



Meeting Minutes - Final Committee of the Whole

Thursday, March 16, 2017

6:00 PM

City Hall

Roll Call

Council: Mayor A. Max Bacon, Andrea Blustein, Susan Wilkinson, Ron Fennel, Corkey Welch, Teri Anulewicz, Doug Stoner

Staff: Mike Jones (City Administrator), Tammi Saddler Jones (Assistant City Administrator), Scott Cochran (City Attorney), Christiana Craddock (Executive Assistant to the City Administrator), Christy Ullman (Executive Assistant to Mayor and Council), Terri Graham (City Clerk), Ken Suddreth (Community Development Director), Rusty Martin (City Planner), Kristin Robinson (Finance Director), Eric Randall (City Engineer), Maxwell Ruppensburg (Government Management Fellow)

Guests: Don Hicks and Zach Strickland (Croy Engineering)

Absent: Councilman Derek Norton

Call to Order

Mayor Bacon called the meeting to order at 6:01pm.

City Administrator Report

City Administrator Mike Jones reported to Council that the draft report from Raftelis for the water/sewer rate study had been received. He said the next step was for he and Scott Stokes to provide comments to them, and then they will come to a COW to present their recommendations sometime in the next 30-45 days. He noted some early recommendations in the report, such as an 18% increase in stormwater rates to offset the millions of dollars in stormwater projects that are poorly funded by the current stormwater rates (about \$900K to cover several million dollars in projects).

He announced that Cobb County was cutting the check for their portion of the Ennisbrook storm sewer project completed in late 2016 (\$68K).

Mr. Mike Jones shared with Council that the City had received multiple inquiries about the sale of Girl Scout cookies at the Market Village fountain. Councilmember Teri Anulewicz said her opinion was to not allow it, and she was surprised if the Girl Scouts of America would even allow that, as they have multiple layers of what you have to do, can do, cannot do, etc. She added that GSA likes to keep the sale of girl scout cookies in controlled spaces due to concerns about children in traffic. She asked where the request was coming from, and Mr. Mike Jones said it was from mothers, not GSA officials.

Mr. Mike Jones referred to the email regarding the Braves Yearbook Ad, and said that most of the comments he received from Council were not supportive and he recommended going back and taking another look. He said consensus seemed to be

that Council wanted to take another shot at it, and said that due to the unique circumstance and this ad not being budgeted for and requiring special Council approval, that is why he wanted Council's thoughts on the ad. Councilmember Andrea Blustein said she thought the colonnade and fountain at the entrance to Market Village would be a more fitting focus. He said that Community Relations Director Jennifer Bennett put together the first version of the ad and he would let her know that several people indicated that perhaps outsourcing this to a professional who has expertise in these types of ads would be preferable. He noted that there was a fast approaching deadline to get a final version to the Braves.

City Administrator Mike Jones gave Council an update on the layout for the St. Patrick's Day Celebration in Market Village and said the inflatables would not go up until Saturday. Councilmember Teri Anulewicz asked that the generators and blowers for the slides be moved to another location, as they are extremely loud and have caused residents of Market Village to complain. Mayor Bacon discussed the Level 2 drought restrictions and his concerns about dying the fountain green. He said rainwater was already in the fountain and they would not be putting more water in it, but he had a call in to the EPD to get their approval. City Engineer Eric Randall said he would call his contact to get a response from them as well.

The last update in the City Administrator Report was regarding pool issues at the Wolfe Senior Center. He said the problem is with the piping used between the blowers and the heat exchangers. The piping is not rated for the high temperatures that it is subjected to, so Johnson Controls is replacing the pipes with pipes that can withstand the high temps. It will cost \$8K and the pool will re-open on Friday, March 24th.

