



# City of Smyrna

2800 King Street  
Smyrna, Georgia 30080

## Meeting Minutes - Final City Council

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Monday, February 6, 2017

7:00 PM

Council Chambers

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### Roll Call

**Present:** 7 - Councilmember Derek Norton, Councilmember Andrea Blustein, Councilmember Teri Anulewicz, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Doug Stoner and Councilmember Ron Fennel

**Absent:** 1 - Mayor Max Bacon

**Also Present:** 11 - Mike L Jones, Tammi Saddler Jones, Terri Graham, Scott Cochran, Roy Acree, Jennifer Bennett, Kay Bolick, Mary Moore, Ken Suddreth, Russell Martin and Maxwell Ruppensburg

### Call to Order

Mayor Pro Tem Teri Anulewicz Called the Meeting of the Mayor and Council to Order at 7:00 PM.

#### 1. Invocation and Pledge:

The Invocation was given by Pastor Richard L. Bush from Mt. Zion Baptist Church, located at 2642 Hawthorne Avenue.

#### 2. Agenda Changes:

A motion was made by Councilmember Andrea Blustein to remove Item E from the consent agenda - To reclassify Lead City Marshal to Grade 17 of the City's Pay Plan and add this item to the consent agenda on March 6, 2017, seconded by Councilmember Susan Wilkinson. The motion carried by the following vote:

**Aye:** 6 - Councilmember Norton, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

**Absent:** 1 - Mayor Bacon

#### 3. Mayoral Report:

**A.** Proclamation in Recognition of Georgia Arbor Day, February 17, 2017

**Sponsors:** Welch

**B.** Proclamation in Recognition of Black History Month

**Sponsors:** Blustein

C. Performance by The Spiritual Aires in honor of Black History Month

4. Department Head Reports:

*Community Relations Director Jennifer Bennett gave the following report:*

*Event season begins in April.*

*-Jonquil City Jog -Sat., April 29 is currently securing sponsors and the registration period will be announcing soon. This event raises money for education.*

*-Jonquil Festival –Sat., April 29 and Sun. April 30*

*-2017 Event Calendar –will go out in April water bill mailings*

*Save the Dates (Spring/Summer 2017)*

*•Food Truck Tuesdays –May 2 –Sept. 26*

*Note: Tues., July 4 –City holiday –No SFTT*

*•Fresh Produce Market –Saturdays May 6 –Sept. 30 (KSB series)*

*•Arthur Bacon Golf Tournament –Sat., May 6 & Sun., May 7 (Mayor's Office)*

*•Garden Tour (KSB) –Sat., May 20*

*•1stSummer Concert –Sat., June 10 –7:00 p.m. to 10:00 p.m. (The Get Right Band)*

*•2ndSummer Concert –Sat., July 15 –7:00 p.m. to 10:00 p.m.*

*•City Birthday Celebration –Sat., Aug. 5 –6:00 p.m. to 10:00 p.m.*

*Event Listings –City website, social media, digital signs and various mailings*

*www.SmyrnaCity.com/ www.Facebook.com/CityofSmyrnaGa*

*/www.Twitter.come/SmyrnaNews*

*Community Engagement –public processes (Composite Overview)*

*Department director assisting/assisted Community Development with three studies currently in progress.*

*Materials, website & social media have been used to a significant degree to reach residents.*

*Attendance and citizen involvement in online surveys = strong.*

*Spring Road Corridor –Final public presentation Jan. 24*

*S. Cobb Drive Corridor –2ndcommunity meeting –Tues., Feb. 7*

*Guide Smyrna 2040 –Comprehensive Plan Update –beginning*

*Number of people responding to surveys:*

*•Spring Road Study Survey = 659 responses*

*•S. Cobb Drive Corridor Survey = 281 responses (still open) there are a number of people attending Public Meetings and Workshops:*

*•Spring Road Study*

*•Public Meetings*

*•Jonquil Festival Booth (10-22-16) = 100+*

*•Community Visioning Meeting 1 (11-1-16) = 60+*

*•Community Meeting 2 / Final Presentation (1-24-17) = 75+*

*•S. Cobb Drive Corridor Study*

*•Public Meetings*

*•Community Meeting (Oct. 2016) = 100 attending (approx.)*

*•Community Meeting –Tomorrow, February 7*

*Aline Wolfe Adult Recreation Center*

*5:00 p.m. –8:00 p.m. / 884 Church St., SE*

*Spring Road Study -Community Participation*

*Jonquil Festival*

*100+ participants*

*•Community Meeting 1*

*60+ participants*

*•Community Survey*

659+ responses  
•Design Workshop  
25 participants  
•Community Meeting 2  
75+ participants  
•Key Stakeholder Interviews

