



City of Smyrna

A. Max Bacon City Hall
Council Chambers
2800 King Street SE
Smyrna, GA. 30080

Meeting Minutes - Final City Council

Monday, October 4, 2021

7:00 PM

Council Chambers

Roll Call

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

Also Present: 1 - Scott Cochran

Staff: 4 - Joe Bennett, Heather Peacon-Corn, Jill Head and Dat Luu

Call to Order

Mayor Derek Norton called to order the October 4, 2021 meeting of the Mayor and Council at 7:00 PM.

1. Invocation and Pledge:

Pastor Nathan Watson of Ararat Church located at 4366 King Springs Road offered the invocation and led all in the Pledge of Allegiance.

2. Agenda Changes:

There were no Agenda Changes.

3. Mayoral Report:

Mayor Norton made a few announcements:

- This morning was the Public Safety Appreciation Breakfast held at the Battery. Public safety personnel from all over the County and City were in attendance. He expressed how proud he is of the many Smyrna Police and Fire department employees who were honored.

- This past Saturday was the first Hispanic Heritage Celebration. It was a successful event, well attended, and lots of fun. He thanked Penny Mocerri and Parks & Recreation for doing such a great job putting it together.

- Today was the first Support Smyrna Board meeting. This program came out of the pandemic environment so neighbors can give help to other neighbors in need. He is looking forward to seeing how this board can grow and continue to help the community in as many ways as possible.

4. Land Issues/Zonings/Annexations:

There were no Land Issues, Zonings and Annexations.

5. Privilege Licenses:

There were no Privilege Licenses.

6. Formal Business:

- A. [RES2021-08](#) Approve Resolution RES2021-08 ratifying the suspension of work notice sent by the Community Development Department to Donelson Construction Company, LLC., and terminating the Resurfacing Project Contract between the City and Donelson Construction Company, LLC., dated July 21, 2021, as approved in Article XIII of said contract and authorize the Mayor or City Administrator to sign and execute all additional notices or other documents related thereto.

Ward / City Wide

Joe Bennett, City Administrator, presented the background:

The city entered into a Resurfacing Project Contract with Donelson Construction Company, LLC., on July 21, 2021. Article XIII of this contract authorizes the city to suspend the work of this contract, with or without cause, for a period not to exceed 90 days and to terminate the contract, with or without cause. On or around August 26, 2021, public works notified Donelson Construction Company, LLC., that it found the work to be unsatisfactory and that all future work was suspended. This notice also advised that the city would terminate the contract as of a certain date. No work has been done on the project since this notice was sent. The resolution formally ratifies the notice suspending the work previously sent by community development and terminates the contract as provided by Article XIII of said contract and reserves all rights and remedies afforded to it under the contract.

Councilmember Welch made a motion to approve Resolution RES2021-08 ratifying the suspension of work notice sent by the Community Development Department to Donelson Construction Company, LLC., and terminating the Resurfacing Project Contract between the City and Donelson Construction Company, LLC., dated July 21, 2021, as approved in Article XIII of said contract and authorize the Mayor or City Administrator to sign and execute all additional notices or other documents related thereto; seconded by Councilmember Pickens.

The motion to approve carried with the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

7. Commercial Building Permits:

There were no Commercial Building Permits.

8. Consent Agenda:

Councilmember Lindley made a motion to approve the consent agenda as read; seconded by Councilmember Wagner.

The motion to approve carried with the following vote:

Aye: 7 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

- A. [MIN2021-69](#) Approval of the September 16, 2021 Committee of the Whole Meeting Minutes.
- B. [MIN2021-67](#) Approval of the September 20, 2021 Pre-Council Meeting Minutes.
- C. [MIN2021-68](#) Approval of the September 20, 2021 Mayor and Council Meeting Minutes.
- D. [AGR2021-06](#) Approval of Intergovernmental Agreement for the Use and Lease of Facilities at the Argo Road Property located at 4885 Argo Road, Smyrna, Georgia, 30082 between the Cobb County School District and the City of Smyrna for the joint use of facilities for recreation for a term of five (5) years beginning on October 4, 2021 and ending at 11:59PM on October 3, 2026 and authorize the Mayor to sign and execute all related documents.
Ward 7 / Councilmember Lewis Wheaton
- E. [AGR2021-07](#) Approval of Intergovernmental Agreement for the Use and Lease of Facilities at the Rose Garden Hills School Site located at 1839 Turpin Road, Smyrna, Georgia 30080 between the Cobb County School District and the City of Smyrna for the joint use of facilities for recreation for a term of five (5) years beginning on October 4, 2021 and ending 11:59 PM on October 3, 2026 and authorize the Mayor to sign and execute all related documents.
Ward 5 / Councilmember Susan Wilkinson
- F. [2021-431](#) Approval to purchase a 2022 Ford F-150 4x4 through the City of Atlanta contract # 10590-WS from Wade Ford to replace Water Distribution Department truck # 7512 - 2001 Ford F-150. This is a budgeted expense that will be funded by the FY 22 CIP Vehicle Replacement Fund for a total cost of \$33,912.00 and authorize the Mayor to execute all related documents.
Ward / City Wide
- G. [2021-433](#) Approval of the closing of the Market Village upper area around the fountain, including blocking vehicle access from Atlanta Road and portions of the Market Village streets/vehicular access and parking for the purpose of special event series continuation on Saturday, October 16, 2021, Saturday, November 13, 2021, and Saturday December 4, 2021 titled "College Football Saturday in Smyrna."
Ward 3 / Councilmember Travis Lindley

