



City of Smyrna

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

Action Summary - Final City Council

Tuesday, January 18, 2022

7:00 PM

A. Max Bacon City Hall - Council Chambers

Rollcall

Present: 8 - Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Austin Wagner, Councilmember Travis Lindley, Councilmember Charles Welch, Councilmember Susan Wilkinson, Mayor pro tem / Councilmember Tim Gould and Councilmember Lewis Wheaton

Also Present: 1 - Scott Cochran

Staff: 7 - Joe Bennett, Russell Martin, Andrea Worthy, Heather Peacon-Corn, Kash Trivedi, Jill Head and Tyler Addison

Call to Order

Mayor Derek Norton called to order the January 18, 2022 meeting of the Mayor and Council held in A. Max Bacon City Hall Council Chambers at 7:03 PM.

1. Invocation and Pledge:

The invocation and Pledge of Allegiance were led by Pastor Derek Porter of Smyrna First United Methodist Church located at 1315 Concord Rd.

2. Agenda Changes:

There were no agenda changes.

3. Mayoral Report:

4. Land Issues/Zonings/Annexations:

A. [2021-600](#)

Public Hearing - Zoning Request - Z21-014 - Allow rezoning from GC to MU-Conditional for the development of 163 multi-family units, 20,409 sq. ft. of commercial/restaurant space, and 7,700 sq. ft. clubhouse space at a density of 23.5 units per acre - 6.9 acres - Land Lot 751 & 752 - S Cobb Drive & Oakdale Road - Arris Holdings. ***The applicant requests this be tabled to the February 7, 2022 Mayor & Council Meeting.***
Ward 7 / Councilmember Wheaton

Councilmember Lewis Wheaton made a motion to table item 2021-600, and public hearing and zoning request (Z21-014) to allow rezoning from GC to MU-Conditional for the development of 163 multi-family units, 20,409 sq. ft. of commercial/restaurant space, and 7,700 sq. ft. clubhouse space at a density of 23.5 units per acre on 6.9 acres on land lots 751 & 752 located at S Cobb Drive & Oakdale Road by applicant

Arris Holdings; seconded by Mayor Pro Tem/Councilmember Tim Gould.

The motion to table carried with the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

B. [2021-598](#)

Public Hearing - Zoning Request - Z21-016 - Allow rezoning from R-15 to R-8 for the development of two single-family homes at a density of 3.33 units per acre - 0.6 acres - Land Lot 450 - 985 Church Street - Dogwood Family Homes

Ward 3 / Councilmember Lindley

Councilmember Travis Lindley made a motion to approve item 2021-598, a public hearing and zoning request (Z21-016) to allow rezoning from R-15 to R-8 for the development of two single-family homes at a density of 3.33 units per acre on 0.6 acres on land lot 450 located at 985 Church Street by applicant Dogwood Family Homes; seconded by Councilmember Lewis Wheaton.

The motion to approve carried with the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

C. [CVY2022-01](#)

Approval of an abandonment of an alleyway in land lot 561 of the 17th district 2nd section, Cobb County and quit claim whatever interest of the city (if any) to the adjacent property owners to the center line and authorize the Mayor to sign and execute any related documents

Ward 3 / Councilmember Lindley

Councilmember Travis Lindley made a motion to approve item CVY2022-01, an abandonment of an alleyway in land lot 561 of the 17th district 2nd section, Cobb County and quit claim whatever interest of the city (if any) to the adjacent property owners to the center line and authorize the Mayor to sign and execute any related documents; seconded by Councilmember Charles Welch.

The motion to approve carried with the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

A. [RES2022-01](#)

Approval of Resolution RES2022-01 imposing a **911** charge on postpaid wireline, wireless, and voice over internet protocol (V.O.I.P.) telephone service at the answering point at the rate of \$1.50 per month received by

a municipality and authorize the Mayor to sign and execute all related documents.

Ward / Citywide

Mayor Pro Tem/Councilmember Tim Gould made a motion to approve item RES2022-01, a resolution (RES2022-01) imposing a 911 charge on postpaid wireline, wireless, and voice over internet protocol (V.O.I.P.) telephone service at the answering point at the rate of \$1.50 per month received by a municipality and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Lewis Wheaton.

The motion to approve carried with the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

B. [RES2022-02](#)

Approval of Resolution RES2022-02 imposing a **911** charge on prepaid wireless service at the retail point of sale at the rate of \$1.50 per retail transaction and revenues received by a municipality and authorize the Mayor to sign and execute all related documents.

Ward / Citywide

Mayor Pro Tem/Councilmember Tim Gould made a motion to approve item RES2022-02, a resolution (RES2022-02) imposing a 911 charge on prepaid wireless service at the retail point of sale at the rate of \$1.50 per retail transaction and revenues received by a municipality and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Lewis Wheaton.

The motion to approve carried with the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

C. [RES2022-03](#)

Approval of Resolution RES2022-03 reaffirms the necessity for the \$1.50 **911** charge on telephone subscribers served by the enhanced **911** system for the fiscal year.

