



Meeting Minutes - Final Committee of the Whole

Thursday, May 17, 2018

6:00 PM

City Hall

1. Roll Call

Council: Mayor A. Max Bacon, Derek Norton, Andrea Blustein, Susan Wilkinson, Maryline Blackburn, Charles Welch, Ron Fennel

Staff: Tammi Saddler Jones (City Administrator), Scott Cochran (City Attorney), Elsa Thompson (Administrative Services Coordinator), Christy Ullman (Executive Asst. to the Mayor & Council), Ashley Youmans (ICMA Management Fellow), Rusty Martin (Senior Planner), Scott Stokes (Public Works Director), Kristin Robins (Finance Director), Kelly Brown (Purchasing Manager), Mike Hickenbottom (Acct Coordinator), Claire Philips (Accounts Payable), Jered Sigmon (Budget Officer), Greg Van Antwerp (Utility Svcs Manager)

Guests: Larry Terry (Croy Engineering), Averde Gumbs (Intern)

2. Call to Order

Mayor A. Max Bacon called the meeting to order at 6:00 pm.

3. Review of May 21, 2018 Mayor and Council Agenda

The Mayor noted that Item 4A was a mixed-use project pertaining to a property located in Councilmember Derek Norton's Ward. Mr. Norton advised that he and Community Development Director Ken Suddreth had met with the investors several times over the last few years to discuss this project. He then asked Mr. Suddreth to speak about the project plan and applications submitted by Westplan Investors Acquisitions, LLC. Mr. Suddreth stated that the zoning had been unsuccessful and confirmed to Councilmember Andrea Blustein that he was speaking of the Emerson Center site. He noted that the project contained elements of a mixed-use plan, the rear of the property was in the county and the front was in the City therefore the project involves an annexation. He advised that the City received plans that included apartments, a proposed hotel, an office building and retail space however the project was dominated by the apartments. He noted that the plans did not meet the City's Corridor Design or the LCI recommendations. He stated that staff was recommending denial and that the applicants had 10 variance requests and that staff was only supportive of 4 of the 10 requests. Mr. Suddreth also stated that he did not believe that the applicants had provided sufficient information about various aspects of the project. Mayor Bacon asked for the site plan to be displayed on the Mondo Board. Mr. Suddreth pointed out that one of the goals of LCI was to try to create an urban plaza but that this project did not have that element and noted other concerns about the project phases. Mayor Bacon inquired if the Westplan Investors were an apartment investment group; he was advised that apartments are what they primarily do. Mayor Bacon inquired if the group had any commitments from hotels. Mr. Suddreth advised that the investment group advised that they were "in talks" with Marriott. Mr. Norton noted that the only

commitment on this project was the apartments and that the rest of the project were proposals which was a risk for the City. Mr. Suddreth agreed with Mr. Norton's statement. Councilmember Corkey Welch confirmed that the apartment aspect of the project was in Cobb County; he was advised that it was. Mr. Norton stated that the City should still consider the annexation aspect of the project. Councilmember Ron Fennel agreed that they should annex the property but noted that the City had to be sure that it was done properly. Councilmember Corkey Welch voiced his concerns. The City Attorney Associate Jeffrey Tucker advised that the City had 3 options for this project – approve it un-annexed, deny it as is, or withdraw with cause. Mr. Tucker noted that if withdrawn with cause, the cause would be that the City does not have jurisdiction over the entire site because part of it is not in the City. Mr. Fennel inquired what would happen if they approved the annexation without approving the project. Mr. Suddreth stated that the applicant would have the right to pull the project. Mayor Bacon noted that the project was basically 35.6 units per acre and that it was pretty dense.

There were no further discussions reference this item nor the following two items.

Mayor Bacon read Item 4D. Senior Planner Russell Martin from Community Development addressed the item and advised that this was a rezoning from general commercial down to RM-12, currently a small office park. He advised that the applicant was proposing to construct 4 buildings for 3 story townhomes. Councilmember Susan Wilkson questioned why the project was going to be zoned RM-12 instead of RAD. Mr. Martin advised that it was due to the density of the project. Councilmember Andrea Blustein inquired if the community would be gated. Mr. Martin advised that the site plan included a gate but that it may be a plan review issue because of fire rescue access. Ms. Blustein inquired about the guest parking. Mr. Martin advised that the site plan showed parallel parking along Elmwood Drive and some parking in the rear. Ms. Blustein then asked about the pricing. Mr. Martin noted that staff does not ask applicants for pricing however current market values are from the mid-300 to 400 thousand. Mayor Bacon inquired if there were any stipulations that limited the amount of rental property. Mr. Martin advised that Garvis Sams usually implemented that into their terms. Ms. Blustein stated that she understood there would be an HOA. Mr. Martin confirmed that there would be. Councilmember Ron Fennel inquired what the percentage of renter to owner ratio was. Mr. Martin advised that Garvis Sams's standard was 10%. Councilmember Derek Norton asked if the responsibility to enforce that was on the HOA; he was advised that it did. The Council had a discussion about HOA enforcement issues they have experienced at other projects. Councilmembers and staff briefly discussed other potential issues with the project. Ms. Wilkinson inquired if the utilities would be public or private. Public Works Director Scott Stokes advised that nothing in the development would be private.

