no privilege licenses.

## 6. Formal Business:

### A. [2018-427](#) Approval to hire Frank Martin as the permanent Public Works Director

**Sponsors:** Welch

*Ms. Saddler Jones gave the background information regarding the Public Works Director position. Following the unexpected retirement of Public Works Director Scott Stokes back in July 2018, a search was conducted to fill the position. Qualified candidates went through three rounds of interviews. The first round consisted of the City Administrator and Department Heads. The second round consisted of Council Member Corkey Welch, the City Administrator, Deputy County Manager of Cobb County, and Department Heads. The third round was an interview with Mayor Bacon. Upon completion of all interviews, the position was offered to Mr. Frank Martin who is currently serving as the City's Interim Public Works Director. Frank Martin has been working for the City of Smyrna for 32 years. He has served in the following positions: Crew Worker in Water/Sewer Division, Equipment Operator in Water/Sewer Division, and as a Streets Supervisor. In September of 2000, he was promoted to the position of Assistant Public Works Director.*

*Mayor Bacon spoke of Frank Martin and how he worked his way up through the ranks during his thirty two years with the City.*

*Councilmember Charles "Corky" Welch commended Mr. Martin and his longevity with the city.*

Councilmember Charles "Corkey" Welch made a motion to approve hiring Frank Martin

as the permanent Public Works Director with a second by Councilmember Ron Fennel.

The motion to approve was carried by the following vote:

**Aye:** 6 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Gould and Councilmember Fennel

**Absent:** 1 - Councilmember Wilkinson

**B.** [2018-432](#)

Award RFQ 19-005 in the amount of \$112,500.00 for the replacement of Fire Rescue 4 to the lowest bidder, Fouts Bros. Inc., 2158 Atlanta Rd., Smyrna, Ga. 30080 and allow the Mayor to execute any related documents.

**Sponsors:** Norton

*Ms. Tammi Saddler Jones reviewed the background information with the Mayor and Council. This is the scheduled replacement of Rescue 4, and will be funded from the approved Vehicle Replacement Fund (VRF) in Fiscal Year 2019. Four bids were received and the recommendation is to award RFQ 19-005 in the amount of \$112,500.00 for the replacement of Fire Rescue 4 to the lowest bidder, Fouts Bros. Inc., 2158 Atlanta Rd., Smyrna, Ga. 30080 and allow the Mayor to execute any related documents.*

Councilmember Derek Norton made a motion to approve the award RFQ 19-005 in the amount of \$112,500.00 for the replacement of Fire Rescue 4 to the lowest bidder, Fouts Bros. Inc., 2158 Atlanta Rd., Smyrna, Ga. 30080 and allow the Mayor to execute any related documents. Motion was seconded by Councilmember Ron Fennel.

Motion to approve was carried by the following vote:

**Aye:** 6 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Gould and Councilmember Fennel

**Absent:** 1 - Councilmember Wilkinson

**7. Commercial Building Permits:**

There were no commercial building permits.

**8. Consent Agenda:**

*City Administrator Saddler Jones read aloud the items listed for vote on the consent agenda.*

Councilmember Tim Gould made a motion to approve the consent agenda as read aloud by City Administrator Tammi Saddler Jones with a second by Councilmember Derek Norton.

The motion to approve was carried by the following vote:

**Aye:** 6 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Gould and Councilmember Fennel

**Absent:** 1 - Councilmember Wilkinson

- A. [2018-419](#) Approval of the October 1, 2018 Mayor and Council Meeting Minutes  
**Sponsors:** City Council
- B. [2018-425](#) Approval of the October 1, 2018 Pre-Council Meeting Minutes
- C. [2018-426](#) Approval of the 2019 Employee Insurance providers and plans and authorize the Mayor to execute all related documents  
**Sponsors:** Blackburn
- D. [2018-428](#) Approval and adoption of the revised Americans with Disabilities (ADA) Transition Plan and authorize the Mayor to execute related documents  
**Sponsors:** Blackburn
- E. [2018-431](#) Approval to allow Belmont Hills Elementary School to host a Character Parade on October 19, 2018 from 9:00 - 9:20 AM. Road closures include a 272 ft. section of Glendale Place.  
**Sponsors:** Wilkinson
- F. [2018-436](#) Authorize Atkins Park Tavern to serve alcohol (specialty drink, beer, and wine), beyond the boundaries of the premises (of Atkins Park Tavern) covered by the license, at the Smyrna Parks and Recreation's Evolution: Moonshine event at the Reed House, 3080 Atlanta Road on Friday, October 26, 2018 (7:00 p.m. until 10:00 p.m.).  
**Sponsors:** Wilkinson

