



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final City Council

Tuesday, September 5, 2017

7:00 PM

Council Chambers

Rollcall

Present: 8 - Mayor Max Bacon, Councilmember Derek Norton, Councilmember Andrea Blustein, Councilmember Teri Anulewicz, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Doug Stoner and Councilmember Ron Fennel

Also Present: 9 - Scott Cochran, Tammi Saddler Jones, Terri Graham, Chris Addicks, Dan Campbell, Jennifer Bennett, Heather Corn, David Lee and Russell Martin

Call to Order

Mayor Max Bacon called the September 5, 2017 meeting of the Mayor and Council to order at 7:00 PM.

1. Invocation and Pledge:

Pastor Joel Smit of Smyrna Presbyterian Church led all in the Pledge of Allegiance then provided the invocation for the City.

2. Agenda Changes:

Mayor Pro Tem / Councilmember Teri Anulewicz announced that she will be resigning from her municipal position of Mayor Pro Tem / Councilmember effective at 12:00pm (Noon) tomorrow, September 6, 2017. This will allow for the City to get a municipal election on the ballot to replace the Ward 3 vacant seat in the upcoming November election. An election held until March would cost the City additional money and would leave the Ward 3 seat vacant for almost six months.

A. [2017-350](#)

Suspend the Rules to Add an Agenda Item

City Attorney Scott Cochran explained the timeline for setting in motion the steps needed to hold the election in November.

A motion was made by Councilmember Ron Fennel for the approval to Suspend the Rules to add an agenda item to the agenda, seconded by Councilmember Doug Stoner:

The motion carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

B. [2017-351](#)

Add an Agenda Item to Formal Business 6 D on the agenda

A motion was made by Councilmember Ron Fennel to approve the addition of an Agenda Item under Formal Business 6, D, seconded by Councilmember Doug Stoner: The motion carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

3. Mayoral Report:

Chris Addicks was presented with a plaque for an application he submitted regarding all the projects he has completed in the IS Department.

A. [2017-192](#)

Proclamation in Recognition of Constitution Week, Sept 17-23, 2017 (National Society Daughters of the American Revolution)

Sponsors: Anulewicz

Attachments: [Constitution Week Sept 2017 final.pdf](#)

A proclamation for Constitution Week was read aloud by Mayor Pro Tem/Councilmember Teri Anulewicz. The National Society of the Daughters of the American Revolution were present to accept the proclamation.

4. Land Issues/Zonings/Annexations:

There were no Land Issues, Zonings or Annexations

5. Privilege Licenses:

There were no Privilege Licenses

6. Formal Business:

A. [2017-339](#)

Award Bid RFP 18-001 Rose Garden Park LED Lighting Project - CDBG project to the lowest bidder, Over and Under General Contractors, Inc. for \$106,750.00 and authorize the Mayor to execute any and all related documents.

Sponsors: Wilkinson

Attachments: [18-001 Rose Garden Park LED Lighting Bid Recommendation.pdf](#)

City Administrator Tammi Saddler-Jones read aloud the background as follows: This item is to award Bid RFP 18-001 for Rose Garden Park LED Lighting Project, a CDBG project to the lowest bidder, Over and Under General Contractors, Inc. for \$106,750.00 and authorize the Mayor to execute any and all related documents. Parks and Recreation requested proposals for the installation of remote access LED sports lighting for the basketball courts and the re-lighting of the tennis courts with remote access LED sports lighting at Rose Garden Park. Two vendors submitted proposals as follows:

Over and Under General Contractors, Inc. \$106,750.00

North Cobb Electrical Services, Inc. \$115,511.00

Parks and Recreation and Purchasing have reviewed the proposals and recommend award of bid RFP 18-001 Rose Garden Park LED Lighting Project - CDBG project to

the lowest bidder, Over and Under General Contractors, Inc. for \$106,750.00 and authorize the Mayor to execute any and all related documents.

A motion was made by Councilmember Susan Wilkinson to approve item 2017-339 for the award for Bid RFP 18-001 Rose Garden Park LED Lighting Project; a CDBG project to the lowest bidder, to Over and Under General Contractors, Inc. for \$106,750.00 and authorize the Mayor to execute any and all related documents; seconded by Mayor Pro Tem / Councilmember Teri Anulewicz.
The motion carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

