



# City of Smyrna

2800 King Street  
Smyrna, Georgia 30080

## Meeting Minutes - Final City Council

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Monday, February 20, 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:** 8 - Tammi Saddler Jones, Scott Cochran, Terri Graham, Ken Suddreth, Russell Martin, Robert Harvey, Heather Corn and Dan Campbell

### 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:

Associate Minister Dr. Williams, standing in for Reverend Eldren Morrison of Shaw Temple A.M.E. Zion Church, located at 775 Hurt Road in Smyrna, gave the invocation and led all in the Pledge of Allegiance.

### 2. Agenda Changes:

Item 4A would be tabled until March 20, 2017 Mayor and Council meeting at the request of the applicant.

### 3. Mayoral Report:

There was no Mayoral Report.

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

- A.** Public Hearing - Zoning Request Z16-002 - Rezoning from GC to RTD-Conditional for the construction of 68 townhome units - 7.25 Acre Tract - Land Lot 606 - 4710, 4730, 4750, 4760, 4770 & 4780 Camp Highland Road - Prime Interest, Inc. A request has been made by the applicant to table this re-zoning request to the March 20, 2017 Mayor and Council Meeting.

**Sponsors:** Fennel

*Assistant City Administrator Tammi Saddler-Jones read the following background for this item:*

*This item is a zoning request (Z16-002) for the rezoning from GC to RTD-Conditional for the construction of 68 townhome units on 7.25 Acre Tract, Land Lot 606 located at 4710, 4730, 4750, 4760, 4770 & 4780 Camp Highland Road by the applicant Prime Interest, Inc. A request has been made by the applicant to table this re-zoning request to the March 20, 2017 Mayor and Council Meeting.*

*Prime Interest, Inc. is requesting the rezoning of the subject property from GC to RTD-Conditional for the development of a 68-unit townhome subdivision at a density of 9.37 units per acre.*

*The zoning request was recommended for approval by the Planning and Zoning Board at the October 10, 2016 meeting by a vote of 6-0. This zoning request was tabled by the Mayor and Council from the November 21, 2016 meeting to the December 19, 2016 meeting. This zoning request was tabled by the Mayor and Council from the December 19, 2016 meeting to the January 17, 2017 meeting. This zoning request was tabled by the Mayor and Council from the January 17, 2017 meeting to the February 20, 2017 meeting.*

*Councilmember Fennel remarked that no public hearing would be held for this item at this meeting but would be held at the March 20th Mayor and Council meeting and also noted he himself, had met with residents at public meetings on several occasions to discuss this rezoning.*

A motion was made by Councilmember Ron Fennel to table rezoning request Z16-002 to March 20, 2017 from GC to RTD-Conditional for the construction of 68 townhome units on 7.25 Acre Tract, Land Lot 606 located at 4710, 4730, 4750, 4760, 4770 & 4780 Camp Highland Road by the applicant Prime Interest, Inc.; 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 - Zoning Request - Z16-018 - Rezoning from OI-Conditional to RTD-Conditional for the development twenty-six townhome units - 3.35 Acres - Land Lot 528 - King Springs Road & South Cobb Drive - Waters Edge Group.

**Sponsors:** Stoner

*Assistant City Administrator Tammi Saddler-Jones read the following background for this item:*

*This item is a zoning request (Z16-018) Rezoning from OI-Conditional to RTD-Conditional for the development twenty-six townhome units on 3.35 Acres, Land Lot 528 located at King Springs Road & South Cobb Drive by the applicant Waters Edge Group.*

*Waters Edge group is requesting rezoning of a 3.35 Acre tract from OI-Conditional to RTD-Conditional for the development of a twenty-six unit townhome development at a density of 7.76 units per acre.*

*On August 21, 2006, the subject property was rezoned from General Commercial to RAD-Conditional by Mayor and Council by a vote of 6-0. The rezoning allowed for the construction of 20 townhome units at a density of 5.97 units per acre marketed towards active adults with a minimum age of 55. Due to the down turn in the housing market the previous applicant decided not to build the townhome development. On January 22, 2008, the subject property was rezoned RAD-Conditional to OI-Conditional for the development of a four-story, 48,000 sq. ft. medical office building. Due to the recession, the medical office building was never developed and the site has remained vacant ever since.*

The Planning and Zoning Board heard the rezoning request for twenty-seven townhome units at the November 14, 2016 meeting and recommended approval with staff conditions (which did not grant the variances from the building separation requirements) by a vote of 7-0. After the Planning and Zoning Meeting, the applicant revisited their site plan to see if they could meet the building separation requirements. The applicant resubmitted a new site plan on December 12, 2016, which reduced the overall unit count to twenty-six units and increased the building separations. Community Development has reviewed the revised site plan and has updated its staff recommendation accordingly. The Mayor and City Council tabled the zoning request from the December 19, 2016 meeting to the January 17, 2017 meeting at the request of the applicant. The Mayor and City Council tabled the zoning request from the January 17, 2017 meeting to the February 20, 2017 meeting at the request of the applicant.

