



Meeting Minutes - Final Committee of the Whole

Thursday, January 12, 2017

6:00 PM

City Hall

Roll Call

Council: Mayor A. Max Bacon, Andrea Blustein, Susan Wilkinson, Ron Fennel, Corkey Welch, Teri Anulewicz, Derek Norton, Doug Stoner

Staff: Mike Jones (City Administrator), Tammi Saddler Jones (Assistant City Administrator), Scott Cochran (City Attorney), Christiana Craddock (Executive Assistant to the City Administrator), Christy Ullman (Executive Assistant to Mayor and Council), Terri Graham (City Clerk), Ken Suddreth (Community Development Director), Rusty Martin (City Planner), Kristin Robinson (Finance Director), Richard Plato (Controller), Scott Stokes (Public Works Director), Robert Harvey (Deputy Chief of Police), Mary Moore (Library Director), and Joey Staubes (City Planner)

Guests: Ginny Harris and Tammi Galvis

Call to Order

Mayor Bacon called the meeting to order at 6:01pm.

City Administrator Report - Mike Jones

City Administrator Mike Jones said that staff was working on the agenda for the Mayor and Council retreat at Cobb Galleria on February 10th, and they were needed Council's input for agenda item topics. He requested that these be turned in by next Thursday, January 19th.

He gave a CIP update and said that there were some big ticket items slated in the process this year, like the \$1.3M project for a new roof for the Community Center and \$800,000 for the replacement of the brick pavers around the Village Green fountain. He further explained that currently there was more need than the City had dollars, so key members of the CIP group were trying to work with this and look at options, one of which was to have the expenses for some of the larger projects occur over 5 years so it hits the CIP as one big chunk, but would be expensed over 5 years. He said it was a creative way to tackle debt finance improvements, but they would need the DDA to get on board with the idea, and he was going to be meeting with Councilmember Fennel and Mayor Bacon to discuss further. He said it was also important to get a feel for Public Safety needs regarding new equipment, vehicles, and personnel needed, and they would be holding meetings with the committee chairs and department heads to get further direction.

The next item Mr. Jones addressed was the most recent plan for the construction of the new Campbell High School gym. He said the submitted plans call for 80 parking spaces instead of the originally proposed 50, and they want to expand the parking lot over the top of the underground detention area, which was the space designated for a pocket park with benches and nice planters. He said in their comments back to the

County, they denied the additional paved area for the additional parking spaces, and Cobb is challenging that. Mr. Jones explained to Council if those comments are removed, then their chance for a pocket park at the location is gone. Mayor Bacon said part of the deal with that property was that they were going to put a park there for public use, and the County did not honor the agreement and ran Ward Park and Campbell Middle School into the ground. Councilmember Derek Norton said that Mr. Jones should leave the comments in the plans, and Mr. Jones said he just wanted to make sure he was representing Council's wishes. He added that with the current comments, the County is still getting 11 more spaces than they had originally with their above ground detention area, so they are still gaining spaces with this new plan. Councilmember Wilkinson asked about the newly paved parking lot for Ward Park and if that was going to be open for the school to use, and Mr. Jones replied no, it would only be available for school use for baseball games. He also shared with Council that a new scoreboard was on order that will have 12 areas for advertising so the advertising banners can be removed from the fencing. There was further discussion about the possibility of allowing faculty to park in the Ward Park parking lot and it was also noted that the parking in the back of the school near Fleming Street was ample and had plenty of spaces that were not being used.

Mr. Mike Jones updated Council on the incident that occurred at the Krispy Kreme with one of the City's police officers, and he commended the Police Department on how they handled it. He also said that Krispy Kreme corporate responded quickly, took it seriously, investigated it, and apologized for the incident. He said a press release was given to all news outlets.

The next item on the City Administrator Report was an update on the use of Smyrna police officers at the Braves complex. He said Cobb County responded with an email proposing the offering of jobs at the Braves games to off-duty police officers, but Mr. Jones said there was an issue because the SPD are not sworn to serve in unincorporated Cobb County, so they cannot be armed, and the City's officers were not going to serve in the line of duty anywhere that they cannot be armed. In order to arm them, they would have to be sworn in by a Cobb County Sheriff or the Cobb Chief of Police, and then they would be allowed to work at SunTrust Park and the job would be funded by SunTrust Park. However, the Smyrna officers would be under the direction of a Cobb County PD Supervisor, and Cobb was asking the City to allow SPD officers to work for them under Cobb County Supervision, with the requirement of a memorandum of understanding accepting all liability associated with the actions of Smyrna's officers even though they would be under the direction of the Cobb County Police Department. Mr. Jones said that simply in order for this to happen, the City has to take on the liability of action of our officers under the direction of Cobb PD. Deputy Chief Harvey said that would be problematic for a multitude of reasons, one being the County's policies and ordinances being different from the City's. He also questioned if an arrest was made by a Smyrna Police officer in unincorporated Cobb County, then who would be responsible for the paperwork, process, court appearances, etc. Councilmember Welch said he did not think the City could take the liability, and Mr. Mike Jones said his recommendation was the same. City Attorney Scott Cochran said it opened the City up to all kinds of problems because there are different policies unique to different jurisdictions. Councilmember Welch said that the City was planning on having additional police in that area in City Limits, and that was already offering some assistance to them. City Attorney Scott Cochran reiterated that there would be lots of problems with this and even if they accepted liability for our officers, there would still be issues and he did not recommend it.

