



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Final City Council

Monday, December 21, 2020

7:00 PM

Community Center Large Gym

Smyrna Community Center Large Gym / 200 Village Green Circle SE
Parking and entrance to meeting on Powder Springs Street Side of Building
MASKS REQUIRED / TEMPERATURE WILL BE CHECKED

If you wish to speak during the Public Hearing portion of this meeting and you are unable to attend the meeting due to health concerns with Covid 19, you may participate via telephone. To participate via telephone, you must register with the City Clerk's Office by emailing your name, address and telephone number to ClerksOffice@Smyrnaga.gov.

The deadline to register to speak via telephone is Sunday, December 20, 2020 at 11:00PM

Everyone that attends the meeting in person, will have an opportunity to speak and will not have to register prior to the meeting. You will need to sign the Public Hearing /Citizen Input Sign Up Sheet at the City Clerk's desk prior to the start of the meeting at 7:00 PM. If you choose to speak via telephone, you must be available to receive a call between 7:00 PM and 9:00 PM.

You will be notified on December 21, 2020 by 12:00PM noon as to additional details of these procedures.

Thank you for your cooperation as we navigate new ways to encourage Public Comment.

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 - Jeffrey Tucker

Staff: 14 - Joe Bennett, Penny Mocer, Roy Acree, Brian Marcos, Robert Harvey, Louis Defense, Bo Jones, Russell Martin, Kristin Robinson, Carol Sicard, Joey Staubes, Patrick Tedeschi, Dan Campbell and Tina Monaghan

Call to Order

Mayor Derek Norton called the December 21, 2020 Mayor and Council meeting to order at 7:00 PM.

1. Invocation and Pledge:

Reverend Collin Brown, St. Benedict's Episcopal Church (2160 Cooper Lake Rd)

delivered the Invocation and led all in the Pledge of Allegiance.

2. Agenda Changes:

Item K under Formal Business will be moved to the beginning of the Formal Business portion of the agenda per Mayor Norton.

3. Mayoral Report:

Mayor Norton read aloud his December 2020 Letter to Citizens which summarized the past twelve months and offered some insight into what to expect for the next twelve in the City of Smyrna.

A. [2020-526](#)

Proclamation in Recognition of Essential Workers

Councilmember Lewis Wheaton read aloud the Proclamation in Recognition of Essential Workers aloud and presented the proclamation to Sgt Louis Defense, Smyrna PD, Engineer Evan McBrayer, Smyrna FD, Linda Rendle, Galleria Manor, Dr. Tina Jones, Rose Sampsell, Kroger.

4. Land Issues/Zonings/Annexations:

A. [2020-519](#)

Plat Approval - Subdivision of one lot into two lots - Land Lot 334 - 3.86 acres - N Cooper Lake Rd (17033400190) - Benchmark Homes

Interim City Administrator Joe Bennett provided the background. Benchmark Homes is requesting approval to subdivide their property on N Cooper Lake Rd (17033400190) into two single-family residential lots. The applicant plans to subdivide the property within the requirements of the R-15 zoning district, so no rezoning is required. The Planning Board recommended approval by a vote of 7-0 at the December 14, 2020 meeting. Community Development recommends approval of the plat for the subdivision of one parcel into two parcels for two single-family detached homes.

Mr. Joey Staubes, Planner II Community Development, reviewed a power point presentation of information in regards to the plat approval request. Benchmark Homes is requesting approval to subdivide their property on N Cooper Lake Rd (17033400190) into two single-family residential lots. The applicant plans to subdivide the property within the requirements of the R-15 zoning district, so no rezoning is required. The subject property is 3.86 acres in size and is zoned R-15 (single-family residential). The proposed subdivision will result in two new lots being 84,330 sq. ft. (1.94 acres) and 84,079 sq. ft. (1.93 acres) in size. The proposed lots meet all the zoning requirements of the R-15 zoning district. Community Development has reviewed the proposed subdivision against the requirements of the R-15 zoning district. Staff believes the proposed subdivision meets the intent of the requirements of the R-15 zoning district. Community Development recommended approval of the requested subdivision.

Councilmember Charles "Corkey" Welch made a motion to approve Plat Approval - Subdivision of one lot into two lots - Land Lot 334 - 3.86 acres - N Cooper Lake Rd (17033400190) - Benchmark Homes. Councilmember Austin Wagner seconded the motion.