Community Development Director Ken Suddreth came forward and reviewed the background information and showed the Proposed Site Plan, reviewed the requested variances, showed the stormwater management facility, parking and open space. He also showed the renderings and elevations of the town homes.

Community Development recommends approval of the requested rezoning from OI-Conditional to RTD-Conditional with the following conditions:

*Standard Conditions*

*(Requirement #2, 8, 16 and 17 from Section 1201 of the Zoning Code is not applicable)*

- 1. The composition of the homes in a residential subdivision shall include a mixture of elements including; but not limited to: brick, stone, shake, hardy plank and stucco. No elevation shall be comprised of 100% hardy plank siding. The residences whose lots abut external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.*
- 2. There shall be protective covenants on all lots. These protective covenants shall be supplied to the city prior to the issuance of a building permit.*
- 3. The developer shall provide at least 200 square feet of common space per lot. This common space shall be developed with improvements for the residential subdivision such as: gazebos, fountains, recreational/playground equipment or walking trails. The common space shall be controlled and maintained by the Homeowners Association.*
- 4. The detention pond shall be placed and screened appropriately to be unobtrusive to homes inside and outside the development. The storm water detention plan shall be designed to create at least a 10% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.*
- 5. All utilities within the development shall be underground.*
- 6. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by either the City or the County during construction plan review. Sidewalks shall be provided by the developer inside the subdivision and outside the subdivision adjacent to any public right-of-way consistent with City's requirements for the extent of the development. A grass buffer with a minimum width of 2' shall be provided between the back of curb and sidewalk.*
- 7. A strip of brick pavers or stamped concrete shall be installed on the street at the subdivision entrance for a minimum distance of 20 feet.*
- 8. The development of any streets (including private) shall conform to the city's standards for public right-of-ways.*
- 9. No debris may be buried on any lot or common area.*
- 10. The developer will install decorative streetlights within the development, subject to approval by the city engineer. Utilization of low intensity, environmental type lighting, the illumination of which shall be confined within the perimeter of the subject property through the use of "full-cutoff lighting".*
- 11. The developer will comply with the City's current tree ordinance (unless noted elsewhere). All required tree protection measures shall be adhered to by the*

developer during construction.

12. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.

13. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

*Special Conditions*

14. The development shall maintain the following setbacks:

Front - 50'

Side - 35'

Rear - 40'

15. The buildings within the development shall maintain the following building separations:

Front to Front- 50'

Side to Front/Rear - 30'

Side to Side - 26'

16. Each townhome building shall be limited to no more than six units per building.

17. The townhomes shall have three-sided brick architecture per the submitted building elevations.

18. Driveway - 22' minimum length from building face to back of curb.

19. Each home shall have a fire sprinkler system approved by the City's Fire Marshal.

20. The developer shall provide a 10' landscape buffer per Section 503 of the Zoning Ordinance along the northern and eastern property line.

21. The developer shall provide a 50' public utility easement over the private street for water and sanitary sewer services. Where a 50' utility easement cannot be obtained, the developer may be permitted to reduce the easement to 45' in width. All water and sanitary sewer mains must be located within this utility easement and as far as possible from structures. The sewer mains shall be class 50 DIP and the detention pond shall not be located in the 50' utility easement.

22. No stormwater management facility or portion thereof shall be located on any portion of the proposed lots. The stormwater management facilities shall be solely located on the HOA's property.

23. All trees within the limits of disturbance and not located within a tree protection area must be removed during the land clearing and grading phase of the development.

24. Approval of the subject property for the RTD zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 2/6/2017 created by Ridge Planning and Engineering and all zoning stipulations above.

25. The applicant shall be bound to the elevations submitted and dated 10/14/2016. Building fronts shall have a staggered appearance. Approval of any change to the elevations must be obtained from the Director of Community Development.

