



Meeting Minutes - Final Committee of the Whole

Thursday, February 13, 2020

6:00 PM

City Hall

Roll Call

Present 8 - Derek Norton, Glenn Pickens, Austin Wagner, Travis Lindley, Charles Welch, Susan Wilkinson, Tim Gould, and Lewis Wheaton

Also Present 0

Staff 7 - Tammi Saddler Jones, Heather Peacon-Corn, Landon O'Neal, Kristin Robinson, Jered Sigmon, Kay Bolick, and Terry McCormick

1. Call to Order

Mayor Derek Norton called the Committee of the Whole meeting to order at 6:01PM.

2. New Business

A. Review the proposed 2022 SPLOST Project list

3. Review of the February 17, 2020 Mayor and Council Agenda

Mayor Norton asked to review the agenda first to accommodate staff present.

City Administrator Tammi Saddler Jones introduce Carol Sicard as the recommended Human Resources Director to take Kay Bolicks place upon her retirement April 3, 2020.

Ms. Sicard gave her personal and professional background to the Committee. She is currently the HR Director at the City of Sandy Springs. Ms. Saddler Jones reiterated that she has background in Risk Management, general HR policies and procedures as well as retirement and would be an excellent addition to the staff.

Consent Agenda:
Items D, E, F

Frank Martin: first item is an amendment to the City of Smyrna's Code of Ordinances

Chapter 102 by adding Article V, water System to include Sections 102-15, 16, 17. These updates are to satisfy mandatory requirements set forth by the Metropolitan North Georgia Water Planning District (MNGWPD) and Environmental Protection Agency (EPA) and request the Mayor and Council approve updates to Antical V water System to include new sections in the City's Code of Ordinances.

The next item is a request to piggy back the contract from Rockdale County for Sanitary Sewer Rehabilitation services. This will be a cooperative procurement with IPR Southeast, LLC 5207 Brer Rabbit Road Stone Mountain, Ga. 30083 has agreed to provide the City Of Smyrna the same pricing from Rockdale County Contract No.2019-09. The contract will be used to price sanitary sewer repairs. The Rockdale County contract provides very competitive line item pricing that the City Of Smyrna Public Works can use to mobilize crews for quick repairs.

Final item for public works is the approval to award RFP-20-017 landscape maintenance contract to recommended bidder Ashford Gardeners located 16040 Birmingham Hwy Milton, Ga 30004 in the amount of \$650,233.92 Annually. Public Works Requested Bids for Annual Landscape Maintenance contract. Five bids were received . The lowest bid responsive and responsible bidder was chosen based off scoring criteria: Resume, Company profile, Experience, References, Financial Stability, Work Plan, Contractor Equipment and Safety. The proposals were scored by Staff from Public Works, Parks & Recreation and Purchasing department. The recommended Contractor is Ashford Gardeners located 16040 Birmingham Hwy Milton, Ga 30004 in the amount of \$650,233.92 annually.

Councilmember Wilkinson has a question related to the Flood Plain Ordinances to which Mr. Martin responded that he does not handle flood plain.

Item I

HR Director Kay Bolick brought forward the policies to be reviewed and approved. Periodic review of personnel policies is a must to remain compliant and up to date with laws, regulations and change in internal practices. The following policies have been updated to reflect these changes.

(Summary of Changes has been provided):

EMP 1-0 Employee Personnel Records

EMP 8-0 Time and Attendance

EMP 12-0 Pay Plan

EMP 17-0 Termination of Employment

EMP 18-0 Retirement Recognition

EMP 20-0 Working Test

DIS 3-01 Disciplinary Appeals.

She read each aloud and identified the specific changes.

Land Issues:

Item A

Community Development Director Rusty Martin reviewed this item and noted it had been tabled at the request of Councilmember Tim Gould.