There were no further discussions about this item or the following item.

Mayor Bacon read Item 4F. Mr. Martin addressed the item. He advised that the project was for 33 single family homes. He noted that the homes would all be front entry homes and have 22 foot driveways. He explained that the design of the site was a bit off because of 2 existing streams running through the site but noted that the buffers would be maintained and undisturbed. Mr. Martin stated that staff recommended approval with their standard conditions. Mayor Bacon inquired if Planning and Zoning had approved this project. Mr. Martin advised that they had and that staff had not received a letter from the County objecting to the project. Mr. Fennel clarified if the County could object at a later date. Mr. Martin advised that the County's time to object had expired. Ms. Wilkinson inquired about the impervious surfaces. Mayor Bacon inquired about the developers, CS Realty Group. Mr. Martin advised that the City had

never done business with these developers before. There was a brief discussion about traffic and sidewalks in the community, Mayor Bacon asked if there were any further questions then moved on to the next item.

Mayor Bacon asked Mr. Martin to address Items 4H and 4I. Mr. Martin reminded Council that Hayes Drive had been rezoned approximately 6 months prior and advised that the developer had been before Council last month for a lot that was adjacent to this property. He noted that the developer was going to put similar style homes on the properties and that the buffers along the back would be preserved. Mr. Martin advised that staff recommend approval. Mayor Bacon asked Mr. Martin to address 1114 Church Street (Item 4I). Mr. Martin advised that the developer came in a month prior with a similar request for the adjacent lot to this property and was approved; he noted that staff recommended approval for item as well. Public Works Director Scott Stokes inquired if this was a rezoning and if it would be a subdivision. Mr. Martin advised that it was not a rezoning and that the developer was attempting to revert the property back to what it originally was. Mr. Stokes inquired if the developer would give the City any right of way. Mr. Martin stated that they could request it or leave the issue open ended and adjust to what is needed when the time comes. Ms. Wilkinson noted her concern about the trees and inquired if the tree ordinance applied for this item. Mr. Martin noted that if the applicant did not disturb 50% of the land, the tree ordinance did not apply. Mayor Bacon thanked Mr. Martin.

Mayor Bacon asked if anything needed to be added to the agenda. Councilmember Susan Wilkinson advised that she had been contacted about a possible street closure for a block party. She noted that the street closure would be on Parkwood between Bank and Pine Hill. She stated that City Clerk Terri Graham had advised that one must go through the police department for the application process. Ms. Graham noted that the police department must be aware of any street closures and that the item would have to come before Council for a vote. Ms. Wilkinson inquired if the vote could happen and then have the interested parties fill out the application. City Administrator Tammi Saddler Jones asked for the date of the event. Ms. Wilkinson advised that it was June 10th. Mayor Bacon advised to add the item to the agenda.

There were no further discussions about the agenda.

4. Small Business Loan Program - William Smith

Ms. Saddler Jones advised that Economic Development Coordinator William Smith would be doing the presentation and noted that Economic Development Manager Tom Boland was present as well. She advised that Mr. Smith had previously given this presentation before her and also, the Finance and Administration Committee. She then asked Mr. Smith to come forward.

Mr. Boland gave background information about the program and the steps staff had taken to get to the point of presenting before Council.

Mr. Smith came forward. He advised that the program relied heavily on building permits and new construction and was only available to property owners. He stated that small business grants would be combined with small business loans to provide resources to underserved areas in Smyrna. Councilmember Ron Fennel asked if there was a target zone for this program. Mr. Smith advised that the Economic Development Division and the Smyrna Downtown Development Authority would promote grants specifically for businesses located in the Smyrna-Osborne Enterprise Zone because the area had the most older commercial buildings and the lowest rental rates but that they were open to