South CobbDrive Study -Community Participation  
Jonquil Festival  
100+ participants  
•Food Truck Tuesday  
25 participants (late in SFTT season -first citizen engagement)  
•Community Meeting 1(Wolfe Center –Oct 1, 2016)  
Approximately100 participants  
•Transfer Center Interviews  
25 Interviews were conducted  
•Community Meeting 2 ( held at City Hall)  
39 participants  
•Community Survey  
281 +responses so far (survey open until 2/24/17)  
•Community Meeting 3 (to be held at Wolfe Center)  
February 7th-5:00 p.m. to 8:00 p.m.  
•Key Stakeholder Interviews  
South CobbDrive Study -Community Participation

Advertising, Media & Social Media Highlights  
Expanded online advertising in September with focus on not only event attendance, but lifestylepromotion to support economic development and City visitation with geo-targeting and behavioral targeting leveraged across a wide set of suitable websites and information sources.  
•first three months of the campaign(s) -placed through bidding at greatly reduced rates -with changing sets of ads (multiple sizes/formats)  
resulted in 1,694,461impressions  
•2,394new visitors to the City website –new people drawn to the City of Smyrna website with clicks through to the City website  
•Increased event attendance = visitation / emotional connection

Media & Social Media Highlights  
Publix Grand Opening  
Facebook post  
(single post with :30 video)  
•reached 58,029people  
•got 661 reactions  
•79 comments  
•23,000 video views  
•144 shares

Community Opportunities for Artists and Musicians –Smyrna Arts & Cultural Council  
eMailSmyrnaACC@gmail.comto apply and include links to your website, YouTube, ReverbNationand/or SoundCloudsites along with descriptions of your experience and music style.  
•Include any dates above that you cannot play as well as your preferred play dates.  
•If selected SACC will need a short biography and performance photo to develop promotional materials.  
•<http://smyrnaacc.weebly.com/2017-fresh-market-music.html>  
•SACC is seeking "festival ready" artists representing all disciplines including

painting, sculpture, photography, pottery and more to participate in the two-day event.

•To learn more, please contact the Visual Arts Committee of the Smyrna Arts & Cultural Council at [SACCjonquil@gmail.com](mailto:SACCjonquil@gmail.com).

•Please visit the website for complete details on how to apply.

<http://smyrnaacc.weebly.com/apply-for-2017-spring-art-at-th...>

Community Opportunities for Artists and Musicians –Smyrna Arts & Cultural Cou

Fire Chief Roy Acree gave the following report:

- This year marks SFD's 118th year
- Our 2016 annual report out soon
- 2016 proved to be our busiest year
  - o Over 12k requests for service
  - o Admin staff working hard to ensure excellent service delivery to Smyrna.
  - o Office of FP continues to work with developers/architects to ensure National/State/Local building codes are enforced.
- Continue to be impressed by compassionate men/women that work for SFD.
- Increasing our partnership with Safe Kids Cobb. Collaborating with PD to host a home safety seminar.
- 1 month into 2017...already seen ice storm, severe thunderstorms, and tornados. This week "Severe Weather Preparedness Week".
  - o 2 ways to be notified of a threat.
  - o Have a plan to: Shelter-in-place, and evacuate.

Human Resources Director Kay Bolick gave the following report:

Service Recognition:

Retirements - 2016

Total	19
Average Service	22 years
Longest Service	40 years

Retirements – YTD 2017

Mark Brugh – 37 years

Service Milestones – YTD 2017

25 Years	1
20 Years	1
15 Years	1
10 Years	5
5 Years	4

Employment Activity

YTD 2016 Stats

New Hires

Fulltime	67
Part-time/Seasonal	38
Applications Received	3850
# Job Postings	109
# Current FT Vacancies –	32

Current Vacancies

Community Relations Assistant

Purchasing Buyer

Police Officer (8)\*

Communication Officer (4)

Detention Officer (3)

Firefighter EMT (3)\*  
Water Systems Manager\*  
Equipment Operator\*  
Supervisor, Fleet Maintenance  
Streets Foreman  
Equipment Operator\*  
Mechanic Sr.\*  
Environmental Technician\*  
Crew Worker/W&S\*  
Parks Crew Leader (2)  
Crew Worker/PR (2)  
All PT Tolleson Pool Positions\*  
\*Currently Accepting Applications

#### *Application Process*

To apply, simply visit the City's website

[www.smyrnacity.com](http://www.smyrnacity.com)

Click on "Employment Opportunities"

Select the Position of interest

"Click Here to Apply"

Only applications (and resumes) received through the online process will be considered.