26. The additional stipulations agreed upon by the applicant in the letter submitted and dated on February 6, 2017. If there should be a discrepancy between the stipulations in the February 6, 2017 letter and the stipulations stated above, the stipulations stated above shall apply.

Councilmember Susan Wilkinson asked about the three sided brick and inquired as to what three sides would face the public right of ways. Mr. Suddreth requested she ask the developer about that specifically.

The public hearing was called by Mayor Pro tem Anulewicz and two attendees came forward to be sworn in by City Attorney Scott Cochran.

Howard Martin of 3534 Lee Street has been a resident of Smyrna for 53 years and has resided on Lee Street for over 30 years. He asked the Mayor Pro tem and Council many questions such as had an environmental test been done on the old service station site and were there still petroleum lines in the ground on the site. He spoke about being impacted by the traffic on King Springs from this new development. He inquired as to where the entrance and the exit would be located for

the development. He also listed several developments in the immediate area that were also currently on that road contributing to the heavy traffic. There were many questions he had about about this development that has not been released yet and he noted the previous Quik-trip created terrible traffic issues for the area.

Mr. Garvis Sams, attorney for the developer and applicant, was invited to the podium by Mayor Pro Tem Anulewicz and gave additional background for this item. He noted no opposition to this request by the Planning and Zoning Board. He reviewed the variance requests also and noted the three sided brick explaining which sides it would be located. He noted Laurel Gate Townhomes was built by the same developer. They are amenable to all staff conditions and recommendations and have self imposed conditions that were submitted to Community Development by the developer.

This would be a gated community and no rental units with only home ownership units permitted. The price range would be approximately \$300,000 to \$350,000 per unit. There would be parking for an available four vehicles as well as an HOA with strict covenants. A landscape plan will submitted for all yards and green space. The fire department had specific recommendations and requirements for turnarounds for the fire truck vehicles. There would also be ADA accessible mail kiosks, guest parking and green space. This would be appropriate for the future land use study. They have not heard any opposition until this evening.

Councilmember Welch asked if there were any results of any environmental studies done to the property and Mr. Suddreth stated they do not require that type of testing as part of the zoning.

Councilmember Fennel noted the tanks were removed from the service station and Mr. Cochran added that this development is not the old Quik-Trip site.

There was an additional question of where the entrance and exit would be located.

Mr. Alex Backry of 3459 Shawnee Trail remarked that most of the accidents he sees are at King Springs and South Cobb Drive. He said a development of this size is appalling. He cannot imagine seeing four to five homes on a half-acre of his size.

This Council has to get away from these type of developments.

Mr. Sams remarked that what is currently there are scrub pines and it was rebutted that there will be superior trees replanted in their place.

Councilmember Stoner made a few points starting with the previous developments that have come before the Council in prior years for this property. He also asked Mr. Suddreth to clarify that a traffic study had been reviewed for the area. This developer has made every effort to work with the City with their requests to downsize the number of townhomes on the property and adding the large open space at the center of the complex.

Councilmember Blustein asked about where the gates would be setback from the ROW and the road to allow for stacking distance that is appropriate for the roadway.

A motion was made by Councilmember Doug Stoner to approve item 2016-432 for a Zoning Request (Z16-018) for the rezoning from OI-Conditional to RTD-Conditional for the development twenty-six townhome units on 3.35 Acres, Land Lot 528 located at King Springs Road & South Cobb Drive by the applicant Waters Edge Group; 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

**C.**

Public Hearing - Zoning Request Z17-001 - Rezoning from GC & R-15 to GC for a 10,000 sf commercial building - 1.1 Acres - Land Lot 491 - 2264 Atlanta Road - Ray's Five Star, LLC

**Sponsors:** Anulewicz

Assistant City Administrator Tammi Saddler-Jones read the following background for this item:

*This item is a zoning request (Z17-001) for the rezoning from GC & R-15 to GC for a 10,000 sf commercial building - 1.1 Acres - Land Lot 491 - 2264 Atlanta Road - Ray's Five Star, LLC*

*Ray's Five Star, LLC is requesting to rezone the property at 2264 Atlanta Road from GC & R-15 to GC for the development of a one-story, 10,000 sq. ft. commercial building.*

*This zoning request was heard by the Planning and Zoning Board at the January 9, 2017 meeting and was recommended for approval by a vote of 6-0.*