the program being expanded to other areas in the city. Mr. Smith continued with his presentation. He noted that the grant requirement would incentivize businesses to move into older commercial buildings which would benefit them by having lower lease rates. He noted that façade improvements to older commercial buildings would enhance a commercial corridor without necessitating wholesale redevelopment. He then provided a map of the Smyrna-Osborne Enterprise Zone. Councilmember inquired about the streets included in the zone and noted that there were areas around South Cobb Drive that could benefit from the program as well. He stated that the City of Smyrna/ Smyrna Downtown Development Authority would partner with financial institutions – the financial institutions would underwrite, fund and service all loans, eliminating administrative costs to the City. The Smyrna Downtown Development Authority would offer a grant, the partnering financial institution would provide the underwriting and loan approval; the grant would be no more than \$20,000 over 10 years/ no more than \$2,000 per year would be dispersed. The Smyrna Downtown Development Authority would cease all grant payments if a business failed to renew, without change, their prior year business license. Mr. Smith advised that the proceeds from the program could be used for working capital, property improvements, and equipment. Mayor Bacon clarified the terms of how the funds would be applied for and dispersed. Mr. Smith noted that a façade improvement plan would be developed by each business and submitted to the Urban Design Committee or the Smyrna Downtown Development Authority. He stated that incentives would be recaptured by the City through a combination of liquor licenses, occupational license fees, and incremental property value increases. Mr. Smith advised that in order to start the program, the Smyrna Downtown Development Authority was requesting \$20,000.

A portion of the Enterprise zone sits in the downtown area; can be changed by Mayor and Council at any time.

Ms. Saddler Jones noted to Council that if they were interested in the program, there currently were not any funds allocated for it.

Mayor Bacon advised that he felt that it was a solid program and the City should invest in it. Councilmember Corkey Welch inquired where the funding would come from.

Ms. Saddler Jones noted that Mr. Smith and Mr. Boland had put in a lot of work and thanked them for their time and presentation.

Mayor Bacon noted that the budget would be discussed later in the evening and they could possibly find the funds. Finance Director Kristin Robinson stated that she did not believe it would be possible because they would be obligated to the \$20,000 per year for 10 years. Mr. Boland clarified the terms and stated that the program was a one-time \$20,000 allocation at \$2,000 per year over 10 years.

After further discussion, Mayor Bacon thanked them for the presentation and asked the Finance Department to come forward for their presentation.

5. Proposed Budget FY19 - Finance Department

Finance Director Kristin Robinson stated that they would only be going over the changes from the last Committee of the Whole meeting. She advised that there was a decreased sanitation budget by approximately \$100,000. New funds in the amount of \$80,000 were allocated for traffic calming measures – she noted that it was due to a request from the City Administrator and Assistant City Administrator. She advised that there was an increase in the museum renovation budget in the amount of \$75,000; it

was originally \$150,000 and it was now \$225,000 mainly because the original plan was for it to be completed in 2 years but now it would be completed in 1 year. She advised that there was a \$35,000 increase in property and liability claims and that worker's compensation claims had an increase as well. Mayor Bacon inquired if that was in addition to the \$560,000 increase and if this was a result from the high number of claims the City has had. Ms. Robinson advised that it was. She noted that the worker's compensation claims had a \$22,600 increase. She stated that new funds were allocated for a new dishwasher for the jail in the amount of \$12,000. She advised that there was also an increase for the Fire Station #4 renovation but noted that if Council felt that this was something that really did not need to happen, they could use \$20,000 for the Small Business Loan Program from these funds.

There was a brief discussion regarding the Fire Department's renovations.

Councilmember Derek Norton inquired about the numbers that related to the insurance premiums.

Councilmember Corkey Welch noted that premiums may have increased 33% in 10 years however the value of the things that are being insured had gone up 27%, so he felt that the numbers did not look too bad. Mr. Fennel agreed. Mr. Norton stated that he was still concerned that the premiums may continue to rise.

Ms. Robinson advised that the 2010 bond was paid off this fiscal year. Mr. Fennel stated that the City should put a press release out regarding the pay off. Ms. Robinson stated that the 2016 SPLOST had been changed because some of the projects had been moved. The fee schedule for Parks and Recreation had been changed and added to the budget as well to reflect the "resident/ non-resident" fee structure. The funds for the reclassification of the museum manager position had been added as the position was part-time but was now full-time. The merit increases and use of the reserves for the mobile stage were also included. She advised that the total impact was \$336,000 which was taken from the contingency fund so no balances had to be done and no expenses had to be cut back.

Council and staff continued discussions regarding the budget presentation.

Mayor Bacon expressed his concerns about thumb drives from outside individuals being used on the City's computers. Mr. Fennel noted that he did not believe that the City of Atlanta had recovered from the hacking incident they faced earlier in the year. Mayor Bacon stated that it should not be allowed. Assistant City Administrator Scott Andrews asked if it was a policy Council would like to see implemented, staff could make it happen. Mayor Bacon advised that he would like to see it done.