Reggie Lopes is seeking approval of a rezoning for 1460 Memory Lane from R-20 to R-15 for

the development of two single-family detached residences at a density of 2.22 units per acre. The

applicant is proposing to demolish the existing single-family home and then subdivide the parcel into

two lots and construct two individual single-family residences. The proposed lots will be 19,463 sq. ft. and 19,594 sq. ft. (or 18,018 sq. ft. and 19,094 sq. ft. after the 5' right-of-way dedication along Memory Lane & Northview Place). Lot 1 will have a side entry garage accessed from Northview Place, and Lot 2 will have a front entry garage accessed from Memory Lane. The applicant has submitted building elevations and floor plans for each home in the rezoning application. The applicant proposes to use brick, stone, and siding for the facade materials for each home. During the Planning and Zoning Board meeting on December 9, 2019, several members of the community had concerns that rezoning to the subject property to R-15 would set a negative precedent and allow other lots in the area to be rezoned to R-15 allowing additional density in the neighborhood. After hearing those concerns, the Planning and Zoning Board recommended to deny the request by a vote of 7-0. Therefore, staff recommends modifying the requested zoning category from R-15 to R-20-Conditional with variances for the lot sizes to maintain the R-20 zoning designation in the immediate neighborhood. If the R-20-Conditional zoning is approved a variance is needed to lower the minimum lot size to 19,463 sq. ft.. Community Development is supportive of modifying the zoning request to R-20-Conditional with a variance for lot size. The Future Land Use will remain LDR - Low Density Residential.

The applicant originally requested rezoning from R-20 to R-15 for the for development of two new single-family homes. The surrounding residents opposed the zoning request at the Planning and Zoning Board stating the proposed zoning to R-15 would establish a negative precedent allowing additional density in their community, which is zoned R-20. Community requested zoning district from R-15 to R-20-Conditional to address the residents concerns with respect to establishing a precedent for the R-15 zoning district. Staff feels comfortable that this will not create a future precedent due to this property previously being two recorded lots of record and tying the zoning of the property to the specific site plan. Therefore, Community Development recommends approval of the rezoning from R-20 to R-20-Conditional for the development of two single-family units at a density of 2.22 units per acre with conditions as noted in the Staff Memo.

Councilmember Susan Wilkinson stated she has the same situation with her personal residence lot.

Staff recommends the R-20 Conditional for this item.

Mayor Pro Tem / Councilmember Tim Gould spoke about the neighborhood meeting and the aversion of the residents to the addition of two homes on what they consider to be one lot. This option of R-20 Conditional made some folks comfortable, but most folks say that for 70 years it has been one lot.

Councilmember Corkey Welch spoke about the biggest issue for this rezoning is that

Forest Hills has never had a lot split or a rezoning, ever. The Forest Hills Preservation Group By Laws states that they will oppose any rezoning in the subdivision. He wants the new Council members to understand that will be hard to vote on. Dividing this lot might affect property values. The neighbors are very vocal about it.

Attorney Scott Cochran remarked that this is not a lot split because they are defined on the plat as lot 11 and lot 12. This was never platted to be one lot in the past and was never consolidated. The deed says Lots 11 and 12. This is always on paper been two lots regardless of what has been on the ground. These two lots are consistent with the neighboring lots. The legal description also reads Lots 11 and 12.

Councilmember Wilkinson repeatedly noted that she has the same situation on her personal property and had a side bar with attorney Cochran regarding her own property.

Councilmember Lewis Wheaton keeps returning to people around this area that do not care about the past filing or non filing on the property. Attorney Cochran asked Councilmember Wheaton why there cannot be a house on Lots 11 and 12 the same as what's on Lots 10, 9 and 8.

It was encouraged by Councilmember Welch to take abode through this neighborhood.

Councilmember Wagner asked if someone could come in and build the same home proposed for lots 11 and 12 on lot 10 and Mr. Martin said yes, they could. there is no precedence being set because the recommendation is R20 and not R15. Mr. Martin stated we are strictly approving this because it has historically been two lots.

Item B

Mr. Martin remarked that JD Davis, LLC is requesting a rezoning from R-15 (Residential) to GC (General Commercial) for the ability to use the existing building as an engineering office. The subject property is zoned R-15, however it has been used commercially (Smyrna Marine) by the same owner for many years as a non-conforming use. The property is occupied by an existing structure that will remain. The applicant is requesting to rezone the property to GC to formalize how the property has historically been used.