Ward / Citywide

Mayor Pro Tem/Councilmember Tim Gould made a motion to approve item RES2022-03, a resolution (RES2022-03) that reaffirms the necessity for the \$1.50 911 charge on telephone subscribers served by the enhanced 911 system for the fiscal year; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

D. [GRA2022-01](#)

Approval of Amendment No. 2 to the Community Development Block Grant (CDBG) Sub Recipient Agreement No: CV20-V20S8 to extend the termination date for the agreement to March 31, 2022 and authorize the

Mayor to sign and execute all related documents.

Ward / Citywide

Councilmember Austin Wagner made a motion to approve item GRA2022-01, Amendment No. 2 to the Community Development Block Grant (CDBG) Sub Recipient Agreement No: CV20-V20S8 to extend the termination date for the agreement to March 31, 2022 and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

E. [RES2022-05](#)

Adopt a Resolution RES2022-05 approving a Standard Land Sale Agreement between the Smyrna Downtown Development Authority (DDA) as Seller and Market Village Realty, LLC, or another entity controlled by the principals of that entity, as Purchaser, so that property may be developed into a brewery. This resolution also approves the transfer of whatever remaining interest the city has in the property to the DDA so that the property may be sold in accordance with this agreement, and developed into the brewery. Such resolution is adopted so that the DDA may achieve its public purpose of promoting economic improvement and redevelopment within the City.

Ward 3 / Councilmember Lindley

Councilmember Travis Lindley made a motion to approve item RES2022-05, a resolution (RES2022-05) approving a Standard Land Sale Agreement between the Smyrna Downtown Development Authority (DDA) as Seller and Market Village Realty, LLC, or another entity controlled by the principals of that entity, as Purchaser, so that property may be developed into a brewery. This resolution also approves the transfer of whatever remaining interest the city has in the property to the DDA so that the property may be sold in accordance with this agreement, and developed into the brewery. Such resolution is adopted so that the DDA may achieve its public purpose of promoting economic improvement and redevelopment within the City; seconded by Mayor Pro Tem/ Councilmember Tim Gould

The motion to approve carried with the following vote:

Aye: 5 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

Nay: 2 - Councilmember Welch and Councilmember Wilkinson

7. Commercial Building Permits:

There were no commercial building permits.

8. Consent Agenda:

A motion was made by Councilmember Travis Lindley, seconded by Mayor Pro Tem/Councilmember Tim Gould, that the Consent Agenda be approved. The motion carried with the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor pro tem / Councilmember Gould and Councilmember Wheaton

- A.** [MIN2021-96](#) Approval of the December 16, 2021 Committee of the Whole Meeting Minutes
Ward / Citywide
These Minutes were Approved.
- B.** [MIN2021-95](#) Approval of the December 20, 2021 Pre-Council Meeting Minutes
Ward / Citywide
These Minutes were Approved.
- C.** [MIN2021-97](#) Approval of the December 20, 2021 Mayor and Council Meeting Minutes
Ward / Citywide
These Minutes were Approved.
- D.** [CON2022-01](#) Ratify and approve an agreement with Environmental Difference Staffing (2470 Windy Hill Road SE, Suite 442, Marietta, Georgia, 30067) for temporary, supplemental personnel for Public Works to assist in maintaining service levels for sanitation, water, streets, etc. as needed in the department, and authorize the Mayor to sign and execute all related documentation.
Ward / Citywide
This Contract was Approved.
- E.** [2022-001](#) Approval to use Council Chambers for Creatwood at Vinings Annual HOA Meeting, Sunday, February 20, 2022 from 6:00pm - 8:00pm
Ward 6 / Mayor Pro Tem / Councilmember Gould
This Authorization was Approved.
- F.** [2022-011](#) Authorization of street closures, as listed, for the Atlanta Track Club Hearts and Soles 10k on Saturday, February 5, 2022 from 7:30am to 10:00am.
Ward 1 / Councilmember Pickens
Ward 3 / Councilmember Lindley
Ward 6 / Mayor Pro Tem / Councilmember Gould
This Authorization was Approved.
- G.** [2022-012](#) Authorization of variance request for filming over multiple dates in 2022 at 3631 Crestview Drive, Smyrna, GA and 3660 Wisteria Lane, Smyrna, GA by applican Universal Content Productions LLC.
Ward 3 / Councilmember Lindley
This Authorization was Approved.

- H. [AGR2022-01](#) Approval of the 2022 Business Associate Agreement with Oakbridge Insurance for the management of the City's Health Insurance policies and Employee Benefits and authorize the Mayor to sign and execute all related documents.

Ward / Citywide

This Agreement was Approved.

- I. [2022-019](#) Approval of 2022 City of Smyrna community events and corresponding street closings from April 2022 through December 2022 (as proposed Jan 13, 2022).

Ward / Citywide

This Authorization was Approved.

- J. [2022-018](#) Approval for Atkins Park (2840 Atlanta Road SE, Smyrna) to host the 10th Annual Smyrna Oysterfest and extend patio area to include sidewalk and seven parking spaces directly connected to and in front of Atkins Park's permanent patio space on February 4, 2022 from 7:00am - 11:00pm, February 5, 2022 from 11:00am - 11:00pm and February 6, 2022 from 11:00am - 11:00pm and authorize the Mayor to sign and execute any related documents.

Ward 3 / Councilmember Lindley

This Authorization was Approved.

9. Ward / Committee Reports:

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

12. Adjournment:

Mayor Derek Norton adjourned the January 18, 2022 meeting of the Mayor and Council at 9:16 PM.