The final item in the City Administrator Report was an update from Community Development Director Ken Suddreth on the Comp Plan. He said they were in the process of starting the update, and City Planner Rusty Martin had sent out emails to

key people to being the interviews. He reminded everyone to call and set up their times.

FY16 Audit Presentation

Ms. Ginny Harris thanked Finance Director Kristin Robinson and her staff for being so helpful and responsive during the audit period. She began the audit overview by saying the audit was an unmodified, clean opinion and the report had been sent to the state and GFOA, where it will be graded and sent back with comments. She said the past several years the City has received a certificate of achievement for excellence with their report, and she anticipated they would receive it again for this year. She said the total revenue from FY16 was \$42M, \$2M more than last year, a result from growth in the tax digest. She said expenditures were consistent with last year, and the net increase of \$300K was a result of the increase in insurance costs. Ms. Harris further stated that the City's fund balance was \$17.4M, which reflected 4 months of operating expenses in unassigned fund balance, which was excellent (GFOA recommends 2 months). She further reviewed the water/sewer fund, expenses, and showed a breakdown of the past three years of activity in a chart. She also mentioned they had written a letter to the City to include any items they were required to communicate (e.g., deficiencies or material weaknesses), but there were no items of that nature to report. Councilmember Corkey Welch asked about the net position in water/sewer fund, and Ms. Kristin Robinson explained that the net value was the assets plus liabilities, and that it was not a cash value, but a value of capital assets. City Administrator Mike Jones said the Raftelis report would have more of the detailed information and analysis that Councilmember Welch was asking for, such as recommendations for rate increases and required minimum balance in the fund.

Review of January 17, 2017 Mayor and Council Agenda

Mr. Mike Jones said the first two items under Land Issues and Zonings were being tabled. Mr. Ken Suddreth said they were being tabled for positive reasons, to come up with better options and plans for the developments. The next item was for a rezoning for DDP Yoga to allow them permitted uses beyond what is in the current ordinance. He said this had been discussed from the beginning of the business, and both staff and DDP were aware that this rezoning would be occurring eventually, when the time was right.

The next item was for the text amendments for the Braves, and he said their proposed amendments were modeled after Cobb County, but most of the City's existing ordinances were adequate enough to address any other concerns, but if any needed to be revisited, then they could be addressed as needed. Mr. Suddreth explained that the special event parking ordinance was a registration program for businesses who wanted to charge for parking in their lots to register with the City, and they would get a packet with stipulations as to how they can conduct business on their site, such as no stacking cars, no blocking traffic, lots must be striped and paved, and attendants must be present on site. He said the main reason for these stipulations are safety and traffic, and this registration process will allow staff and Public Safety to know where the "pay lots" are in the City and coordinate accordingly. Councilmember Ron Fennel asked if this applied to churches, and Mr. Rusty Martin clarified that it applied to all non-residential parking lots, so yes it would. Mr. Ken Suddreth reiterated that this was a registration only process and no fees were associated with it, and he said Staff sent out letters to non-residential owners with properties on Spring Road, Cobb Parkway, and Cumberland Blvd, but he added that the ordinances applied city wide.

The next item was under formal business, and was a change to the City's code regarding the water system. Mr. Scott Stokes said that every year the EPD reviews the City's code and recommends any changes, and this year they recommended that this policy be put in writing and added to the code. He said the policy addresses how to flush the distribution system and also addressed sampling and testing of water after a water main break.

The next item was an ordinance to address and alleviate predatory booting, and Deputy Chief Harvey said this has been a problem in the City with booting companies taking cash only and price gouging. He said this ordinance puts regulations and limitations on them, just as if they were a wrecker, and only applied to private lots and required the booting company to accept all methods of payment and provide a receipt. He said there was also verbiage about not spying and if a person shows up before the booting process is completed, they can drive off. Councilmember Susan Wilkinson asked if parking was allowed on public streets, and he said yes. Councilmember Teri Anulewicz asked about the possibility of temporary no parking signs for residential streets during Braves events, and Councilmember Wilkinson agreed that they needed to protect residences. City Attorney Scott Cochran said it would be best to wait and see if it is even an issue, and if it is, then they can enact an ordinance or amendment if needed.