A computer kiosk is also available in the Human Resources Department (located in City Hall) for interested applicants who may not have access to their own computer.

#### *Additional Activities*

-Wellness Activity – New Year, New You

4-week challenge underway

30 employees participating

Drinking 64 oz. water

No sweetened beverages

30 minutes of activity

Technology-free for 30 minutes

-Safety Coordinator Training

6 employees participating

PD, PW, FD and HR

Completion March 2017

Library Director Mary Moore gave the following report:

#### *2016 OVERVIEW*

Circulation Highlights: 287,743 9.54% increase over 2015

2016 Digital – 10%

2015 Digital – 7%

Children's – 11%

#### *PROMOTIONS*

Email campaign

Monthly email to promote electronic resources

January email contributed to 286% increase in usage of lynda.com

#### *AFRICAN-AMERICAN*

#### *HISTORY MONTH*

Film Club – "The American Experience: Freedom Riders"

Monday, February 6, 6 p.m. – Part 1  
Monday, February 13, 6 p.m. – Part 2  
Brown Bag Book Discussion – Hidden Figures  
by Margot Lee Shetterly  
Friday, February 17, 12 noon  
Bring a sack lunch.  
Drinks & dessert provided.  
RSVP: [sreference@smyrnaga.gov](mailto:sreference@smyrnaga.gov)

## 5. Land Issues/Zonings/Annexations:

- A. Approval of Ordinance 2017-04 for the annexation of all tract or Parcel of Land Lying and Being in Land Lot 519, 17th District, 2nd Section, Cobb County, Georgia, for a total of 0.47 acre tract located at 1294 Pierce Ave., Smyrna Georgia

**Sponsors:** Anulewicz

*City Administrator Mike L. Jones read aloud the following background information regarding this item:*

*This item is for the approval of Ordinance 2017-04 for the annexation of all tract or Parcel of Land Lying and Being in Land Lot 519, 17th District, 2nd Section, Cobb County, Georgia, for a total of 0.47 acre tract located at 1294 Pierce Ave., Smyrna Georgia. Kimberly Norwood Properties, LLC, represented by Richard Kolb who submitted an application requesting the annexation of 0.47 acres located at 1294 Pierce Avenue. Certified Letters were sent to the Cobb County Clerk's Office and Cobb Community Development, Planning Division requesting the annexation of this property. The City received an email on January 24, 2017 with a copy of a non-objection letter from Cobb County stating there was no objection to the annexation.*

*This property is part of an unincorporated island that has been annexed property by property over the last few months.*

*Staff recommends approval of this item.*

*Senior Planner Rusty Martin came to the podium and stated this is a simple request with no zoning change. The owner plans on tearing down the existing home and rebuilding.*

A motion was made by Councilmember Ron Fennel to approve item 2017-51 Ordinance 2017-04 for the annexation of all tract or Parcel of Land Lying and Being in Land Lot 519, 17th District, 2nd Section, Cobb County, Georgia, for a total of 0.47 acre tract located at 1294 Pierce Ave., Smyrna Georgia, located in Ward 3, effective March 1, 2017, seconded by Charles (Corkey) Welch. The motion carried by the following vote:

**Aye:** 6 - Councilmember Norton, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

**Absent:** 1 - Mayor Bacon

- B. **Public Hearing** - City of Smyrna Comprehensive Plan Kick-off Hearing  
- Jacobs & Market Street

**Sponsors:** Stoner

*City Administrator Mike L. Jones deferred to Community Development Director Ken Suddreth for the background of this item.*

*Mr. Suddreth reviewed that the City of Smyrna is required by the Georgia Department of Community Affairs to hold a kick-off hearing for the start of the comprehensive planning process. The kick-off hearing will provide a brief overview of the state requirements, the public participation process and the anticipated schedule for completion.*

*The comprehensive plan update will be completed with input from the Mayor and City Council, city staff members, city boards and commissions, interested and concerned citizens, local businesses, and other stakeholders of the Smyrna community. Due to the city's anticipated growth from redevelopment and other activities, the primary objective of the comprehensive plan update is to create a consensus among the stakeholders regarding future development within the city over the next five years, while also looking at long-term goals for the next ten to twenty years. It is envisioned that the comprehensive plan update will include numerous opportunities for public involvement throughout the planning process. Anticipated public involvement activities may include open houses, workshops, meetings, surveys, hearings, and other methods to gather input from stakeholder groups and present ideas prior to adoption of the plan.*

