



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final City Council

Monday, December 3, 2018

7:00 PM

Council Chambers

Roll Call

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

Absent: 1 - Councilmember Andrea Blustein

Also Present: 11 - Tammi Saddler Jones, Scott Cochran, Scott Andrews, Frank Martin, Robert Harvey, Jennifer Bennett, Terri Graham, Christy Ullman, Ashley Youmans, Dat Luu and Tina Monaghan

Call to Order

Mayor A. Max Bacon called the meeting of the Mayor and Council to order at 7:05 PM.

1. Invocation and Pledge:

Reverend Ashley Lytle Carr, of St. Benedict's Episcopal Church (2160 Cooper Lake Rd) delivered the Invocation and led all in the Pledge of Allegiance.

2. Agenda Changes:

Mayor Bacon noted there was one agenda change, 6 A under Formal Business would be tabled to December 17, 2018.

3. Mayoral Report:

A. [2018-483](#) Smyrna Education Foundation Report and Check Presentation from JRM Management

Ms. Kathy Young of the Smyrna Education Foundation provided a report to Mayor and Council regarding recent events and successes. The organization is a non-profit which serves the twelve schools in the City of Smyrna. They provide grants to the schools to help them with various educational needs. She thanked the Mayor for hosting and organizing the Mayor's Education Awards that occurred earlier in the evening.

Ms. Young introduced Mr. Bill Watson of JRM Management.

Mr. Watson, there on behalf of JRM Management, explained that the company partners with the City of Smyrna on many events such as the Jonquil Festival. They also donate to the various events such as the Golf Tournament which benefits the Education Foundation. He then presented a check for ten thousand dollars (\$10,000.00) to the Smyrna Education Foundation which Ms. Young accepted. She thanked Mayor and Council for all that the City does for the schools including the

formation of the Education Committee.

- B. [2018-499](#) Recognize City of Smyrna Employees Christy Ullman, Leonard Carter, Elvin Arias, Celestino Arias, and Terence Alford as recipients of the "City of Smyrna Award for Ongoing Excellence in Customer Service" and the "Jonquil Award for Service Excellence in Action"

Mayor Bacon asked City Administrator Tammi Saddler Jones to address this item, she then called on Ashley Youmans, Management Fellow, to announce the recipients of the awards.

Ms. Youmans first announced the winner of the City of Smyrna Award for Ongoing Excellence in Customer Service which was Christy Ullman. Ms. Ullman is the Executive Assistant to the Mayor and Council and assists the Mayor and Council with meeting preparation and acts as a liaison between elected officials, staff, and residents. She also facilitates the planning of city events including the Mayor's Education Awards and the annual State of the City and is masterful with organizing each program. She was nominated by City Clerk, Terri Graham.

Ms. Youmans then presented the Jonquil Award for Service Excellence in Action to Leonard Carter, Elvin Arias, and Celestino Arias from the Sanitation Division and Terence Alford from the Water and Sewer Division. The group was nominated by a Smyrna resident who visited City Hall to let staff know of their assistance in a medical emergency. On October 2, 2018, these Public Works employees were on the job when a woman collapsed in her neighbor's driveway. The crew quickly stopped what they were doing to help the woman and called 911. Elvin took off his own shirt, soaked it with cold water and applied it to the woman's face to help her cool off. The employees stayed with the woman until the ambulance arrived. All four employees exemplify service excellence in action by going above and beyond in their duties when they saw a resident in need.

Mr. Elvin Arias thanked the Public Works Department as well as others who have encouraged him to do his best in everything that he does. He appreciates the opportunity to serve the City of Smyrna in his current capacity and hopes to one day become a police officer for the City.

4. Land Issues/Zonings/Annexations:

There were no land issues/zonings/annexations.

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

- A. [2018-347](#) **Public Hearing** - Code Amendments to Sections 402, 712, 714, 716 and 720 of the Zoning Ordinance are proposed to add definitions related to breweries and distilleries and to list breweries and distilleries as permitted uses within the General Commercial, Light Industrial, Central Business District and Mixed Use zoning districts - City of Smyrna

Sponsors: Gould

Councilmember Tim Gould made a motion to table 2018-347 Public Hearing - Code Amendments to Sections 402, 712, 714, 716 and 720 of the Zoning Ordinance are proposed to add definitions related to breweries and distilleries and to list breweries and distilleries as permitted uses within the General Commercial, Light Industrial, Central Business District and Mixed Use zoning districts - City of Smyrna; seconded by Councilmember Ron Fennel.

