



Meeting Minutes - Final
City Council

Tuesday, September 3, 2019

7:00 PM

Council Chambers

Roll Call

Present: 8 - Mayor Max Bacon, Councilmember Derek Norton, Councilmember Maryline Blackburn, Councilmember Andrea Blustein, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Tim Gould and Councilmember Ron Fennel

Also Present: 8 - Tammi Saddler Jones, Scott Cochran, Scott Andrews, Terri Graham, Tina Monaghan, David Lee, Bo Jones and Dan Campbell

Call to Order

Mayor A. Max Bacon called the September 3, 2019 Mayor and Council meeting to order at 7:00 PM.

1. Invocation and Pledge:

Pastor Whit Martin, Smyrna First United Methodist Church (1315 Concord Road) delivered the Invocation and led all in the Pledge of Allegiance.

2. Agenda Changes:

There were no agenda changes.

3. Mayoral Report:

Mayor Bacon announced that the Vittles Restaurant located on South Cobb Drive will open Thursday, September 5, 2019.

A. [2019-297](#)

Recognize City of Smyrna Employees as recipients of the "City of Smyrna Award for Ongoing Excellence in Customer Service":
Q1 2019: Rodney Spottsville and Sharon Woodgett, City Hall Front Desk Receptionists
Q2 2019: Dan Campbell, IT Support Specialist

Recognize City of Smyrna Employees as recipients of the "Jonquil Award for Service Excellence in Action":

Q1 2019: Bill Warren, Building & Grounds Supervisor and former Fleet Foreman for the Smyrna Public Works Department
Q2 2019: Smyrna Police K9 Officer Daniel Sperano

Sponsors: Fennel

Assistant City Administrator Scott Andrews read aloud the background information for

each of the recipients of the awards including some personal information as well as their role in the City and why they were nominated. The recipients were as follows:

"City of Smyrna Award for Ongoing Excellence in Customer Service":

Q1 2019: Rodney Spottsville and Sharon Woodgett, City Hall Front Desk Receptionists

Q2 2019: Dan Campbell, IT Support Specialist

"Jonquil Award for Service Excellence in Action":

Q1 2019: Bill Warren, Building & Grounds Supervisor and former Fleet Foreman for the Smyrna Public Works Department

Q2 2019: Smyrna Police K9 Officer Daniel Sperano

Each recipient was presented their Certificate by City Administrator Tammi Saddler Jones and a photo was taken. All of those that were presented with an award took a moment to say a few words. They thanked Mayor and Council, fellow staff, as well as all of the citizens of Smyrna. K9 Max was also present with his handler Officer Sperano.

4. Land Issues/Zonings/Annexations:

There were no land issues/zoning/annexations.

5. Privilege Licenses:

There were no privilege licenses.

6. Formal Business:

- A. [2019-296](#) Approval to purchase a New TB260 2019 Taheuchi Mini Excavator with Rubber Tracks and Open Cab through Sourcewell Contract # 091615-URI United Rentals Branch 951, 1151 Northpoint Parkway Acworth, Georgia 30102. Funded by the FY20 Vehicle Replacement Fund for a total Cost of \$55,295.75 and authorize the Mayor to execute any related documents.

Sponsors: Welch

City Administrator Tammi Saddler Jones provided the background information on this agenda item. The Public Works Department was authorized \$58,000.00 in the FY20 vehicle replacement fund to purchase a mini excavator. The equipment will be purchased using the Sourcewell Contract #091615-URI (United Rentals). The equipment has already been competitively bid through this cooperative contract. The Public Works Director and the Purchasing Manager recommended approval of this purchase in the amount of \$55,295.75 from United Rentals Branch 951, 1151 Northpoint Parkway Acworth Georgia 30102 and authorize the Mayor the execute any related documents.

Councilmember Charles "Corkey" Welch made a motion to approve the purchase of a New TB260 2019 Taheuchi Mini Excavator with Rubber Tracks and Open Cab through Sourcewell Contract # 091615-URI United Rentals Branch 951, 1151 Northpoint Parkway Acworth, Georgia 30102. Funded by the FY20 Vehicle Replacement Fund for a total Cost of \$55,295.75 and authorize the Mayor to execute any related documents. Councilmember Maryline Blackburn seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

B. [2019-299](#)

Award RFQ 20-001 City of Smyrna Resurfacing Projects to the lowest bidder Bartow Paving Company Inc. 1055 Rowland Springs Road, Cartersville, GA, 3012, funded by LMIG and SPLOST in the amount of \$1,399,805.68 and authorize the Mayor to execute any related documents.