6. City Administrator Report

City Administrator Tammi Saddler Jones asked Public Works Director Scott Stokes to update Council and staff on the utilities relocation that would be happening on Windy Hill Road. Mr. Stokes requested authority for him to have Public Works staff to work with AT&T and regulate how AT&T works and adjust his staffs' schedules as needed in order to minimize public and traffic issues. Council agreed. Mr. Stokes advised that Windy Hill Road would not be good for travel starting Monday, May 21st due to AT&T starting their duct relocation construction. The construction will run from Atlanta Road through South Cobb via Windy Hill Road. He noted that the construction should take no more than 90 days. Mr. Stokes stated that staff from Croy Engineering and Public Works staff would drive through the work zone daily to address any issues

they see. Councilmember Susan Wilkinson requested information about the utility relocation that she could forward to citizens to alert them to the possible road issues. Ms. Saddler Jones advised that she would get that to her.

Ms. Saddler Jones had ICMA Fellow Ashley Youmans to speak about the upcoming Citizens Academy reception and graduation. Ms. Youmans advised that the reception would take place on Monday, May 21st prior to the Mayor and Council Meeting and the 21 graduates would be presented with t-shirts and certificates at the Council meeting. She noted that the graduates have mentioned how much they enjoyed the academy, as well as interacting with elected officials and staff.

Assistant City Administrator Scott Andrews provided information about the new location of the outdoor fresh market which would be along Atlanta Road on the side of the Community Center. He noted that the outdoor market would start on Saturday, May 25th and that participating vendors pay a non-refundable \$20 fee for their space and that money gets reinvested back into the market.

Budget Officer Jered Sigmon inquired if the fresh market needed to be on the fiscal year's schedule of fees. Mr. Andrews advised that they would meet regarding that question.

Ms. Saddler Jones advertised the Employee Picnic on June 8th. Mr. Fennel stated that he thought employees did not want the picnic. Ms. Saddler Jones stated that annually the City had always done something for the employees and they wanted to bring the picnic back.

City Clerk Terri Graham gave an update on the Brunch Bill and noted that it was signed by the Governor. She stated that they would have to call a special election if they wanted to add the language in the Brunch Bill to the City's referendum. Mr. Fennel asked for the date that the issue should initially come before Council. Ms. Graham stated that she would clear dates with elections. Ms. Graham also advised that the election would be taking place on Tuesday, May 22nd and all polling stations would be open.

Mayor Bacon advised that he had received complaints from Citizens about having to go all the way to Whitlock to vote and that they would like to have something closer. Ms. Graham noted all of the open polling locations.

There were no further discussions reference the City Administrator's Report.

7. Other Business

Councilmember Corkey Welch asked if anyone else considered going to NLC.

Mayor Bacon asked if there were funds in the budget for that and noted that it would be an expensive trip. He noted that there used to be money set aside for training and travel then stated that there should be some form of approval process for Council for travel to make sure there are always sufficient funds.

Councilmember Maryline Blackburn advertised, "We Remember" night, Friday, May 18th. She advised that the City's firefighters would be participating in order to bring awareness to Mental Health Month. She stated that the firefighters would be lining up the fire trucks along Atlanta Road and in front of each fire station and turning the lights on at 9pm for 1 minute. She asked Council to post the event to their social media

accounts.

Assistant City Administrator Scott Andrews gave accolades to William Smith.

Councilmember Andrea Blustein thanked Mr. Andrews for attending her meeting on Tuesday night.

Councilmember Ron Fennel inquired if anything had been done about security reference having meetings in the HR training room. Ms. Blustein noted her concerns and stated that she felt the HR training room was dangerous and that it needed an additional door in that room. Ms. Wilkinson noted that she agreed with Ms. Blustein. Mayor Bacon stated that the room should not be used at all if it's that big of an issue and noted that he'd received a quote for \$30,000 to install a door in the HR training room. Mr. Welch advised that it met fire code. Ms. Blustein noted that the Fire Chief agreed with her. Mr. Fennel inquired if the magnetometer could be used. Mayor Bacon noted that he wanted to hear from the Fire Chief if that room and any other space in City buildings that are unsafe. Mr. Fennel stated he would like both the Fire Chief and Police Chief at a meeting to discuss this matter.

Ms. Wilkinson inquired if the Executive Session would still take place. Mr. Fennel made a motion to move the executive session to a later date. The Mayor asked for all those in favor to say, "aye". All Councilmembers present agreed in unison. Ms. Blustein had already left the room.

8. Executive Session

Moved to a later date due to late hour.

9. Adjournment

Mayor A. Max Bacon declared the meeting adjourned at 10:00pm.