The motion to table carried by the following vote:

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

Absent: 1 - Councilmember Blustein

- B.** [2018-494](#) Approve the Re-appointment of Joel Powell to the Planning and Zoning Board for a two-year term to expire December 31, 2020

Sponsors: Bacon

Mayor Bacon requested a motion from Council to approve his reappointment of Joel Powell to the Planning and Zoning Board.

Councilmember Ron Fennel made a motion to approve the re-appointment of Joel Powell to the Planning and Zoning Board for a two-year term to expire December 31, 2020; seconded by Councilmember Derek Norton.

The motion to approve carried by the following vote:

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

Absent: 1 - Councilmember Blustein

- C.** [2018-495](#) Approve the Mayor's appointment of Bryce Jennings to the Parks & Recreation Commission for a two-year term to expire December 31, 2020

Sponsors: Bacon

The Mayor asked for a motion to approve the reappointment of Bryce Jennings to the Parks and Recreation Committee for a two year term.

A motion was made by Councilmember Ron Fennel to approve the Mayor's appointment of Bryce Jennings to the Parks & Recreation Commission for a two-year term to expire December 31, 2020; seconded by Councilmember Charles (Corkey) Welch.

The motion to approve carried by the following vote:

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

Absent: 1 - Councilmember Blustein

- D.** [2018-496](#) Approve the Re-appointment of Ward 1 Representative Holly Elmendorf

to the Keep Smyrna Beautiful Board for a two-year term to expire December 31, 2020

Sponsors: Norton

Councilmember Derek Norton thanked Ms. Holly Elmendorf for her great work on the Keep Smyrna Beautiful Board and stated that it was his pleasure to nominate her for reappointment.

Councilmember Derek Norton made a motion to approve the re-appointment of the Ward 1 Representative Holly Elmendorf to the Keep Smyrna Beautiful Board for a two-year term to expire December 31, 2020; seconded by Councilmember Charles (Corkey) Welch.

The motion to approve carried by the following vote:

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

Absent: 1 - Councilmember Blustein

E. [2018-507](#)

Approve the Re-appointment of Ward 5 Representative Maggie McGarity to the Keep Smyrna Beautiful Board for a two-year term to expire December 31, 2020

Sponsors: Wilkinson

Councilmember Susan Wilkinson thanked Maggie McGarity for her work on the Keep Smyrna Beautiful Board.

Councilmember Susan Wilkinson made a motion to approve the re-appointment of the Ward 5 Representative Maggie McGarity to the Keep Smyrna Beautiful Board for a two-year term to expire December 31, 2020; seconded by Councilmember Maryline Blackburn.

The motion to approve carried by the following vote:

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

Absent: 1 - Councilmember Blustein

F. [2018-509](#)

Approve the Re-appointment of Ward 6 Representative Nell Robinson to the Keep Smyrna Beautiful Board for a two-year term to expire December 31, 2020

Sponsors: Gould

Councilmember Tim Gould said it was his pleasure to nominate Nell Robinson for reappointment to the Keep Smyrna Beautiful Board representing Ward 6.

Councilmember Tim Gould made a motion to approve the re-appointment of Ward 6 Representative Nell Robinson to the Keep Smyrna Beautiful Board for a two-year term to expire December 31, 2020; there was a second by Councilmember Susan Wilkinson.

The motion to approve carried by the following vote:

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

Absent: 1 - Councilmember Blustein

G. [2018-492](#)

Approval to purchase 80 body worn cameras and 76 vehicle mounted dash camera systems, along with all required peripheral hardware/software and maintenance, for Police from Axon Enterprise, Inc. (17800 North 85th Street Scottsdale, Arizona 85255). This includes installation, setup, and training. Initial cost for purchase of the 5-year agreement is \$397,504.40. The Police department would request budgeting for years 2-5 at a cost of \$172,310.40 (year over year). Total purchase price \$1,086,746.00.