## 9. Committee Reports:

*Councilmember Andrea Blustein stated that she sat horrified last weekend watching the recent storm coverage on television and hoped that the people will one day be able to resume their lives as normal.*

*Councilmember Maryline Blackburn shared library news from Mary Moore which included the Bi-annual used book sale at Fall Jonquil Fest on October 27 and 28th. The sale will include books for all ages as well as CDs and DVDs. The Friends of the Library booth will be in front of the Community Center in the Village Green. Also, November is National Novel Writing Month and in celebration of this, the Library will be sponsoring a creative writing workshop on November 5th at 6:30pm in the Library Meeting Room.*

*Congratulations to Frank Martin as well as a big welcome to new employees of the City.*

*On October 6th she attended the Sensory Garden Reopening and recommended that everyone take the time to visit.*

*On October 13th, she participated in the City of Smyrna Fire Truck pull and congratulated Fire Station 5 who won the contest.*

*She thanked everyone who came out to the very first Smyrna Streets Alive which took place on Sunday, October 14th including the vendors as well as everyone who worked so hard to pull it all together.*

*To close out her report, Ms. Blackburn wished Mayor Bacon a Happy Birthday.*

*Councilmember Charles "Corkey" Welch reminded everyone to come out Saturday, October 20, 2018 to Keep Smyrna Beautiful (KSB) Adopt-A-Mile which starts at 9am at the Smyrna Recycling Center.*

*Councilmember Tim Gould thanked Westchester Commons HOA for inviting him to participate in their meeting. There was a very productive Education Committee Meeting last week with Maryline Blackburn and Susan Wilkinson. The committee wants to promote communication between the schools, seeing what the City can do to support facilities, promote pedestrian safety and pre-k readiness. He wished Mayor Bacon a Happy Birthday.*

*Councilmember Ron Fennel wished the Mayor a Happy Birthday. He thanked Frank Martin for the 32 years he has given the City and offered his congratulations. He also thanked the Atlanta Braves for a great season. Offered prayers for the victims of the recent hurricanes and asked that everyone do what they could to help those in need. Mr. Fennel spoke of two committee meetings (Finance and Administration Committee and the Special Task Force on Risk Management Committee) which will take place on October 25, 2018.*

*City Administrator Tammi Sadler Jones wished the Mayor a Happy Birthday and offered congratulations to Frank Martin on his new position as Public Works Director.*

*Assistant City Administrator Scott Andrews wished the Mayor a Happy Birthday. He also congratulated Frank Martin.*

*Mayor Bacon wished City Attorney Scott Cochran a Happy Birthday since his birthday was the day after the meeting.*

*City Clerk Terri Graham wished the Mayor a Happy Birthday. Advance voting started on Monday, October 15, 2018 at the main office on Whitlock Avenue in Marietta and starting next week, there will be more locations open for voting. Details and more information regarding voting can be found on the Secretary of State, Cobb County, and Smyrna websites.*

## **10. Show Cause Hearings:**

*There were no show cause hearings.*

## **11. Citizen Input:**

*Linda Vickery, 2620 Hughes Street, spoke about speeders during school time on her road which is a clearly marked dead end. She feels that the City needs more patrols in the area especially in the morning to protect the children going to Smyrna Elementary.*

*Shawanna Mayo, 3529 S Sherwood Road, signed up to speak about safety concerns in relation to a new subdivision by her house including speeding and would like for the City to look into safety issues that have come along with this new development. Ms.*

*Mayo also wanted to know how residents can get information about development, permitting, and variances so that they may keep informed about what is happening near their homes.*

*Dr. Elesia Glover, 1693 Donna Lynn Drive SE, has a PhD in Public Policy and moved from Washington, DC to Smyrna two years ago. She is not surprised that Smyrna is one of the 50 Best Places to Live. The City already does many things on a daily basis that promote sustainability but just needs to brand and package these things perhaps by putting a policy in place so that others can know about the great things that happen here.*

*D.J. Charraborty, PO Box 1910, wished the Mayor a happy birthday. She wanted to warn her fellow citizens about a tax fraud alert that she had recently encountered. She received a letter claiming that she owed delinquent taxes and was told to pay to a management company. This same scam also happened to some of her neighbors and she wanted people to be aware. Ms. Charraborty, who is the secretary and membership chair for the Jonquil Garden Club, thanked Councilmember Blackburn for attending the grand reopening of the Sensory Garden. She also wanted to suggest that the City consider setting aside a larger area elsewhere for another garden since the current one has had such a positive response.*

## **12. Adjournment:**

Mayor Bacon adjourned the meeting at 7:36pm.