B. [ORD2017-12](#)

Approval of Ordinance 2017-12 FOR THE AMENDMENT OF CHAPTER 6, ALCOHOLIC BEVERAGES, SEC. 6-34, TYPES OF LICENSES, (13); SEC. 6-37, LIMITATIONS ON USE, (b); SEC. 6-45, CONSUMPTION ON PACKAGE LICENSED PREMISES PROHIBITED; SEC. 6-61, HOURS OF OPERATION, (b); SEC. 6-62, SUNDAY SALES PERMIT, (a); SEC 6-80 CIGAR SPECIALTY SHOPS; SEC. 6-118, DISTANCE FROM CERTAIN LOCATIONS, (b) (2) (4) & (6); SEC. 6-124, POURING REQUIREMENTS

Sponsors: Stoner

Attachments: [2017-12 CIGAR SPECIALTY 6-34 - 6-124 Amendments Final.pdf](#)

Tammi Saddler-Jones, City Administrator, read the following background for this item: Approval of Ordinance 2017-12 FOR THE AMENDMENT OF CHAPTER 6, ALCOHOLIC BEVERAGES, SEC. 6-34, TYPES OF LICENSES, (13); SEC. 6-37, LIMITATIONS ON USE, (b); SEC. 6-45, CONSUMPTION ON PACKAGE LICENSED PREMISES PROHIBITED; SEC. 6-61, HOURS OF OPERATION, (b); SEC. 6-62, SUNDAY SALES PERMIT, (a); SEC 6-80 CIGAR SPECIALTY SHOPS; SEC. 6-118, DISTANCE FROM CERTAIN LOCATIONS, (b) (2) (4) & (6); SEC. 6-124, POURING REQUIREMENTS

In an effort to have Cigar Specialty Shops operate in the same manner as Wine Specialty Shops and Growler Specialty Shops, several ordinances must be amended. The net effect of these amendments will allow Cigar Specialty Shops to sell alcohol beverages to be consumed on site under certain circumstances provided that no more than 25% of the shops gross income is derived from these sales. This is consistent with the regulations imposed on Wine Specialty Shops and Growler Specialty shops.

A motion was made by Councilmember Doug Stoner to approve item ORD2017-12 for Ordinance 2017-12 for the Amendment of chapter 6, Alcoholic Beverages, Sec. 6-34, Types of Licenses, (13); Sec 6-37, Limitations on use, (b); Sec. 6-45, Consumption on Package Licensed premises prohibited; Sec. 6-61, Hours of Operation, (b); Sec. 6-62, Sunday Sales Permit, (a); Sec. 6-80 Cigar Specialty Shops; Sec. 6-118, Distance from certain locations, (b) (2) (4) & (6); Sec. 6-124 Pouring Requirements; seconded by Councilmember Derek Norton.

The motion carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

C. [RES2017-16](#)

Approval of Resolution 2017-16 against gasoline price gouging and

have the Mayor sign and execute related documents

Sponsors: Fennel

Attachments: [RESOLUTION Price Gouging 2017-16 Final.pdf](#)

City Administrator Tammi Saddler Jones read the following background for this item: This item is for the approval of Resolution 2017-16 against gasoline price gouging and have the Mayor sign and execute related documents.

On August 26, 2017, Hurricane Harvey devastated and disrupted parts of Texas, the Gulf Coast and the Oil Refineries and caused loss of life and injury. The rain began August 23rd two full days before the hurricane hit land with a record 50 inches of rain falling in Houston, Texas causing unprecedented flooding. Thousands of people had to evacuate their homes not knowing if they would be able to return. Local oil refineries were shut down and there has been price gouging of retailers taking advantage of consumers in times of natural disasters.

Councilmember Ron Fennel stated that in understanding these types of devastating storms, we do not want to lean on people who are struggling. This resolution puts retailers on notice.

A motion was made by Councilmember Ron Fennel to approve item RES2017-16, Resolution 2017-16 against gasoline price gouging and have the Mayor sign and execute related documents, seconded by Mayor pro tem/Councilmember Teri Anulewicz.

The motion carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

D. [2017-353](#)

Resolution Calling for Special Election, Setting Qualifying Dates, Setting a Qualifying Fee, Approving a Contract between Cobb County Board of Election and The City of Smyrna and authorizing the Mayor to execute the contract for the Election November 7, 2017

Tammi Saddler-Jones, City Administrator, read the following background for this item: This item is for a resolution calling for a Special Election, Setting Qualifying Dates, Setting a Qualifying Fee, Approving a Contract between Cobb County Board of Election and The City of Smyrna and authorizing the Mayor to execute the contract for the Election November 7, 2017.

Councilmember Fennel read the resolution aloud and noted he would miss Mayor Pro tem / Councilmember Teri Anulewicz.

