



Meeting Minutes - Final Committee of the Whole

Thursday, October 17, 2019

6:00 PM

City Hall

1. Roll Call

Council: Mayor Max Bacon, Derek Norton, Maryline Blackburn 6:03 pm, Tim Gould, Charles "Corkey" Welch, Andrea Blustein 7:23 pm, Susan Wilkinson 6:03 pm

Staff: Tammi Saddler Jones (City Administrator), Christy Ullman (Ex. Asst. to the M&C), Scott Cochran (City Attorney), Mary K. Arvin (Admin. Svc. Coord.), Frank Martin (Public Works Director), Kristin Robinson (Finance Director), Kay Bolick (Director HR), Landon O'Neal (ICMA Management Fellow), Major Terry L. McCormick (SPD), Rusty Martin (Director, Community Development)

Guests: Greg Teague (Croy Engineering), Jamie Fisher (March McClendon - MMA), Gordon Mortin (Raymond James)

2. Call to Order

Mayor Max Bacon called the October 17, 2019 Committee of The Whole Board Meeting to order at 6:00 pm.

3. Health Insurance Discussion

Approval of the 2020 Employee Insurance providers and plans and authorize the Mayor to execute all related documents. Modifications to the plan deductible; keep \$500 – pay more monthly or adopt a \$1,000.00 and pay less. Mayor and Council want to keep all (4) options: current HMO, new Base HMO, PPO, & CDHP. City staff will put together a quick survey to poll employee opinions.

Retiree life insurance was discussed. Upon employees reaching retirement age (65) we have allowed underage spouses to continue coverage under the current plan. Consider removing retiree employee spouses coverage, or replace it with another benefit, or stop offering this benefit to new employees in order to reduce cost. Provide one year to notify and educate covered retiree age spouses that coverage may stop. Mayor and Council do not want any changes for all existing employee life insurance coverage. There will be no coverage offered to new employees effective January 1, 2020.

4. Review of the October 21, 2019 Mayor and Council Meeting Agenda

Review of the October 21, 2019 Mayor and Council Meeting Agenda:

Comments made by Mayor Bacon to pass a resolution of Georgia's 2005 smoke free air-act (OCGA) that was passed; chapter 12A: Resolution the owner operator of a restaurant / bar establishments or outdoor area may decide if smoking should be eliminated. There are seven locations in Smyrna that allow smoking. Restaurant

owners want the City to make the decision and inform customers of their no smoking restrictions. Mayor suggest passing a resolution that restaurant owners make their own decisions to implement no smoking restrictions.

2019-339 Proclamation in Recognition of National Friends of Libraries Week, October 20-26, 2019. The Board will be present.

Land Issues/Zonings/Annexations:

2019-305 Public Hearing - Zoning Request Z19-012 - Rezoning from neighborhood NS to GC with conditions for use as a special event center - 1.84 Acres - Land Lot 381 - 652 Concord Road - Drew Ihrig. Chef who wants to continue catering business out of the Old Hog Crafty Fire Engine 2 Taphouse. Plans are to clean up front of property and upgrade interior for weddings etc.; full kitchen for catering. Removing the horseshoe sandpits and basketball courts and planting some trees in front. Will bring existing sign into compliance with the sign ordinance. Staff is recommending approval of the requested zoning change. P&Z ask to add a list of prohibited uses from the GC zone category that wouldn't be allowed like tattoo parlors.

2019-306 Public Hearing - Zoning Request Z19-013 - Rezoning from LI to RHR-PD for the development of a 65-unit age-restricted 62 and above low income senior living community at 24.8 units per acre - 2.62 Acres - Land Lot 381 - Smyrna Hill Drive near Sparkles Skating rink across the street - Prestwick Land Holdings LLC purchased the property which has been for sale/vacant a long time. The lot is on Smyrna Hill Drive. Parking will be at the rear of property with added parallel parking along the street that serves traffic coming along Smyrna Hill. Also, studies were completed on the sight line distance on the hill. Prestwick Land Holding plans to apply for a tax credit and state inspections are required by a third party to be done on 20% of the units every year, to keep up maintenance of property. It was suggested that we let Prestwick know about the Smyrna Housing Authority code enforcement inspections to ensure property is properly maintained. P&Z has approved the rezoning for the development.

2019-364 Public Hearing - Approval of subdivision plat with variances for lot area and front setback - 0.46 Acres - Land Lot 378 - 2900 & 2930 S Cobb Drive - 2900 S Cobb Drive, LLC. Existing corner of Floyd and S. Cobb. Has been operating for 20 years as a single plot; has its own tax id number. There's no formal record of the creation of the lot; formalize making an official record of the assigned plat. Selling property to Smoothie King drive-through but wants to continue operating. Staff is supporting the setback request. P&Z voted to approve.

ORD2019-20 Public Hearing - Approval of Ordinance 2019-20 for code amendments to the City of Smyrna Zoning Ordinance, Appendix A, Article IV, Sec 402 and Article VII Sections 712, 714, 716 and 720 to include wineries as October 21, 2019 permitted uses in the General Commercial, Light Industrial, Central Business District and Mixed-Use zoning districts. Property is off Jonquil Drive; request to allow fermentation on site and tastings. Staff will be proposing an ordinance amendment to add winery to list of permitted uses in GC, LI, and Central Business District and mixed use. Under state law wineries are separate from breweries and staff has added the proper wording definitions for wine and winery and to state all manufacturing that must take place inside. P&Z has approved.