Item C

It was reviewed by Mr. Martin that FCJ Partners, LLC is seeking approval of a rezoning for 2790 Mathews Street from RTD to RDA for the development of two single-family detached residences at a density of 5.68 units per acre. The applicant is proposing to demolish the existing duplex and then subdivide the parcel into two lots and construct two individual single-family residences. The number of units and density will remain unchanged from what currently exists on-site today. The proposed lots will be 7,260 sq. ft. and 8,090 sq. ft. The homes will face Mathews Street and have a shared drive with rear access to the garages.

Formal Business

Item B

Finance Director Kristin Robinson reviewed the requested amendment to reallocate funds.

There are several items that were not included in the adopted FY 2020 budget that we are requesting the budget to be amended to cover. The first is the annual maintenance

on the Axon Enterprise contract that provides body cameras and in car cameras for PD. The initial cost of equipment and installation was approved as a use of FY 2018 surplus. The annual maintenance was discussed at this approval and was to be budgeted and paid for by PD. The annual maintenance was not included in the FY 2020 budget, and therefore, needs a reallocation of funds to cover for FY 2020. We are recommending reductions in several budgeted expense accounts to cover this. Total expense is \$172,310.40. We are requesting to use \$71,183 from contingency to cover this expense in FY 2020. The remainder will be funded from the below listed reallocation of the adopted budget.

*We have a 2019 CIP project for PD parking lot resurface that will have an approximately. \$60,000 savings over the initial budget established for this project.

*We have a Sr. Crime Analyst position that is currently vacant that the department will not fill for the remainder of the FY. This savings will be \$22,772.

*We have two detention officers for the Jail that are currently budgeted at 1/4 of the year (April 1 start date). Saving from not hiring these positions will be \$18,356.

The second item is the monument sign and lettering on City Hall honoring former Mayor A. Max Bacon. Based on estimates received, we are requesting to use \$14,000 in contingency to cover these costs. This amount will be moved from contingency and placed in Governing Body's budget.

The third item is the salary difference and overlap of time for the new HR Director. Taking into consideration the overlap, increased salary, and the related FICA expense, we need a budget adjustment of \$15,000. This amount will be moved from contingency and placed in the Human Resources budget.

The balance in contingency prior to these transfers is \$261,083. Total requests above are \$100,183. This will leave \$160,900 for the remainder of the year.

Ms. Robinson spoke about these items and noted that the maintenance for the Body Cams and Dash Cams was left out of the operating budget, but was approved in December 2018 under the original proposal. There are 97 body cams and 79 dash cameras.

Councilmember Gould asked why the maintenance of the cameras is so expensive and Deputy Chief Harvey said it is high tech technology that requires higher maintenance. Axon also handles taser maintenance. The initial purchase included the 5 years of maintenance and cloud based storage.

Councilmember Welch has never heard anything about the \$172,000 maintenance. City Clerk Heather Corn retrieved the minutes from the original proposal from Legistar and emailed to all Council for immediate review. The original proposal was \$1,086,746.00.

The monument sign and lettering on City Hall was reviewed and it was decided and discussed that a honorary sign would be purchased and displayed under the current street sign in lieu of changing the actual street name.

City Hall will be updated to A. Max Bacon City Hall and the sign in front of City Hall will be replaced to accommodate.

The final item is to account for the increased salary of the new HR Director as well as the overlap of Kay Bolick and Carol Sicard working the two week period together.

Item C

Mr. Martin made a recommendation of 8am - 6pm for both Saturday and Sunday for the extended work hours due to the rain for the General Contractor Balfour Beatty for the construction of King Springs Elementary School. It was noted that without these

additions, the school may not be ready in time for the new school year.

Consent Agenda

Item H

Mark Combs is requesting approval to subdivide their property at 3880 Ridge Road into two single-family residential lots. The applicant plans to subdivide the property within the requirements of the R-15 zoning district, so no rezoning is required. The subject property is 1.53 acres in size and is zoned R-15 (single-family residential). The proposed subdivision will result in two new lots being 30,497 sq. ft. and 26,295 sq. ft. in size.