Under Consent Agenda, Mr. Mike Jones read the bid awards for the Spring Road Streetscape and Concord Road linear park landscaping. Mr. Scott Stokes said the streetscape on Spring Road came in \$50K under budget and would go from Cobb Parkway to Bell Drive, with extensive landscaping and benches placed throughout. Councilmember Andrea Blustein requested the items be taken off Consent and put under Formal Business because she would not vote on those items, and she expressed her dissatisfaction with not having her light poles along Spring Road in the Ward 2 area. She said she was getting questions from constituents about why her portion of Spring Road was not being improved. Mr. Mike Jones said they were working on a solution to this, and Mayor Bacon reminded Council that the replacement of the signal poles at the four intersections she is requesting was going to cost \$1M. Councilmember Corkey Welch asked about pedestrian traffic patterns, and Mr. Scott Stokes said they would not know until after the first game, but they would accommodate however they needed to, and currently they are anticipating daily maintenance on the Spring Road corridor. He also said that lighting might eventually be needed in Ward 2 if people use the Spring Road trail system to walk from the stadium into Smyrna, but they would have to wait and see. Councilmember Derek Norton asked Councilmember Blustein if she wanted the signal poles to be replaced or decorative light poles to be added along the trails, and she said she wanted all of it.

Councilmember Susan Wilkinson addressed the Concord Road landscaping and said that some of the trees planted there had already died, and Mr. Scott Stokes replied that they were under warranty and they would be replaced at the cost of the tree planter. Councilmember Corkey Welch asked about irrigation for the landscaping on Spring Road, and Mr. Stokes said they would be annual beds and would be irrigated. Councilmember Wilkinson made note of the landscape islands in the shopping center with the Michaels and TJMaxx, and that they were in terrible need of maintenance.

The next item on the Consent Agenda was for self-checkout units at the library. Library Director Mary Moore said there would be three units, two downstairs and one upstairs, and they would be multifunctional and include the ability to release printouts, reserve computers, and would allow staff to spend more time with customers.

The last two items were for Atkins Park's Oysterfest and St. Patty's events, and Mr.

Mike Jones said in the agreement, they committed to specific cleanup times for each event.

Other Business

Mayor Bacon told Council he attended a Braves meeting with Cobb County the previous week and it was very informative, and they had lots of committees for various logistical aspects of the opening of the stadium, however no final plans for traffic or public safety had been set. He also said there were still questions about the Circulator and if and where it would be stopping in Smyrna. He said he had concerns, but was glad to participate in the meetings.

Mayor Bacon also mentioned the French exchange student program hosted by the Campbell High School International Baccalaureate program, and he said there would be a potluck dinner for the participants at Brawner Hall, and he encouraged Council to attend if they are able on March 26th.

Mayor Bacon said it was important that the Policies and Procedures notebook be maintained and that it was being updated. He said he would like to see a change in procedure for vacant positions, and that the City Administrator and himself be notified of the vacancy before it is posted so that any changes to the job description could be made, and also so that he and Mr. Mike Jones are kept in the loop and communicated to about open positions before they are filled.

The next item addressed was the City's alcohol beverage fees that were adopted for the FY17 budget. Mayor Bacon said that for liquor stores who sell package liquor, their fee went from \$1470 to \$5000 to keep the fees current with Cobb County's. He said that was a big increase, and he received a letter from 7 of the 8 liquor stores in Smyrna asking that it be reconsidered. He proposed a change in the fee to \$2000, which would still be a \$530 increase to the fee. He said it would generate less revenue to the City, but it was fair, and he added that Smyrna did not always have to be the same as Cobb County. Councilmember Corkey Welch asked if any other fees were affected in such a dramatic way, and Mayor Bacon said Sunday alcohol sales went up \$1K. Mr. Mike Jones said staff would work to prepare to reduce the fee and see if any other fees were increased as dramatically. Councilmember Susan Wilkinson asked if liquor stores were required to have police/security presence at their store locations, and they are not. Mr. Mike Jones said this fee change would be added to the agenda for January 17th.

Mayor Bacon ended his report by saying he would like to see more support at the SBA luncheons.

Councilmember Doug Stoner reminded Council of the ARC presentation and tour on January 27th.

Councilmember Ron Fennel announced a Community Relations Committee meeting on Tuesday, January 27th at 5:00pm. He also said the Finance Committee would be meeting in early February to review the budget and the City's financial standings as of halfway through the year.

Assistant City Administrator Tammi Saddler Jones said Robin Crawford had sent out a list of churches in Smyrna for the invite to the Meet and Greet for Peace, and requested that Council review the list.

Councilmember Teri Anulewicz expressed concerns about the lack of sidewalk connectivity at the new Publix, and Mr. Ken Suddreth said that would be addressed

and a safe path for pedestrians would be placed in the complex. He said he would find out a timeframe from the developer.

Mr. Mike Jones had one last thing to add, some clarification on the agreement with Fox Creek and the credit extended to the City. He said another email with corrections and a better explanation would be going out to Council on Friday.

Adjournment

The meeting was declared adjourned at 8:00pm.