The motion to approve was carried by the following vote:

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

B. [2020-520](#)

Public Hearing - Plat Approval with Variances - V20-073 - Subdivision of two lots into four lots for four single-family detached homes - Land Lot 485 - 1.8 acres - 3278 & 3288 King Springs Road - PM Builders LLC

A summary of this agenda item was provided by Mr. Bennett. The applicant is requesting approval to subdivide two lots into four lots while retaining the existing R-15 zoning category. The property is currently occupied with two residential structures that will be demolished. The subdivision will allow four new single-family detached homes to be built on separate lots. The Planning Board recommended approval by a vote of 7-0 at the December 14, 2020 meeting. Community Development has reviewed the proposed plat against the requirements of the R-15 zoning district. The variances are necessary to orient the homes along King Springs and preserve vegetation and reduce land disturbance of the property. The subject property will maintain an R-15 zoning classification and will yield a density of 2.22 units per acre. Community Development recommends approval of the requested reconfiguration and replatting with conditions.

Community Development Director Rusty Martin provided additional information via a Powerpoint. The applicant is requesting approval to subdivide two lots into four lots while retaining the existing R-15 zoning category. The property is currently occupied with two residential structures that will be demolished. The subdivision will allow four new single-family detached homes to be built on separate lots. The acreage of the subject properties is approximately 1.88 acres (81,976 sq. ft.) The proposed subdivision will create four lots approximately 0.46 acres (20,000 sq. ft.) each. The width of the lots will be range from 50 to 57 feet with a depth of approximately 400 feet. The lots have the following area: Lot 1 is 20,466 sq. ft. , Lot 2 is 21,033 sq. ft., Lot 3 is 20,342 sq. ft., and Lot 4 is 20,135 sq. ft. The City Engineer will require a site distance analysis for the driveway and the driveway will be configured such that drivers are not required to back out on King Springs Rd. To satisfy these requirements the proposed subdivision has a central common driveway, 18 feet wide, with rear entry garages that will be accessed by a shared driveway. The common driveway consolidates the number of driveways, and provides area for vehicle maneuvering at the rear of each home. The proposed subdivision will result in four new lots having frontage on King Springs Road with rear-entry garages. The proposed reconfiguration and replatting will require the following variances:

- 1. Reduction in the minimum side setback from 10' to 5' (Staff Supports)*
- 2. Reduction in the minimum lot width from 85' to 50' (Staff Supports)*

The property could be subdivided to yield greater lot widths with a cul-de-sac, or private road to access the rear of the subject property. However, this would generate significantly greater land disturbance and tree removal. The lot width and side setback reductions are necessary to accommodate the proposed plan. The homes will have a minimum 15 feet separating each home. The proposed new lots will have a minimum area of 20,000 sq. ft. and is consistent with the existing development pattern in this immediate area. The subject properties have a land use of Moderate Density Residential (under 4.5 units/acre). The four-lot subdivision will yield a density of 2.22 units/acre. The property could be subdivided to yield greater lot widths with a cul-de-sac, or private road to access the rear of the subject property. However, this

would generate significantly greater land disturbance and tree removal. Community Development supports the proposed site plan as it preserves significantly more vegetation than other lot configurations and allows all the homes to face King Springs Road. Furthermore, the proposed configuration reduces fiscal costs for the city associated with new road, water, and sewer infrastructure. Community Development has reviewed the proposed plat against the requirements of the R-15 zoning district. The variances are necessary to orient the homes along King Springs and preserve vegetation and reduce land disturbance of the property. The subject property will maintain an R-15 zoning classification and will yield a density of 2.22 units per acre. Community Development recommends approval of the requested reconfiguration and replatting with the following conditions:

1. The property shall maintain the following setbacks:
 - Front - 40 feet
 - Side – 5 feet
 - Rear – 30 feet
2. The project shall have a minimum lot width of 50 feet.
3. A site distance analysis shall be provided for the proposed shared driveway.
4. The homes shall be rear-entry homes.
5. The development of more than 5,000 sq. ft. of new impervious surface the Storm Water Management Ordinance would be applicable.
6. Approval is conditioned upon substantial compliance with the site plan submitted on December 9, 2020.