*Community Development Director Ken Suddreth came forward to give additional background and remarked that this is an existing store on Windy Hill that would be moving to the new location.*

*He showed the zoning map and reviewed the request. Additionally he showed the Future Development Map and stated they would remove the existing car wash and intended to try to keep the front part of the building that was currently office space. The proposed site plan was shown as was the building setbacks and the Phase I buildout for the package store. He also showed the Phase II plan, the parking plan and the building elevations. Pictures of the subject property were shown.*

*The tree ordinance was reviewed and it was noted that it is not a choice by developers but rather a requirement and they have to meet the requirements of the ordinance.*

*Community Development recommends approval rezoning the subject property from GC & R-15 to GC for the development of a 10,000 sq. ft. commercial building with the following conditions:*

***Standard Conditions***

*(Requirement #1, 2, 3, 4, 8, 9, 10, 12, 16 and 17 from Section 1201 of the Zoning Code is not applicable)*

- 1. The stormwater management facility shall be placed and screened appropriately to be unobtrusive to homes inside and outside the development. The storm water detention plan shall be designed to create at least a 10% reduction in a 2-year to 100-year storm event. The City Engineer shall approve all plans.*
- 2. All utilities within the development shall be underground.*
- 3. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by either the City or the County during construction plan review. Sidewalks shall be provided by the developer inside the subdivision and outside the subdivision adjacent to any public right-of-way consistent with City's requirements for the extent of the development. A grass buffer with a minimum width of 2' shall be provided between the back of curb and sidewalk. The grass buffer may be waived if it is deemed unnecessary by the City Engineer.*
- 4. No debris may be buried on any lot or common area.*
- 5. The developer will comply with the City's current tree ordinance. All required tree protection measures shall be adhered to by the developer during construction.*
- 6. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.*
- 7. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.*

***Special Conditions***

- 8. The development shall maintain the following minimum setbacks:*

*Front - 50'*

*Side - 10'*

*Rear - 30'*

- 9. Any proposed dumpsters shall be surrounded by a three-sided brick or stucco enclosure with an opaque gate in the front. The lid of the dumpster shall be made of rubber.*

10. Any utility boxes, HVAC components, or accessory components to the commercial building shall be screened from the public right-of-ways and adjoining property owners.

11. The commercial building shall have entry doors along Atlanta Road.

12. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.

13. The developer shall be responsible for any water and sanitary sewer improvements deemed necessary by the Public Works Director.

14. The right-of-ways along Atlanta Road and Belmont Circle shall be increased to include all sidewalks in the public right-of-way. Therefore, a small dedication may be required.

15. The developer shall provide a 5' sidewalk with a 2' grass buffer along Belmont Circle and Atlanta Road for the length of the development.

16. Approval of the subject property for the General Commercial (GC) zoning district shall be conditioned upon the development of the property in substantial compliance with the submitted site plan dated 12/14/2016 created by KSi Design Group, Inc.

The applicant shall be bound to the building material and architectural features illustrated on the elevations titled "Ray's Package Store" and submitted 12/14/2016. If there is any change to the elevations, it must be approved by the Director of Community Development.

The applicant's architect was present, as was the applicant, and was asked to come to the podium to give additional information.

Mayor Pro Tem Anulewicz announced the public hearing and a few attendees came forward to be sworn in by the City Attorney Scott Cochran.

The architect came forward and reviewed the plan for the site by the owner. One of the concerns was that this is a package store with distance requirements. The entrance has to remain in its current location to comply. Mayor Pro Tem Anulewicz stated that the owners want to get quality businesses into this area. There are additional stipulations regarding the types of businesses that will be precluded from coming into this building.

The following list:

Automobile sales, service and repair

Car Wash

Adult Novelty

Pawn Shops

Check Cashing

Truck rental, sales, service and repairs

Motorcycles sales, service and repairs

Massage Parlor

Tires sales and service

The architect noted verbally that they are agreeable to all the conditions.

The main concern was that this was a package store and had to be a certain distance from residential and the current front door meets those requirements. The owner wants to attract good quality businesses to this property as well.

Kyle Kirkman of 941 Woodland Trail lives about 600 yards from the proposed site.

We currently have a massage parlor, a used car lot, motorcycle shop and repair shop within a stone's throw of this current location. To preclude that from the new site is laughable. Within three miles there are 6 liquor stores. There is one .9 miles from the current site. He mentioned a Harvard Study about crime stats around liquor stores. For the past two weekends he has alerted Councilmember Susan Wilkinson to gunshots in their area and he is steadfast against this development and will fight to the bitter end against it.