The public meeting held was productive and the residents were comfortable with the discussion.

Mayor Norton closed the agenda review and moved to review of the 2020 SPLOST list. He remarked that previous Council met in the fall to review staff recommendations. It is a six year SPLOST that for joint projects is being divided equally among the cities as opposed to previous years where it was based on population.

New priorities and ideas have added things like environmental improvements and made reductions and changes as needed. He reviewed the list and some of the changes in numbers. There is still \$700,000 plus in the 2016 SPLOST for Oakdale Road improvements available.

Under Public Safety, small equipment was added in SPLOST instead of CIP for firefighting equipment.

Traffic Calming will be addressed by Kevin Moore. Curb and gutter was added and resurfacing is typical. The bridge to the battery is still awaiting a grant from the ARC. If that comes to pass, out portion would be reduced to \$800,000 and there would be an additional \$3.2 million to put towards other projects.

This list needs to be turned in next week. Mayor Norton reviewed the rest of the list and spoke about the Aquatic Center and facility improvements for Fire and Public Works. Some items are more general to allow for flexibility.

Total SPLOST is \$860 million and it leaves \$500 million for the County which includes almost \$400 million for resurfacing.

Councilmember Corkey Welch has concerns and questions about the current list and mentioned this list does not look anything like the original list discussed with previous Council. He feels there needs to be more flexibility in the wording. He also discussed the lack of additional parks on the list. \$13,000,000 is not going to touch South Cobb Drive.

Mayor Norton said South Cobb Drive has been neglected for a long time and needs to be addressed. He said this list is very similar and there has been monies moved out of CIP into SPLOST to free up CIP. This list will be given to the County next week.

Ward / Committee Reports:

Councilmember Corkey Welch has concerns over the overtime in some departments he wants to discuss with finance.

Councilmember Glenn Pickens has nothing to report.

Mayor Pro Tem / Councilmember Gould addressed internship for some of the local high school students. Councilmember Wilkinson interjected a question about the Great Promise Partnership and the status of initiating that program in the City. Mr. Gould sent an email regarding the shared use agreement.

Councilmember Susan Wilkinson spoke about her conversation with Travis Lindley meeting with City Engineer Kevin Moore about concerns identified in terms of the logistics for the parking at the high school and the new additions planned. She recommended writing a letter to the School Board noting the City's concerns. Mayor Norton asked if anyone had been in touch with the school board yet and she responded that we were trying to get our ducks in a row. The new gym holds 3000 people with little to no parking planned.

Councilmember Lindley spoke about the training that was held in Tifton for the new Councilmembers. It is not an Open Meetings violation to travel together as a quorum. The training reaffirmed that the City has been well run for many years. Feedback received on the road renaming has not been positive but the letter being sent has not arrived yet. The decision was made to have it be an honorary street naming to avoid the inconvenience of all the residents having to change addresses.

Councilmember Wagner remarked about the conversations had regarding affordable housing in the City. Additionally he noted that he has concerns about the HR situation and was unsure if it needed to be discussed here or in Executive Session. Mr. Cochran noted that if it is a person or process in personnel then it needs to be Executive Session.

Councilmember Wheaton said Black History Event on Saturday would be highlighted between 11am and 1pm if someone who wants to attend is limited on time.

He received a call about the area off of Oakdale Road and there is a homeless camp around an abandoned home. The PD would be addressing the situation this evening.

In North Carolina they have had a rash of people who are parking cars illegally and using the cars as hourly and daily rentals that are then being used to Uber. If they park in the City they are ticketed so they are parking in the nearby cities and neighborhood.

City Clerk Heather Peacon-Corn announced the new Granicus encoder has arrived and will be installed on January 20th.

City Administrator Tammi Saddler Jones announced that Jim Cox has retired after 16 years with the City.

4. Executive Session (as needed)

A motion was made to enter into executive session to discuss personnel by Councilmember Austin Wagner and Councilmember Lindley.

A motion was made to enter back into regular session by Councilmember Wagner and seconded by Councilmember Pickens.

5. Adjournment

The meeting of the Committee of the Whole was adjourned at 9:42PM.