9. Ward / Committee Reports:

Councilmember/Mayor Pro Tem Tim Gould (Ward 6) noted that the Smyrna Youth Council is now accepting applications from high school-aged students to participate and form a student city council with a youth mayor. Please contact Ashley Youmans or any of the Council for more information. Mr. Gould also mentioned that there is a survey on the current City website asking for input on what improvements are needed for a future City website. He encouraged all to take the survey.

Councilmember Lewis Wheaton (Ward 7) thanked the Oak Hills neighborhood residents for hosting a ward walk. He looks forward to future ward walks to discuss concerns with residents. Dr. Wheaton also noted that this upcoming Wednesday would be the second Circulator Task Force meeting at noon. These meetings provide a good opportunity to plan for circulator transit around the city.

10. Show Cause Hearings:

There were no Show Cause Hearings.

11. Citizen Input:

Dave Lincoln (2860 Parkwood Rd) - Mr. Lincoln stated that he is concerned about the sale of the property on Atlanta Rd. He stated residents do not want to lose the green space. He expressed concerns about traffic flow. He stated he does not want Stillfire Brewery on Atlanta Rd. He directed those interested to find an available plan on the SmartSmyrna.org site.

Todd Defeo (4057 Vining Mills Trail) - Mr. Defeo stated that he has been a resident of Smyrna since 2013. He is currently a single-member LLC as a freelance writer with no employees. He expressed concerns that as a single-member LLC, he should not have to submit a balance statement of earnings nor should he have to give his social security number to apply for a business license. He believes asking for this information for a business license is City overreach. Please make it easier for home-based, single-member LLCs to operate in the City. Mayor Norton thanked Mr. Defeo for his comments and asked Mr. Bennett (City Administrator) to give Mr. Defeo his card to set up a meeting to discuss possible solutions for this issue.

Joan Martin (1191 Powder Springs St) - Ms. Martin stated she is disappointed about the way the City has handled the Downtown Redesign. She expressed the City should retain ownership of the land adjacent to the Community Center. She expressed concern about having a brewery next door to a site that houses a busy, youth recreation center. She feels losing the land will eliminate the option to expand the Community Center in the future.

Ray Vito (1191 Powder Springs St) - Mr. Vito stated that placing a brewery on Atlanta Rd. and having it as a landmark for Smyrna is not a good idea and is short-sided. He asked the Council to consider that although the brewery may look good now, it may not in twenty years. He stated that it makes no sense to use the green space for a brewery when the downtown redesign project's goal is to generate more green space. Mr. Vito further expressed his concerns about the King Street extension.

Montserrat Knowlton (1367 Poplar Point) - Ms. Knowlton stated she has been a resident since 1993. She stated that according to the Georgia DOT, traffic circles are

safer, and she does not agree that the current roundabout should be torn down because of the downtown redesign project. She stated downtown should remain as it is so as to give more time for citizen feedback and to allow for wiser SPLOST spending.

Jenny Bartee (4094 Laurel Springs Way) - Ms. Bartee stated she speaks as a member of Smart Smyrna and as a representative of citizens who oppose the downtown redesign plan. She feels the plan has been rushed and not given enough public scrutiny. She stated that if the Council moves forward with the plan, it will destroy a major part of the award-winning City, and she further expressed that there will be repercussions for the community, traffic, and economy as well as long-term political repercussions.

Richard Pecha (Brown Circle) - Mr. Pecha stated he is a 45-year resident. He stated he does not agree with the removal of the fountain and the roundabout. He listed several services that he believes are supposed to be provided by cities to their constituents, but stated that entertainment is not among the normal services provided.

Shaun Martin (2884 Anderson Circle) - Ms. Martin expressed concern about the downtown project. She stated that a petition will be presented to the Mayor and Council on the October 18 Council meeting with 495 confirmed Smyrna residents' and business owners' signatures. She stated that the brewery and master plan for the downtown project need to be reviewed further.

Marie Smith (1215 Bank Street) - Ms. Smith stated she is concerned with the King Street extension and what that might mean for traffic and traffic speeds. She also stated that she is against the brewery and it being the gateway to Smyrna. She also stated that former Mayor Max Bacon signed the petition.

Cloys Turner (2698 Atlanta Rd.) - Mr. Turner stated the address of 2698 Atlanta Rd. is the address for the Smyrna Second Baptist Church, and he as a representative from the church opposes the proposed brewery as it sits next door to the church itself.

12. Adjournment:

Mayor Derek Norton adjourned the October 4, 2021 meeting of the Mayor and Council held in the A. Max Bacon City Hall Chambers at 7:39 PM.