Mayor Pro Tem Anulewicz spoke about the general commercial zoning currently around this development that is in this area where someone could put a package store or novelty shop without having to go before Planning and Zoning or the Council currently.

*Don Widler and he lives on Woodland Trail and he remarked that no one has spoken to the bus stops. There are currently two school buses and there is not enough room on this road for vehicles and no sidewalks much less school busses.*

*Kyle Smith, Woodland Trail resident came to the podium and stated that one of the factors reviewed for rezoning analysis is number #8 regarding "creating a nuisance". The development will create a nuisance since the surrounding area is residential and not similar commercial uses as per the zoning requirements. He listed the surrounding businesses.*

*He is against a liquor store for this area and it seems no research was done for this area as to the existing businesses that are also in this area. He talked about the hours of the liquor store as well with the other businesses closing at approximately 5pm. The liquor store would remain open later until 11:00pm increasing foot traffic and car traffic. It will bring crime and loitering and the current location is packed with the addition of 40 parking spaces. He also has spoken to Councilmember Susan Wilkinson about this issue. He has video of individuals loitering on an adjacent closed property. He noted there is no significant buffer between the business and the residential properties. There are other liquor stores in the City of Smyrna do not back up to single family residential properties. Property values would be decreased by this type of business.*

*Ms. Anulewicz asked that Mr. Suddreth to come forward again to speak to the zoning requirements.*

*A liquor store can go into any of those properties that are red on the map in front of that subdivision. The City does not single out the fact that this is a liquor store, and this is looked at as a commercial corridor.*

*Councilmember Wilkinson asked if Phase II would continue as a carwash with the bays. She was not understanding of how this can be a liquor store if it did meet the requirements of the distance requirements. She was corrected by Council that it does meet the requirements by location of the door. She also inquired if a liquor store could go into the Belmont Hills shopping Center across the road? Mr. Suddreth responded that in theory, yes it could.*

*Councilmember Fennel made an observation about the preclusions for future development of the property.*

*There are nine total liquor stores allowed in the City.*

*Mr. Kirkman returned to the podium and asked that vape shops be added to the list of current restricted businesses. He also stated this addition of this larger parking would impact the residential area tremendously.*

*The owner of the package store was invited to the podium and was asked by Mayor Pro tem Anulewicz if the addition of the vape shop was agreeable. He replied that he sold cigarettes and it was decided among the Council, staff and City Attorney that the language would be that a vape shop could not be marketed in that location to allow for the sale of cigarettes by the liquor store.*

*Councilmember Wilkinson asked the applicant to speak about Phase II. He replied that he currently had no plans for Phase II. Phase I will be removal of the complete car wash.*

*Mr. Fennel asked how long he had been in business in Smyrna and he replied it had been approximately 10 years.*

*A motion was made by Councilmember Charles Welch to approve item 2017-22 for the Zoning Request (Z17-001) for a rezoning from GC & R-15 to GC for a 10,000 sf commercial building on 1.1 Acres, Land Lot 491 located at 2264 Atlanta Road by the applicant Ray's Five Star, LLC.; seconded by Councilmember Ron Fennel.*

*The motion carried by the following vote:*

**Aye:** 5 - Councilmember Norton, Councilmember Blustein, Councilmember Welch, Councilmember Stoner and Councilmember Fennel

**Nay:** 1 - Councilmember Wilkinson



**Absent:** 1 - Mayor Bacon

## 5. Privilege Licenses:

There were no Privilege Licenses.

## 6. Formal Business:

- A. Approval to enter into a one (1) year contract with Barrow Wrecker Service as a sole provider of City requested wrecker services.

**Sponsors:** Norton

*City Administrator Tammi Saddler - Jones read the following background: Approval to enter into a one (1) year contract with Barrow Wrecker Service as a sole provider of City requested wrecker services.*

*On February 6, 2017, the Memorandum of Understanding with Howard's Wrecker Service was terminated effective March 1, 2017. A Request for Qualification (RFQ 17-006) was received from both Howard's and Barrow Wrecker Services and Barrow's Wrecker Service has been determined to be the most advantageous to the City of Smyrna.*