Councilmember Susan Wilkinson asked for further information about the stormwater management condition. She also asked about the driveway width which is 18 feet. Mr. Rusty Martin provided her with the requested information.

Councilmember Tim Gould mentioned that he likes the homes closer to the street but he is concerned about the width of the lots. He is not comfortable with the significant lot width reduction. Mr. Martin used the illustrations from the power point to offer explanation.

Mayor Norton invited the applicant to come forward. Mr. Brad Thompson offered his explanation for the design choices that were made. They will be modern farmhouse looking homes approximately 3000 square feet in the high 500's price range.

Councilmember Wilkinson spoke about her concerns about the side setback and how it would effect other homes in the area. Mr. Thompson stated that he has spoke to the neighbors and agreed to put up a privacy fence to help with this. The central driveway created the need for the side setback reduction. The fact that the homes are slightly on an elevation also concerned Councilmember Wilkinson for water run off reasons.

The public hearing announced and no one came forward to speak.

Councilmember Travis Lindley made a motion to approve Plat Approval with Variances - V20-073 - Subdivision of two lots into four lots for four single-family detached homes - Land Lot 485 - 1.8 acres - 3278 & 3288 King Springs Road - PM Builders LLC. Councilmember Austin Wagner seconded the motion.

The motion to approve was carried by the following vote:

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

C. [2020-233](#)

Public Hearing - Zoning Request - Z20-006 - Rezoning from NS & RM-10 - Conditional for the development of 10 single-family attached townhomes at a density of 9.3 units per acre - 1.08 acres - Land Lot 669 - 3302 Atlanta Road - Edgeline, LLC. - ***This item will be tabled indefinitely at the request of the Applicant.***

Councilmember Charles "Corkey" Welch made a motion to table indefinitely Zoning Request - Z20-006 - Rezoning from NS & RM-10 - Conditional for the development of 10 single-family attached townhomes at a density of 9.3 units per acre - 1.08 acres - Land Lot 669 - 3302 Atlanta Road - Edgeline, LLC. - at the request of the Applicant. Councilmember Travis Lindley seconded the motion.

The motion to table indefinitely was carried by the following vote:

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

D. [2020-459](#)

Public Hearing - Zoning Request - Z20-013 - Rezoning from NS to GC for the use as a general contractor office, professional office, and batting cage - 1.55 acres - Land Lot 339 - 3515 N Cooper Lake Rd - Tracey and Bearin Santos

Interim City Administrator Bennett read aloud the following information. The applicant is requesting a rezoning from NS (Neighborhood Shopping) to GC (General Commercial) for the ability to use the existing building as a general contractor office, professional office, and indoor batting cage. A land use change from NAC (Neighborhood Activity Center) to CAC (Community Activity Center) is required. The Planning Board recommended approval by a vote of 7-0 at the November 9, 2020 meeting. Community Development recommends approval of the rezoning from NS to GC at 3515 N Cooper Lake Road with conditions.

Mr. Joey Staubes, Planner II Community Development, provided information with power point presentation. Tracey and Bearin Santos are requesting a rezoning from NS (Neighborhood Shopping) to GC (General Commercial) for the ability to use the existing building as a general contractor office, professional office, and indoor batting cage. The subject property is zoned NS; however, it has been used commercially most recently as a tape and label manufacturer (as a non-conforming use). The property is occupied by an existing structure that will remain. The applicant is requesting to rezone the property to GC to formalize how the property has historically been used. Section 1508 of the Smyrna Zoning Code details nine zoning review factors which must be evaluated by the Planning and Zoning Board and the Mayor and Council when considering a rezoning request. The following provides the nine factors followed by an analysis of each factor in italics. Both the Applicant's response as well as Staff's analysis to each factor are listed. It is hoped that providing both responses results in a better understanding of what is actually being proposed.

Community Development recommends approval of the rezoning from NS to GC at 3515 N Cooper Lake Road with the following conditions:

- 1. The applicant shall remove vegetation and accumulated silt/sediment from the existing detention pond.*
- 2. The applicant shall record an Inspection and Maintenance Agreement for the pond.*

Mayor Norton asked the applicants to come forward to the podium.

Applicants Tracey and Bearin Santos came forward to explain their needs for the request. They want to expand their construction business and bring batting cage which is missing from the city.