A motion was made by Councilmember Ron Fennel to approve Resolution 2017-17 Calling for a Special Election, Setting Qualifying Dates, Setting a Qualifying Fee, Approving a Contract between Cobb County Board of Election and The City of Smyrna and authorizing the Mayor to execute the contract for a Special Election for Ward 3 on November 7, 2017, seconded by Councilmember Doug Stoner.

The motion carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

7. Commercial Building Permits:

There were no Commercial Building Permits

8. Consent Agenda:

Tammi Saddler Jones, City Administrator, read aloud the consent agenda items for Council approval.

A motion was made by Councilmember Doug Stoner to approve the Consent Agenda as read aloud by City Administrator, Tammi Saddler Jones, seconded by Charles (Corkey) Welch.

The motion carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

- A. [2017-342](#) Approval of the August 21, 2017 Mayor and Council Meeting Minutes
Attachments: [08-21-2017 August 21, 2017 M&C Meeting Minutes - FINAL no atchmnts.pdf](#)
- B. [2017-343](#) Approval of the August 21, 2017 Pre-Council Meeting Minutes
Attachments: [08-21-2017 August 21, 2017 M&C Meeting Minutes - FINAL no atchmnts.pdf](#)
- C. [2017-344](#) Approval of the August 17, 2017 Committee of the Whole Meeting Minutes
Sponsors: City Council
Attachments: [COW Minutes 08-17-2017 August 17, 2017 - FINAL.pdf](#)
- D. [2017-341](#) Approval to use Council Chambers on Thursday, September 21, 2017 from 7-9 PM for the Williams Park Neighborhood Association Meeting.
Sponsors: Anulewicz
- E. [2017-340](#) Approval to use Council Chambers on Tuesday, October 17, 2017 from 7:00-9:00 PM for the Smyrna Arts & Cultural Council (SACC) Annual Board Meeting
Sponsors: Anulewicz

9. Committee Reports:

Ward 1 - Councilmember Derek Norton - Spoke about the groundbreaking at Fire Station #2 on Monday, September 11, 2017. He also noted it had been a pleasure to serve with Mayor Pro Tem / Councilmember Teri Anulewicz. His grandparents were watching this evening and he wanted to wish his dad a Happy Birthday and his grandparents a happy 70th wedding anniversary.

Ward 2 - Councilmember Andrea Blustein - Spoke regarding an upcoming Ward 2 meeting on November 4, 2017 from 10:00am - 12:00pm at Brawner Hall. She also spoke about missing Mayor Pro Tem / Councilmember Teri Anulewicz. She stated she has been a valuable resource for this council.

Ward 3 - Mayor Pro Tem / Councilmember Teri Anulewicz - This was her last time

speaking as a councilmember and it was sad to her. She thanked everyone for the kind words and for the opportunity to serve. Ward 3 has changed a lot over the past 9 1/2 years. She noted the passing of a significant resident.

Ward 4 - Councilmember Charles "Corkey" Welch - He mentioned that yesterday, a public safety foundation race was held and Fire Fighter, Jason Haynes, won the race. He wished Mayor Pro Tem / Councilmember Anulewicz well, and said it had been a privilege to work with her for six years. He also thanked her for putting in time and effort.

Ward 5 - Councilmember Susan Wilkinson - This month at the Smyrna Library is Smyrna Reads / Smyrna Eats month. Several events at library would be ongoing including the Smyrna lecture series. There would be a food history of the south Sunday September 10th at the library. Terri Carter is the speaker. She also stated it had been an honor and privilege to serve with Mayor Pro Tem / Councilmember Teri Anulewicz.

Ward 6 - Councilmember Doug Stoner - He had no Committee report this evening but he wished Mayor Pro Tem / Councilmember Anulewicz well at the state capitol. She would represent us well if elected.

Ward 7 - Councilmember Ron Fennel - Noted an upcoming Smyrna Finance Committee meeting on Thursday, September 14, 2017. He thanked Mayor Pro tem / Councilmember Anulewicz for her service and leadership.

City Attorney Scott Cochran thanked Mayor Pro Tem / Councilmember Anulewicz stated she was one of the few elected officials he has ever worked with that showed courage with her decisions. It is so easy to lean on the side of popular and she is true to her beliefs.

City Clerk Terri Graham thanked Mayor Pro Tem / Councilmember Anulewicz for her service and leadership.

10. Show Cause Hearings:

There were no Show Cause Hearings

11. Citizen Input:

Alex Backry spoke about term limits and encouraged Council to put it as a referendum on the November ballot.

12. Adjournment:

Mayor A. Max Bacon adjourned the meeting of the Mayor and Council at 7:55 PM