Sponsors: Welch

The details on this agenda item were read aloud by Ms. Tammi Saddler Jones. The City of Smyrna requested bids for various resurfacing projects. Three bids were received. The Public Works Director, Purchasing Manager and Croy Engineering reviewed the bids and recommended award of RFQ 20-001 Resurfacing to the lowest bidder Bartow Paving Company Inc. located at 1055 Rowland Springs Road Cartersville, Georgia 30121 in the amount of \$1,399,805.68 funded by LMIG and SPLOST and authorize the Mayor to execute any related documents.

Councilmember Charles "Corkey" Welch made a motion to approve and award RFQ 20-001 City of Smyrna Resurfacing Projects to the lowest bidder Bartow Paving Company Inc. 1055 Rowland Springs Road, Cartersville, GA, 3012, funded by LMIG and SPLOST in the amount of \$1,399,805.68 and authorize the Mayor to execute any related documents. Councilmember Ron Fennel seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

C. [2019-300](#)

Approval to Award RFP 20-005 Video Surveillance Project for Smyrna Jail to the lowest proposer Controlled Access Inc., 1420 Williams Drive, Marietta, GA 30060 funded by FY20 CIP in the amount of \$122,650.00 and authorize the Mayor to execute all related documents.

Sponsors: Norton

Ms. Saddler Jones reviewed the pertinent information for this agenda item. The City of Smyrna Police Department budgeted funds to upgrade and replace the current camera system. The upgrade will provide the ability to retain video data and provide visual watch in all areas that the inmates occupy. Staff requested information from Cobb County Government regarding their request for qualifications bid 17-6243 for enterprise video surveillance and access controls systems. Controlled Access, Inc is one of the awarded suppliers and their proposed system is compatible with our network infrastructure. The Police Chief and Purchasing Manager recommended approval of this camera system from Controlled Access, Inc. in the amount of \$122,650.00.

Councilmember Derek Norton made a motion to approve to Award RFP 20-005 Video Surveillance Project for Smyrna Jail to the lowest proposer Controlled Access Inc., 1420 Williams Drive, Marietta, GA 30060 funded by FY20 CIP in the amount of \$122,650.00 and authorize the Mayor to execute all related documents. Councilmember Maryline Blackburn seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

D. [ORD2019-17](#)

Approve the amendment to the City of Smyrna's Code of Ordinances Chapter 66 entitled Offenses and Miscellaneous Provisions by adding Section 66-17, prohibiting the sales of tobacco products to persons under the age of 21 and prohibiting the possession, use and purchase of tobacco products to person under the age of twenty-one (21).

Sponsors: Gould

Mayor Bacon asked Councilmember Gould to provide the background information on this item as he worked hard alongside the schools to get this ordinance to come before Council.

Mr. Gould stated that the City had received input from local educators and concerned citizens about the epidemic among young people who vape and use e-cigarettes. Some key statistics included the fact that 1 in 4 high school students use e-cigarettes and vaping devices representing a 900% increase in usage since 2011 and there was a 78% increase in use by high school students from 2017 to 2018 and a 48% increase by middle school students. Based upon the staggering statistics the city recognizes that an ordinance aimed at reducing the use of tobacco products by those under the age of 21 would be suitable to protect the health and wellbeing of our youth and community. The purpose of the ordinance would be to reduce access of Tobacco Products, including e-cigarettes, vaping devices among adolescents and improve health within our community and ultimately save lives.

Councilmember Blackburn thanked Mr. Gould for bringing the ordinance forward. She went on to say that she looks to State Representatives to take the initiative further so that everyone will understand the detriment that vaping, and e-cigarettes are having on our youth.

Councilmember Fennel mentioned how he has been touched by the effects of tobacco through his father and while he doesn't like to interfere with Constitutional issues, he feels that the ordinance will raise much needed attention to the vaping epidemic.

Councilmember Norton thanked Mr. Gould for his leadership on the ordinance. He compared it to the hand's free ordinance from a few years back which ultimately led to the State passing a hand's free law. He hopes that passing this on a local level will send a message to those at the state level.

Councilmember Blustein thinks that this is an issue better dealt with on a state or federal level but feels that something needs to be done so she is going along with passing the ordinance.

Councilmember Tim Gould made a motion to approve the amendment to the City of Smyrna's Code of Ordinances Chapter 66 entitled Offenses and Miscellaneous Provisions by adding Section 66-17, prohibiting the sales of tobacco products to persons under the age of 21 and prohibiting the possession, use and purchase of tobacco products to person under the age of twenty-one (21). Councilmember Maryline Blackburn seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

7. Commercial Building Permits:

There were no commercial building permits.

8. Consent Agenda:

Mayor Bacon announced that agenda item 8D would be voted on separately from items 8 A, B and C on the Consent Agenda.