Sponsors: Norton

City Administrator Tammi Saddler Jones provided the background information on this agenda item. Since June 2015, the Smyrna Police Department has been at the forefront of the law enforcement industry with the use of video technology, providing each police officer in the field with a dash mounted in-car camera, as well as a body worn camera. This technology has aided in criminal case prosecution, reduced the number of citizen complaints with Internal Affairs, and provided the department with valuable training data from which to improve the interpersonal skills of police officers and their interaction with our community. The City Council has been extremely proactive in encouraging video technology to aid in transparency of police/citizen contacts while documenting facts for later use in investigations both internally and externally. Due to software upgrades that have produced problematic issues with police in-car Panasonic cameras systems, along with the VieVu body worn camera manufacturer being purchased by Axon Enterprise, Inc., the Police Department requests consent to purchase 80 body worn cameras and 76 vehicle mounted dash camera systems, along with all required peripheral hardware/software and maintenance, from Axon Enterprise at a cost of \$1,086,746.00. This project resolves the software and communication issues that have recently plagued our ability to effectively capture critical video data. Additionally, this new technology will provide positive impacts to open records requests, information systems (cloud technology and built in hardware/software upgrades), seamless communications with the District Attorney's Office, and provide automatic activations for video recording creating improved officer safety in the field. Axon Enterprises is a sole source provider. The department's Civilian Review Board, who assists the Command Staff with use of force incidents and review, highly supports the request for improved video technology and the Chief of Police, Staff, Finance, Information Systems and Purchasing recommend approval. The Finance and Administration Council Committee along with City staff will be meeting to discuss a funding source for this purchase in the coming weeks.

Mr. Norton, Chairman of the Public Safety Committee, stated that these cameras are needed by the police department to do their job most effectively.

Councilmember Ron Fennel, Chair of the Finance Committee stated that they will be meeting December 13, 2018 to ratify a funding source for the cameras and he cannot think of a better way to spend some of the City's surplus money than keeping law enforcement officers safe and the City protected.

Councilmember Derek Norton made a motion to approve the purchase of 80 body worn

cameras and 76 vehicle mounted dash camera systems, along with all required peripheral hardware/software and maintenance, for Police from Axon Enterprise, Inc. (17800 North 85th Street Scottsdale, Arizona 85255). This includes installation, setup, and training. Initial cost for purchase of the 5-year agreement is \$397,504.40. The Police department would request budgeting for years 2-5 at a cost of \$172,310.40 (year over year). Total purchase price \$1,086,746.00; there was a second from Councilmember Ron Fennel.

The motion to approve carried by the following vote:

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

Absent: 1 - Councilmember Blustein

H. [2018-508](#)

Authorize the acquisition of real property, by all lawful means, for improvements to Windy Hill Road. This authorization includes adopting a Resolution and Declaration of Taking for each parcel.

Sponsors: Fennel

Ms. Saddler Jones summarized the background information for the Mayor and Council on the agenda item to authorize the acquisition of real property, by all lawful means, for improvements to Windy Hill Road. This authorization includes negotiating a contract to purchase the property as well as adopting a Resolution and Declaration of Taking for each parcel. Portions of the following parcels are authorized to be acquired through such negotiating or declaration of taking and either the mayor or mayor pro tem are authorized to execute such documents and all other documents incident to these acquisitions. The property is situated adjacent to the existing right of way and within an area stretching from its intersection with Atlanta Road to its intersection with South Cobb Drive.

750 Windy Hill, 760 Windy Hill Rd and unnumbered parcel designated as lot 25, Bl. D Belmont Hills Subdivision (Parcel Nos.92, 93 and 94)

531 Windy Hill and 2380 Ventura Road (Parcel Nos.50 and 51)

2390 Atlanta Rd (Parcel 1)

Mr. Fennel stated that this is an ongoing pursuit of the final acquisitions of property as directed by the 2016 SPLOST that was approved by voters.

Councilmember Ron Fennel made a motion to authorize the acquisition of real property, by all lawful means, for improvements to Windy Hill Road. This authorization includes adopting a Resolution and Declaration of Taking for each parcel, seconded by Councilmember Maryline Blackburn.