Review of March 20, 2017 Mayor and Council Agenda

Community Development Director Ken Suddreth said the first item had been presented several times, and had been tabled. He said the issue with the pump station had been worked out, and there would be no lift station, and the development would tie in to the adjacent neighborhood's public sewer. He said the neighbors in Weatherbooke, across the street, were concerned about cut-through traffic in their neighborhood when traffic backs up from E/W Connector. He said that he and City Engineer Eric Randall had several meetings with the surrounding neighborhoods, but he anticipated having many people attend the Council meeting to talk about their traffic concerns. He said Staff recommended approval, as did P&Z, and this application was now 10 months old. Councilmember Ron Fennel said several town hall meetings had been held, and several HOA meetings had been attended by City Staff. Mr. Eric Randall said the neighborhood proposed a one-way entrance at the intersection of Claybrooke, and a one-way exit at the intersection of Argo, but both he and the developer were not in favor of the idea. Mr. Randall said he was specifically asked to forward that request, which he did, but he was only the messenger, and it was not a recommendation by him.

The next item under Land Issues and Zonings was for a rezoning of the parcel located at the corner of Atlanta Road and Campbell Road. Mr. Ken Suddreth pulled up the site plan to show the 5.5 acre parcel (and the 2.0 acre parcel directly on the corner that is not a part of this). He said the neighbors that live behind the parcel do not have problems with the use, but do have issues with the buffer proposed. The ordinance requires a 50 foot buffer for a site over 5 acres, which can be a natural buffer. What the applicant is proposing is a 15 foot buffer with a 6 foot fence. He said Staff and P&Z are not supportive of this, and Councilmember Derek Norton indicated today that he is supportive only of the 50 foot buffer. This was communicated to the applicant's attorney, Mr. Kevin Moore, and he came back with a

suggestion of a 30 foot buffer with a 6 foot fence. Mr. Ken Suddreth made it clear that Councilmember Norton was not supportive of anything other than the 50 foot buffer, which can be natural or planted. He said that P&Z approved the request, but denied the buffer variance. He also said that neighbors have been very vocal about their request for the 50 foot buffer and fence, and he said that Councilmember Norton was also supportive of the 50 foot requirement plus a fence. Mr. Ken Suddreth mentioned that the applicant is concerned they will have to redesign the site plan if the 50 foot buffer requirement is enforced. City Attorney Scott Cochran said that following the ordinance did not require a fence, and Council had to be careful about requiring additional stipulations beyond what the ordinance dictates. Mayor Bacon asked about the number of parking spaces, and City Planner Rusty Martin said the parking spaces were ample and based off the # of seats in the sanctuary (1 space per 4 seats). Councilmember Wilkinson asked about the large green space they are leaving open, and Mr. Ken Suddreth said that was for future development. She asked if there were any other variances they were asking for, and Mr. Ken Suddreth said there were a few others. He mentioned that the 2 acres the applicant is not purchasing located on the corner was zoned for neighborhood shopping, and it was mentioned that the presence of Campbell Middle School and the church eliminated the possibility for alcohol sales on that parcel. There was discussion on the setback from Atlanta Road.

Councilmember Corkey Welch said that if Councilmember Norton was not going to support their request, then the applicant needs to be made aware of that, and Mr. Ken Suddreth said their attorney was aware. He added that if the item passed with the requirement of a 50 foot buffer, the applicant would have to submit a revised site plan to Community Development, who would review, approve, and stamp the plan as long as it met all conditions (it would not come back before Council). Councilmember Wilkinson asked again about other variances, and City Planner Rusty Martin said the only other one was for a buffer reduction on the south side that abuts the apartment entrance, which staff was supportive of because it was a heavily wooded area.

The last item under Land Issues was for a site plan amendment to the Riverview Landing development – they are doing away with all of the commercial except for a few several thousand square feet for a coffee shop and the leasing building. They are also going from 1700 units to 600 units. They will have single-family detached, apartments, and townhomes down by the river. There is already an existing dock and a walking trail has been put in, and they are still planning on donating 24 acres to the City along the riverline, from the parking area of the development to the other end (Mr. Ken Suddreth showed this on the site map pulled up on the board). Mr. Ken Suddreth said that in regards to the donation, the issue that is still being worked out is the maintenance aspect once it comes over to the City. City Administrator Mike Jones commented that the City needs to set their expectations. Councilmember Ron Fennel suggested the City agree to do routine maintenance on the basic stuff (cutting the grass, keeping the trail clear, trimming trees, etc) but when they want to do additional beautification components or anything that requires additional maintenance (such as flowers) then that should be the responsibility of the HOA so they can meet their own expectations of the homeowners on their campus. Mayor Bacon asked if the land donation was a part of the rezoning, and Mr. Ken Suddreth replied no, it wasn't. He added that Parks and Rec Director Richard Garland was supportive of the land donation as long as the City was not taking the land at a "0" state and bringing it up to 100 – they need to donate it in the condition they want it kept in. Councilmember Susan Wilkinson inquired about the public parking, and Mr. Suddreth noted that on the map. Councilmember Teri Anulewicz expressed her disappointment with losing all the retail, but made mention that perhaps the Chattahoochee Coffee Company might consider opening up a location at the coffee shop in the plans. Councilmember Wilkinson asked for clarification on the coffee