Councilmember Gould asked about the connection with the batting cages.

The public hearing was announced and no one came forward to speak.

Councilmember Travis Lindley made a motion to approve Zoning Request - Z20-013 - Rezoning from NS to GC for the use as a general contractor office, professional office, and batting cage - 1.55 acres - Land Lot 339 - 3515 N Cooper Lake Rd - Tracey and Bearin Santos. Councilmember Tim Gould seconded the motion.

The motion to approve was carried by the following vote:

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

E. [2019-440](#)

Public Hearing / NO VOTE ITEM - Zoning Request - Z19-019 -

Rezoning from NRC & OI to RM-10-PD for the development of 149 townhomes at a density of 6.22 units per acre - 23.95 Acres - Land Lots 775, 810, & 811 - 2320 Campbell Road - InLine Communities, LLC. - **Tabled to the January 19, 2021 Mayor and Council meeting at the request of the applicant.**

Councilmember Glenn Pickens made a motion to table Public Hearing / NO VOTE ITEM - Zoning Request - Z19-019 - Rezoning from NRC & OI to RM-10-PD for the development of 149 townhomes at a density of 6.22 units per acre - 23.95 Acres - Land Lots 775, 810, & 811 - 2320 Campbell Road - InLine Communities, LLC. - to the January 19, 2021 Mayor and Council meeting at the request of the applicant. Councilmember Travis Lindley seconded the motion.

The motion to table to the January 19, 2021 Mayor and Council meeting was carried by the following vote:

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

F. [ORD2021-01](#)

Approval of Ordinance ORD2020-22 - Annexation request (100% owners requesting annexation) - all tract or parcel of land lying and being in Land Lots 775, 810, & 811 of the 17th District, 2nd Section, Cobb County,

Georgia; a total of 23.95 acres at 2320 Campbell Road, Smyrna, GA, 30080 InLine Communities, LLC., will be effective January 1, 2021 and a part of Ward 1 and authorize the Mayor to sign and execute all related documents. - **Tabled to the January 19, 2021 Mayor and Council meeting at the request of the applicant.**

Councilmember Glenn Pickens made a motion to table Approval of Ordinance ORD2020-22 - Annexation request (100% owners requesting annexation) - all tract or parcel of land lying and being in Land Lots 775, 810, & 811 of the 17th District, 2nd Section, Cobb County, Georgia; a total of 23.95 acres at 2320 Campbell Road, Smyrna, GA, 30080 InLine Communities, LLC., will be effective January 1, 2021 and a part of Ward 1 and authorize the Mayor to sign and execute all related documents. - to the January 19, 2021 Mayor and Council meeting at the request of the applicant. Councilmember Charles "Corkey" Welch seconded the motion.

The motion to table to the January 19, 2021 Mayor and Council meeting was carried by the following vote:

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

G. [2020-539](#)

FINAL VOTE - Zoning Request - Z19-019 - Rezoning from NRC & OI to RM-10-PD for the development of 149 townhomes at a density of 6.22 units per acre - 23.95 Acres - Land Lots 775, 810, & 811 - 2320 Campbell Road - InLine Communities, LLC. - **Tabled to the January 19, 2021 Mayor and Council meeting at the request of the applicant.**

Councilmember Glenn Pickens made a motion to table FINAL VOTE - Zoning Request - Z19-019 - Rezoning from NRC & OI to RM-10-PD for the development of 149 townhomes at a density of 6.22 units per acre - 23.95 Acres - Land Lots 775, 810, & 811 - 2320 Campbell Road - InLine Communities, LLC. - to the January 19, 2021 Mayor and Council meeting at the request of the applicant. Councilmember Travis Lindley seconded the motion.

The motion to table to the January 19, 2021 Mayor and Council meeting was carried by the following vote:

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

5. Privilege Licenses:

A. [LIC2020-24](#)

Privilege License Request LIC 2020-24 - Liquor (retail pouring) - 666 Smyrna Hill Drive - Sparkles of Smyrna, Inc. dba Sparkles Smyrna. Glenn Couey is the owner and applicant. - **This item will be tabled to the January 4, 2021 Mayor and Council meeting at the request of the Applicant.**

Councilmember Travis Lindley made a motion to table Privilege License Request LIC 2020-24 - Liquor (retail pouring) - 666 Smyrna Hill Drive - Sparkles of Smyrna, Inc. dba

Sparkles Smyrna. Glenn Couey is the owner and applicant. - to the January 4, 2021 Mayor and Council meeting at the request of the Applicant. Councilmember Susan Wilkinson seconded the motion.