The motion to approve carried by the following vote:

Aye: 5 - Councilmember Norton, Councilmember Blackburn, Councilmember Welch, Councilmember Gould and Councilmember Fennel

Nay: 1 - Councilmember Wilkinson

Absent: 1 - Councilmember Blustein

7. Commercial Building Permits:

There were no commercial building permits.

8. Consent Agenda:

Ms. Tammi Saddler Jones read aloud the consent agenda to the Mayor and Council.

A motion was made by Councilmember Susan Wilkinson to approve the Consent Agenda as read aloud for Council approval; seconded by Councilmember Maryline Blackburn.

The motion to approve carried by the following vote:

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

Absent: 1 - Councilmember Blustein

A. [2018-487](#) Approval of the November 19, 2018 Mayor and Council Meeting Minutes

B. [2018-497](#) Approval of the November 19, 2018 Pre-Council Meeting Minutes

9. Committee Reports:

Mr. Derek Norton offered congratulations to all of the recipients of the Mayor's Education Awards.

Ms. Maryline Blackburn welcomed two new employees to the City. She thanked everyone who came out to the tree lighting. She announced that Ruby Tuesdays on South Cobb Drive is now officially closed. She congratulated all of the recipients of the Mayor's Education Awards. Ms. Blackburn acknowledged House Representative Eric Allen who was in attendance at the meeting and thanked him for all that he does. To conclude her report, she spoke of the Shop with a Hero Program that the City participates in which was happening on Friday, December 7, 2018.

Mr. Charles "Corkey" Welch reminded everyone to get out and vote in the runoff election. He also invited everyone to come out to Aunt Fanny's Cabin and visit with Santa.

Ms. Susan Wilkinson talked about how wonderful the tree lighting event was and thanked the staff for all of their hard work. She invited people to check the website for the many other holiday events that will be occurring throughout the month of December. Ms. Wilkinson invited everyone to come out on December 6, 2018 and attend the City's first annual Menorah Lighting Ceremony to take place in front of City Hall. She then gave a summary of events happening at the Library including letters to Santa and holiday crafts with hot cocoa.

Mr. Tim Gould spoke about the Tree Board meeting that had occurred recently. Campbell High School is hosting the Partners in Education Meeting this month and he invited people to come out and support the High School. To conclude his report, he

thanked the Mayor for hosting the Education Awards and congratulated all of those who won awards.

Mr. Ron Fennel announced that the Finance Committee will be having its next meeting on December 13, 2018 at 5:00pm. He attended the Cobb Chamber of Commerce breakfast where the speaker was the Supreme Court Chief Justice who began his law career in the City of Smyrna and spoke of his time in the City with great pride. Smyrna Business Association is having a luncheon on Thursday, December 6, 2018. Mr. Fennel spoke of how he is part of a statewide group that will be promoting safe driving during the holiday season and encouraged everyone to drive distraction free so that everyone can be around to spend time with their families. He rounded out his report by acknowledging the Mayor and his creation of the Education Awards.

City Clerk Terri Graham announced the runoff election that was taking place on December 4, 2018 and encouraged everyone to get out and vote.

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

Mr. Alex Backry of 3459 Shawnee Trail spoke of Reed House and how it does not bring in enough revenue or get enough usage. He also mentioned how the Community Center or Brawner House do not get used enough to warrant their expense. He feels that the Reed House should not be called historic and hopes that the Council stay out of private enterprise at least until the next election. He encouraged the elected officials to involve citizens more when making decisions regarding the expenditure of large amounts of money.

Ms. Cherace Cook of 2798 Walker Court came forward to speak of construction issues near her home. She handed out some pictures that she had taken of the problem for the Mayor and Council's review. 2804 Walker Court is where a house is being built that is causing flood problems in the rear of the property. She feels that they are in violation of the regulations given by the Zoning Department. Ms. Cook is also concerned about two trees on the boarder of her property which those on the adjacent property keep trying to remove. She would like for the Mayor and Council to look into these two issues for her.

12. Adjournment:

Mayor Max Bacon adjourned the meeting of the Mayor and Council at 7:53 PM.