Councilmember Ron Fennel made a motion to approve 8A, 8B, and 8C of the Consent Agenda as read aloud by Ms. Saddler Jones. Councilmember Derek Norton seconded the motion.

The motion to approve was carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blackburn, Councilmember Blustein, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

A. [2019-294](#) Approval of the August 19, 2019 Mayor and Council Meeting minutes.

B. [2019-295](#) Approval of the August 19, 2019 Pre-Council Meeting minutes.

C. [2019-290](#) Approval of the August 15, 2019 Committee of the Whole Meeting Minutes.

D. [2019-286](#) Approve the closing of the following streets for the Smyrna Parks and Recreation's Casper's Fall Carnival and Movie and the Smyrna United Task Force Event: King Street from Village Green Circle to Bank St., and entire Village Green Circle from Atlanta Rd. from 4:00 PM. - 10:00 PM on Friday, October 11, 2019.

Sponsors: Wilkinson

Councilmember Maryline Blackburn made a motion to approve the closing of the following streets for the Smyrna Parks and Recreation's Casper's Fall Carnival and Movie and the Smyrna United Task Force Event: King Street from Village Green Circle to Bank St., and entire Village Green Circle from Atlanta Rd. from 4:00 PM. - 10:00 PM on Friday, October 11, 2019. Councilmember Andrea Blustein seconded the motion.

The motion to approve was carried by the following vote:

Aye: 5 - Councilmember Blackburn, Councilmember Blustein, Councilmember Wilkinson, Councilmember Gould and Councilmember Fennel

Nay: 2 - Councilmember Norton and Councilmember Welch

Clerk's Note:

Mayor A. Max Bacon vetoed agenda Item 8D. (Approve the closing of the following streets for the Smyrna Parks and Recreation's Casper's Fall Carnival and Movie and the Smyrna United Task Force Event: King Street from Village Green Circle to Bank St., and entire Village Green Circle from Atlanta Rd. from 4:00 PM. - 10:00 PM on Friday, October 11, 2019.) on Friday, September 6, 2019 at 2:57 PM. The Mayor and all members of Council were properly notified via email of the veto.

9. Committee Reports:

Councilmember Maryline Blackburn reminded everyone of the importance of Census 2020 and for everyone to be counted. She offered a big congratulations to her friend Ms. Charity for the opening of the Vittles Restaurant on Thursday.

Councilmember Susan Wilkinson mentioned Vittles and that she and many of her constituents are excited for the opening.

Councilmember Ron Fennel called people's attention to the annual report which was recently published and reminded everyone that it can be found on the City website.

10. Show Cause Hearings:

Mayor Bacon left the meeting at 7:31 PM.

Mayor Pro-tem Derek Norton stepped in for the Mayor in his absence.

There were no show cause hearings.

11. Citizen Input:

Mr. Alex Backry, 3459 Shawnee Trail, commented on the City's spending of taxpayer's money on real estate. He stated that he was working with Senator Perdue and the Lieutenant Governor on passing a bill that lobbyists cannot run on the local level due to it being a conflict of interest.

Ms. Maryline Blackburn, 1034 Huntington Trace, announced that she will be seeking re-election for Ward 3 representative. She cares about her community, cares about integrity, and cares about the continued excellence of the City.

Mr. David Monroe, 4952 Ridge Oak Run, announced that he will be running for Ward 7 representative in the upcoming election. He has served on various committees with the City for over ten years and has lived in Smyrna for over twenty-one years. He seeks to help with clean air initiatives, promoting local schools, and community development.

Ms. Andrea Blustein, 2407 Country Park, announced that she will be seeking re-election for Ward 2 representative. Before serving eight years on City Council, she served over ten years on the Planning and Zoning Commission. She would like to serve another term on Council so that she may meet her goals and complete her projects.

Ms. Susan Wilkinson, 2805 Stone Creek Road, announced that she would be running for re-election for Ward 5 representative. She has lived in Ward 5 for thirty-three years and considers it a privilege and an honor to serve the citizens and looks forward to

continuing on for four more years.

Mr. Derek Norton, 1000 Afton Way SE, announced that he will be running for Mayor of Smyrna. He is in his fourth year as Ward 1 Representative and was assigned as Mayor Pro-tem in 2017 by Mayor Bacon. He and his wife are excited about raising their family here in the City. Mr. Norton looks forward to carrying on the legacy of Max Bacon and feels that his experience will allow him to do so without missing a beat.

12. Adjournment:

Mayor Pro-tem Derek Norton adjourned the September 3, 2019 Mayor and Council meeting at 7:41 PM.