*Historically, Smyrna has utilized two separate vendors for city requested wrecker service. On February 6, 2017, the authorization to terminate the existing Memorandum of Understanding with Howard's Wrecker Service was approved by Mayor and Council effective March 1, 2017. This termination leaves Barrow Wrecker Service as the sole provider after this effective date. Also, a Request for Qualification (RFQ 17-006) was received from both Howard's and Barrow's Wrecker Services and, with the termination Howard's MOU for cause, Barrow Wrecker Service's RFQ was determined to be the most advantageous to the City of Smyrna. This new contract carries a term of one (1) year and is renewable for an additional four terms unless terminated by one or both parties. Further, this new contract includes set pricing that is identical to Cobb County's pricing structure and also includes a twenty (20) dollar per impounded vehicle administrative fee to be paid monthly to the police department.*

*The Chief of Police, staff, and purchasing department recommend approval. Councilmember Norton stated he has the utmost confidence in City staff and their recommendations regarding day to day operations in their department and their recommendation to contract with Barrow's.*

A motion was made by Councilmember Derek Norton to approve item 2017-69 for the approval to enter into a one (1) year contract with Barrow Wrecker Service as a sole provider of City requested wrecker services; seconded by Councilmember Doug Stoner.

The motion carried by the following vote:

**Aye:** 5 - Councilmember Norton, Councilmember Blustein, Councilmember Welch, Councilmember Stoner and Councilmember Fennel

**Nay:** 1 - Councilmember Wilkinson

**Absent:** 1 - Mayor Bacon

## 7. Commercial Building Permits:

There were no Commercial Building Permits.

**8. Consent Agenda:**

*Assistant City Administrator Tammi Saddler-Jones read aloud the consent agenda for Council approval.*

A motion was made by Councilmember Ron Fennel to approve the consent agenda items A - F as read aloud; seconded by Councilmember Derek Norton.  
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 February 6, 2017 Mayor and Council Meeting Minutes

**B.** Approval of the February 6, 2017 Pre-Council Meeting Minutes

**C.** Approval of the February 2, 2017 COW Agenda Meeting Minutes

**D.** Approval of the Intergovernmental Agreement for the Title Ad Valorem Tax between the City of Smyrna and Cobb County and Authorize the Mayor to sign any related documents. The percentage for 2016 was 40.55%; this change will increase the City's portion by 5.06% to 45.61%.

**Sponsors:** Fennel

**E.** Approve a change order in the amount of \$43,852.00 to the contract with Peachtree Construction Services, Inc. for the installation of an elevator and framing for the Reed House project and authorize the Mayor to sign and execute all documents.

**Sponsors:** Welch

**F.** Authorization to amend the cell tower lease agreement between the City of Smyrna and SBA Network Services, LLC and authorize the Mayor to sign any related documents.

**Sponsors:** Fennel

**9. Committee Reports:**

*Ward 1 Councilmember Derek Norton had no report. He made a comment regarding the proposed church development that recently passed Planning and Zoning and he has met with many surrounding residents to work with them and hear their concerns and comments.*

*Ward 2 Councilmember Andrea Blustein will put together a meeting next month as to where traffic jams are going to be and will notify them as to date, time and location.*

*Ward 4 Councilmember Corkey Welch asked residents to take a look at linear park on Concord Road as it was coming along really well.*

*Ward 5 Councilmember Susan Wilkinson had no report.*

*Ward 7 Councilmember Doug Stoner had no report.*

*Ward 7 Councilmember Ron Fennel spoke about the people that came for the public hearing for item 4A. Additionally he and Mayor Bacon and Councilmember Wilkinson attended a City / County relationship meeting. He also participated in an Atlanta Braves update meeting. Finally, as winter has avoided us, be aware and be prepared and use the ready.gov website.*

*Mayor Pro tem / Councilmember Teri Anulewicz spoke about the Comprehensive Plan that is underway and a very well attended forum at Brawner Hall and a diverse group participated in round table discussion. This is a land use plan. Guide Smyrna.com website allows for an online survey for participation as well.*

**10. Show Cause Hearings:**

There were no Show Cause Hearings.

**11. Citizen Input:**

*Alex Backry of 3459 Shawnee Trail made comments regarding the removal of the no parking signs on his street.*

*Phillip Howard of 2465 Ventura Place made comments and read a statement regarding the termination of his MOU for towing services with the City and the seven deficiencies he said were he was not given the opportunity to correct.*

**12. Adjournment:**

The February 20, 2017 meeting of the Mayor and Council was adjourned at 8:57PM by Mayor Pro tem Teri Anulewicz.