The motion to table to the January 4, 2021 Mayor and Council meeting was carried by the following vote:

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

6. Formal Business:

K. [2020-527](#)

Approval of the FY 2021 budget amendment for staff merit increases, Public Safety raises, and Paramedic raises.

The background was read aloud by Mr. Joe Bennett at the request of the Mayor. As part of the annual budgeting process an estimate for the annual merit increases, and one-time public safety and paramedic increases effective January 1 was included. The merit amount was included in contingency pending Council approval. The public safety and paramedic increases were included in the Departmental budgets also pending approval by Council. Staff are scheduled to receive these increases effective January 1, 2021. A budget amendment not to exceed \$257,000 is needed to move the funds out of contingency and place them in the departmental budgets. Half year amounts for these increases will not exceed \$257,000.00 for the merit increase, \$292,000.00 for the public safety raise, \$35,000.00 for the paramedic raise. Applicable FICA taxes are included in these amounts. Approval of FY21 budget amendment for staff merit increases, Public Safety raises, and Paramedic raises and authorize the Mayor to sign any related documents.

Mayor Norton invited Acting Police Chief Robert Harvey and Fire Chief Roy Acree up to the podium. He then provided some explanation of the raises.

Chief Acree thanked everyone for the support. He spoke about the impact on public safety recently and said that the departments have never felt anything but support from the City.

Acting Chief Harvey thanked everyone and spoke about the well trained people that work together that make up the Smyrna Police and Fire Departments.

Mr. Bennett thanked Mayor and Council for the support that they have shown. 2020 has been a rough year for everyone but especially for those in public safety.

Councilmember Charles "Corkey" Welch made a motion to approve the FY 2021 budget amendment for staff merit increases, Public Safety raises, and Paramedic raises. Councilmember Tim Gould seconded the motion.

The motion to approve was carried by the following vote:

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

A. [2020-515](#)

Approval of the Re-appointment of Ward 1 resident, Shawn Garcia, to the Keep Smyrna Beautiful Board. This is a two-year term that expires

12/31/2022.

Councilmember Glenn Pickens made a motion to approve the Re-appointment of Ward 1 resident, Shawn Garcia, to the Keep Smyrna Beautiful Board. This is a two-year term that expires 12/31/2022. Councilmember Travis Lindley seconded the motion.

The motion to approve was carried by the following vote:

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

B. [2020-517](#)

Approval of the re-appointment of Joel Powell to the Smyrna Planning and Zoning Board for a two-year term to expire December 31, 2022.

Councilmember Travis Lindley made a motion to approve the re-appointment of Joel Powell to the Smyrna Planning and Zoning Board for a two-year term to expire December 31, 2022. Councilmember Charles "Corkey" Welch seconded the motion.

The motion to approve was carried by the following vote:

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

C. [2020-543](#)

Approval of appointment of Mr. Sean Tintle as the Mayor's appointee to the Smyrna Housing Authority. This is a five-year term to expire December 2025

Councilmember Charles "Corkey" Welch made a motion to approve of the appointment of Mr. Sean Tintle as the Mayor's appointee to the Smyrna Housing Authority. This is a five-year term to expire December 2025. Councilmember Travis Lindley seconded the motion.

The motion to approve was carried by the following vote:

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

D. [2020-544](#)

Approval of appointment of Ms. Cheri Harrington as the Mayor's appointee to the Smyrna Parks and Recreation Commission. This is a two-year term to expire December 2022.

Councilmember Susan Wilkinson made a motion to approve the appointment of Ms. Cheri Harrington as the Mayor's appointee to the Smyrna Parks and Recreation Commission. This is a two-year term to expire December 2022. Councilmember Lewis Wheaton seconded the motion.

The motion to approve was carried by the following vote:

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

- E. [2020-541](#) Approval of the Re-appointment of Ward 5 resident, Maggie McGarity, to the Keep Smyrna Beautiful Board. This is a two-year term that expires 12/31/2022.