*There is no action required.*

*Amanda Hatton, Project Manager for Jacobs, came forward and reviewed the power point presentation and introduced Jim Summerbell, Technical Lead on the project and Kathy Young with Market Street Services.*

*She explained the 10 year update to the City's Comprehensive Plan. She showed the timeline plan for the update process as well as the listed public meetings and events.*

*Jim Summerbell of Jacobs talked about the community goals, priorities and actions as well as land use transportation and how it all works together.*

*Kathy Young spoke about how the Strategic Vision plan and Comprehensive Plan will work together.*

*Mr. Suddreth returned to the podium and thanked Rusty Martin for his contributions to this process.*

*Mayor Pro Tem / Councilmember Teri Anulewicz thanked Jennifer Bennett, Community Relations Director also for her efforts with this process.*

*The public hearing was called and no one came forward to speak in opposition to or in favor of this item.*

## **6. Privilege Licenses:**

No Privilege Licenses

## **7. Formal Business:**

- A.** 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

*Mike L. Jones, City Administrator, read allowed the following background for this item:*

*This is an authorization for 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, if necessary, for parcels that are not purchased through negotiated sale. The following parcels are authorized to be acquired through such 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 and are identified as follows:*

*555 Windy Hill (Parcel No. 45)\**

*659 Windy Hill (Parcel No. 35)\**

*669 Windy Hill (Parcel No. 34)\**

*725 Windy Hill (Parcel No. 29)\**

*735 Windy Hill (Parcel No. 28)\**

*765 Windy Hill (Parcel No. 24)\**

*Windy Hill No street no (Parcel No. 23)\**

*2390 Beaver Creek (Parcel No. 22)\**

*969 Windy Hill (Parcel No. 11)\**

*Councilmember Charles (Corkey) Welch remarked that he would recuse himself from this vote.*

*Councilmember Susan Wilkinson remarked that although she is in favor of this project on Windy Hill, but at this time she is uncomfortable voting for this because the City is lacking a signed agreement with Cobb County on their part.*

*Mayor Pro tem / Councilmember Teri Anulewicz responded by saying that although it is true there is no currently signed agreement with the County, the City Council has voted to support this project as part of the SPLOST digest, the Board of Commissioners did the same thing and the citizens of Cobb County voted in favor of this SPLOST and thereby all of the SPLOST projects including this one as part of the SPLOST vote taken several years ago to approve the 2016 SPLOST. The City has a Memorandum of Understanding that is signed by the County to approve this project going forward so there is no reason for anyone to think this is not a project that is not going to happen.*

*There was no further discussion.*

*Councilmember Charles (Corkey) Welch announced he recused himself from the vote. He stepped down from the dais to stand by guest seating.*

A motion was made by Councilmember Ron Fennel 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 Doug Stoner. The motion carried by the following vote

**Aye:** 4 - Councilmember Norton, Councilmember Blustein, Councilmember Stoner and Councilmember Fennel

**Nay:** 1 - Councilmember Wilkinson

**Absent:** 1 - Mayor Bacon

**Recuse:** 1 - Councilmember Welch

**B.**

Repeal Sections 66-9.1(e) and 66-9.1(g) of the Smyrna Code of ordinances and suspend all enforcement of the remaining provisions of section 66-9.1 and section 66-9 for a period of 6 months to allow legal review and consideration by mayor and council.

**Sponsors:** Norton

*City Administrator Mike L. Jones read the following background for this item: This item is to repeal Sections 66-9.1(e) and 66-9.1(g) of the Smyrna Code of ordinances and suspend all enforcement of the remaining provisions of section 66-9.1 and section 66-9 for a period of 6 months to allow legal review and*



consideration by mayor and council. Provisions of code section 66-9.1 have come into focus recently incident to a case. While it appears that no one has been cited for violating this ordinance, certain provisions of the ordinance should be immediately repealed and the enforcement of the provisions of 66-9.1 as well as code Section 66-9 should be suspended to allow legal review and consideration by Mayor and Council.