shop and if it was going to be private or open to the public, and Mr. Ken Suddreth replied that they are intending for it to be open to the public. There was discussion about future Public Safety patrol in that area and along the river.

City Administrator Mike Jones announced the next item, a public hearing for a privilege license for the store that has relocated from Windy Hill to Atlanta Road. There was brief discussion as to why the applicant needed the permit now even though the facility was not built yet. City Attorney Scott Cochran said he would talk with the applicant's lawyer to inquire about it, but there was speculation the license might be tied into a loan or funding source for the renovation for the new facility. There was discussion about the distance requirements, and it was determined by Community Development staff that the requirements were met.

Under Formal Business, City Administrator Mike Jones introduced the bid award for Fire Station 2, a SPLOST project. He said six bids came in, which ranged from \$2.7M to \$3.1M, higher than what was originally approved in the budget (which was \$2M). Croy Engineer representative Don Hicks told Council the City had received additional SPLOST monies this year and they were dedicating dollars from those funds to make up for the excess for the fire station. He also stated that they had been seeing about a 30-35% increase in construction costs for everything over the last 2 years.

The next item discussed was a consulting agreement for Atkins to look at the abandoned wastewater plant at North Cooper Lake Park and provide any mediation/mitigation recommendations. Mr. Mike Jones said the plant was abandoned in the 1970s and was located in the park, and since the City is looking at putting playground equipment in the park, they need to find out if any physical or environmental hazards exist. He said the scope of work included a ground survey of the facility, soil testing, water testing, structure testing, and then recommendations. He said there were still structures in the woods and some pits that could be a huge concern for children who explore deeper into the park. Councilmember Corkey Welch said he was also concerned about the old dump that was back there, and said it was important to have the old structures mapped out and taken care of. City Administrator Mike Jones said they could modify the scope to add or take away whatever is needed, and the motion could be made to approve the contract and not to exceed the dollar amount already proposed. Mayor Bacon asked why the City does not have this information already. Mr. Mike Jones responded that this was on the agenda because he and staff had worked to locate information on this park, and no one has any documentation or answers. He said that there are aerials of the park, but they do not tell the real or unseen problems. There was discussion about a previous study done on the park, but nobody could seem to locate it or remember who/when/what the study was about.

Other Business

Councilmember Ron Fennel praised Keith Parker (MARTA) for his incredible key note speech at the Smyrna Area Cobb Chamber breakfast.

Councilmember Andrea Blustein mentioned the homes on the south side of Spring Road that cause problems. There was discussion about getting Code Enforcement to focus in on those homes.

Councilmember Susan Wilkinson asked Scott Cochran about some paperwork that looked incomplete (affidavit of compliance of lawful presence) in the privilege license request, and he said he would talk to Jim Cox about it.

Councilmember Teri Anulewicz made mention of the technical review board for

residential construction that the Cobb BOC had proposed, but she said that has now been withdrawn due to it not having enough traction.

Community Development Director Ken Suddreth reminded Council of Robin Broyles' retirement and his retirement party on Thursday, March 23rd from 3:00-4:30pm.

Executive Session - Legal

Councilmember Ron Fennel made a motion to enter into Executive Session for legal purposes; seconded by Councilmember Doug Stoner. The motion carried by a unanimous vote

Councilmember Ron Fennel made a motion to exit out of Executive Session; seconded by Councilmember Doug Stoner. The motion carried by a unanimous vote.

Adjournment

Mayor Bacon declared the meeting adjourned at 7:31pm.