ORD2019-22 Public Hearing - Approval of Ordinance 2019-22 for code amendments to the City of Smyrna Zoning Ordinance, Appendix A, Article V, Sections 501 & 503 pertaining to fencing requirements. Consolidates fencing requirements into one section

of the code dealing with the fencing per corner lots that allows a 6 foot fence on the corner. Staff wasn't supportive, so they pulled out language for the corner lot fencing to go up to 6 feet and left the corner lot language the same as it is today. This information has been moved into a new section and added they require the finish side of the fence to face the exterior of the properties, so the adjoining properties will have public right of way. Finish side deals with the visible support structures that hold up the slats. P&Z approved.

Formal Business:

2019-381 Gordon Martin spoke about the approval of the Bond Resolution term sheet with Vinings Bank, Bond Purchase Agreement and related documents, authorizing the issuance of its refunding tax allocation bond (Atlanta Road Corridor Project) Series 2019, in a principal amount of \$12,725,000 and authorize the Mayor or Mayor Pro Tem to execute all documents incident there to. Documents are to state the bond resolution conforms to the term sheet, the terms of the deal are interest rate of 3.65, and the offer is instead of having a 2039 final year payoff of the bond, by lowering the interest rate it's going to be about the year of 2032.

ORD2019-21 Approval of Ordinance 2019-21 for proposed text amendments to the City of Smyrna's Code of Ordinances, Chapter 6, Alcoholic Beverage by amending Article I, Section 6-2 and Article II Sections 6-34, 6-37, 6-45, 6-46, 6-61, 6-62, 6-118 and adding Section 6-82 related to the licensing of wineries. City Attorney Scott Cochran is fine with the wording. There will be a \$500.00 fee to add breweries and an alcohol permit.

ORD2019-23 Approval of Ordinance 2019-23 for proposed code amendments to the City of Smyrna's Code of Ordinances, Chapter 90, Sections 90-60 and 90-61 for the establishment of a Sidewalk Bank for alternative compliance to the City's sidewalk requirements. Fees would be limited to new sidewalks and maintenance of old sidewalks. It was decided this item should be removed from the agenda. P&Z denied.

2019-378 Staff discussed the approval to amend the City of Smyrna Fee Schedule for Community Development for Licenses to include a fee for the manufacturing packaging, tastings, and pouring of alcohol totaling \$1,700.00.

2019-379 Approval to amend the Fee Schedule to include a fee for Public Works for the Sidewalk Bank in the amount of \$76 per linear foot of required sidewalk that doesn't include curbs and gutters; just the sidewalk. PNZ didn't approve; suggest tabling this item until a meeting takes place with PNZ. Mayor Bacon suggest removing two Agenda items 6 – C: Ordinance 2019-23, the establishment of a Sidewalk Bank & also 6 - E: 2019-379, to amend the Fee Schedule to include a fee for Public Works for the Sidewalk Bank from the preliminary Agenda.

2019-380 Approval to amend the Fee Schedule to include an impoundment fee of \$100.00 for the shareable mobility devices removed from the right-of-way and a \$5.00 per day fee for storage.

2019-367 Previously discussed as a separate Agenda item above under Health Insurance.

2019-359 Approval to award RFP 19-009 Water/Sewer modifications for Windy Hill Blvd (a Windy Hill Road project) to the lowest bidder RDJE Inc. located at 679 HWY 29 South Newnan, Georgia 30263 in the amount \$4,276,185.50 to be funded from reductions in FY 2020 Water CIP, transfers in from the Water and Sewer Fund (505)

and use of Water CIP (R&E) fund balance and authorize the Mayor to execute all related documents and amend the budget accordingly. No other comments were added.

I. 2019-375 Approval to abandon a small strip of land consisting of 0.0185 acres adjacent to Windsor Subdivision on Fontaine Rd and the EW Connector that is no longer needed for surface water drainage and convey whatever interest the City has in the property to the adjacent property owner, David Weekly Homes, LLC asked if we don't need small strip of land anymore, they request city abandonment.

Commercial Building Permits:

Consent Agenda:

A. 2019-368 Approval of the October 7, 2019 Mayor and Council Meeting minutes.

B. 2019-369 Approval of the October 7, 2019 Pre-Council Meeting minutes.

C. 2019-361 Approval of the October 3, 2019 Committee of The Whole Meeting minutes.

D. 2019-371 Approval for Atkins Park Tavern to extend premises for Smyrna OysterFest January 24, January 25 and January 26, 2020 during hours of operation (Jan. 24 7:00 p.m. to 11:00 p.m./ Jan. 25 11:00 a.m. to 11:00 p.m. and Jan. 26 11:00 a.m. to 11:00 p.m.) and road closings. Permit required for street closures and for requesting alcohol sales.

5. City Administrator Report

City Administrator Tammi Saddler Jones and ICMA Fellow Landon O'Neal will be attending the ICMA Conference October 19-23, 2019 in Nashville, TN.

"Mayor Max Bacon was the recipient of the Cobb Chamber's "Lifetime Achievement Award".

Mayor Bacon presented the Cobb Chamber's "Smyrna Citizens of the Year" award to Scott Cochran, Jeff Floyd, Mike Sizemore, and Gordon Mortin.

North Cooper Lake Bike Park Trail Ribbon Cutting Ceremony, Saturday, October 19, 2019.

Upcoming Events are the "Proposed Tree Ordinance Amendments", and the "Fall Jonquil Festival" held Saturday and Sunday, October 26th and 27th.

6. Adjournment

Mayor Max Bacon adjourned the Committee of The Whole Board Meeting on October 17, 2019 at 8:17 pm.