A member of the public asked to speak and Mayor Pro Tem Anulewicz responded that this was not a public hearing but there was time at the end of the agenda for Citizen Input. The requestor asked that the response to his request be made a part of the record. Mayor Pro Tem Anulewicz deferred to City Attorney Scott Cochran who responded as follows:

Mr. Cochran wanted to make sure everyone knew what the vote was about. This has to do with the ordinance that regulates handbills and so what was being done was that two provisions of the ordinance are being repealed and the remaining part of the ordinance is being suspended until out for review. This was because of a lawsuit. This came to our attention in the lawsuit where the City has been sued over this ordinance and so that brought life to it and because we have numbers here he wanted to be sure it was clear what was happening.

A motion was made by Councilmember Derek Norton to approve ORD2017-05 to repeal sections 66-9.1(e) and 66-9.1(g) of the Smyrna Code of ordinances and suspend all enforcement of the remaining provisions of section 66-9.1 and section 66-9 for a period of 6 months to allow legal review and consideration by mayor and council, seconded by Councilmember Ron Fennel. The motion carried by the following vote:

**Aye:** 6 - Councilmember Norton, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

**Absent:** 1 - Mayor Bacon

## 8. Commercial Building Permits:

No Commercial Building Permits

## 9. Consent Agenda:

*The consent agenda was reviewed and it was noted that item E was being removed and would be added back to a consent agenda on March 3, 2017.*

A motion was made by Councilmember Ron Fennel to approve consent items A, B C, D, F and G, under #2. Agenda Changes a motion was made to remove item E and added to March 6, 2017 meeting, seconded by Councilmember Charles (Corkey) Welch. The motion carried by the following vote:

**Aye:** 6 - Councilmember Norton, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

**Absent:** 1 - Mayor Bacon

## A. Approval of the Mayor and Council January 17, 2017 Meeting Minutes

**Sponsors:** City Council

## B. Approval of the Mayor and Council Pre Council Meeting Minutes for

January 17, 2017

Sponsors: City Council

- C. Approval of the Mayor and Council Committee of the Whole Meeting Minutes for January 12, 2017

Sponsors: City Council

- D. Authorization to Terminate a Memorandum of Understanding with Howard's Wrecker Service dated June 5th, 2014

Sponsors: Norton

- F. Approval and adoption of amendments to the Defined Benefit plan to permit participants to designate pre-retirement beneficiaries other than surviving spouse and minor child(ren) and provide payment of death benefits to participant's estate in absence of designated beneficiary and authorize Mayor to execute related documents

Sponsors: Blustein

- G. Approval to use Council Chambers on Thursday, February 23, 2017 from 7-9 PM for the Williams Park Neighborhood Association Meeting.

Sponsors: Anulewicz

## 10. Committee Reports:

*Ward 1 - Derek Norton - No Report*

*Ward 2 - Andrea Blustein - No Report*

*Ward 3 - Chairperson for meeting*

*Ward 4 - Corkey Welch - No Report*

*Ward 5 - Susan Wilkinson - reminded citizens of the South Cobb Drive Corridor Study at the Wolfe Center, February 7, 2017 from 5:00pm - 8:00pm.*

*Ward 6 - Doug Stoner - No Report*

*Ward 7 - Ron Fennel - Thanked the participants for their attendance of the SBA luncheon and the archdiocese for their hosting the event.*

*Mayor Pro Tem Teri Anulewicz reminded citizens of the website for the comprehensive plan.*

*Mike Jones - No Report*

*Scott Cochran - No Report*

*Terri Graham - No Report*

**11. Show Cause Hearings:**

No Show Cause Hearings

**12. Citizen Input:**

*Gary Pelfrey, representing the Cobb County SCLC, one of the parties in the suit mentioned earlier. He is here to see that the chair has agreed to put the facts of his email into the record as requested. He asked if there was anything to do to assure that and she responded that the email was received and is part of the public record. He continued on as to his interpretation of the Ordinance that was voted on and the assumption that if the City had defined it in terms of the death of Nicholas Thomas the seats behind him would not be vacant.*

*Elisha Newton, here with the Smyrna residents and the suppression of the information. She suggested it was intentional that the City did not define the ordinance and therefore she had no idea what the ordinance number was and she also suggested that it disallowed herself and her neighbors to have discussion regarding the death of Nicholas Thomas. She asked for further transparency and cooperation from the City.*

*\*\*Clerk's Note: The email that Gary Pelfrey speaks of in his comments has been attached to the official record of the meeting minutes and will be held in the minute book kept in the City Clerk's office.*

**13. Adjournment:**

Mayor Pro Tem Teri Anulewicz adjourned the meeting at 8:10 PM