Councilmember Susan Wilkinson made a motion to approve the Re-appointment of Ward 5 resident, Maggie McGarity, to the Keep Smyrna Beautiful Board. This is a two-year term that expires 12/31/2022. Councilmember Travis Lindley seconded the motion.

The motion to approve was carried by the following vote:

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

- F. [2020-516](#) Approval of the Re-appointment of Ward 6 resident, Nell Robinson, to the Keep Smyrna Beautiful Board. This is a two-year term that expires 12/31/2022.

Councilmember Tim Gould made a motion to approve the Re-appointment of Ward 6 resident, Nell Robinson, to the Keep Smyrna Beautiful Board. This is a two-year term that expires 12/31/2022. Councilmember Susan Wilkinson seconded the motion.

The motion to approve was carried by the following vote:

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

- G. [2020-528](#) Appointment of Human Resources Manager, TaLisha Champagne, as the Civil Service Board Clerk.

Councilmember Travis Lindley made a motion to approve the appointment of Human Resources Manager, TaLisha Champagne, as the Civil Service Board Clerk. Councilmember Lewis Wheaton seconded the motion.

The motion to approve was carried by the following vote:

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

- H. [2020-529](#) Approval to hire Ms. Andrea Worthy as the Economic Development Director for the City of Smyrna.

Mayor Norton asked Ms. Andrea Worthy if she would like to come up and say a few words.

Ms. Worthy noted that she was thrilled to be returning to Smyrna as the Economic Development Director. She had seven years previously with the City of Smyrna and eight years with the City of Sandy Springs.

Councilmember Gould said he was excited for her to be here working on an area of

much importance to the successful growth of the City.

Councilmember Wilkinson remembered Ms. Worthy from when she first came into office over 8 years ago and is excited to be working with her.

Councilmember Lindley said that the hire of Ms. Worthy is a monumental step toward successful economic development in the city.

Councilmember Austin Wagner made a motion to approve to hire Ms. Andrea Worthy as the Economic Development Director for the City of Smyrna. Councilmember Susan Wilkinson seconded the motion.

The motion to approve was carried by the following vote:

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

I. [2020-534](#)

Authorization to approve the Cobb Framework Agreement (CFA) for the construction of a silent railroad crossing on Nickajack Rd.

Interim City Administrator Joe Bennett gave some insight into this agenda item. Cobb County is requesting an Amendment to the previously approved CFA Agreement for a silent railroad crossing at Nickajack Rd. (nearest address 561 Summertree Ct). The Amendment is required due to increased project costs from Norfolk Southern. Funds to be allocated from the 2016 SPLOST. This should be the same as your title with the addition of " and authorize the Mayor to sign and execute all related documents" if necessary. Authorization to approve the Cobb Framework Agreement (CFA) for the construction of a silent railroad crossing on Nickajack Rd and authorize the Mayor to sign and execute all related documents.

Ward 7 Councilmember Lewis Wheaton spoke about this being a huge quality of life issue for those living in that surrounding area. Many are grateful that this will finally be coming to fruition.

Councilmember Lewis Wheaton made a motion to approve the Cobb Framework Agreement (CFA) for the construction of a silent railroad crossing on Nickajack Rd. Councilmember Travis Lindley seconded the motion.

The motion to approve was carried by the following vote:

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

J. [2020-535](#)

Authorization to approve Annual Maintenance Agreement between Cobb County and the City of Smyrna for the Nickajack Silent Railroad Crossing.

Councilmember Lewis Wheaton made a motion to approve Annual Maintenance Agreement between Cobb County and the City of Smyrna for the Nickajack Silent Railroad Crossing. Councilmember Travis Lindley seconded the motion.

The motion to approve was carried by the following vote:

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

L. [RES2020-14](#)

Approval of Resolution 2020-14 reaffirms the necessity for the \$1.50 **911** charge on telephone subscribers served by the enhanced **911** system for the fiscal year.

Explanation was given by Mr. Joe Bennett. During May 2001, the City council approved a resolution authorizing the City to collect \$1.50 per line monthly surcharges from telephone subscribers within the City to offset the costs of providing 911 telephone services to residents and visitors. In 2017, legislation was passed effectively forming a State 911 authority to maintain oversight of the auditing, collection, and distribution of 911 surcharges. Effective January 1, 2019, the State of Georgia, under a 911 Authority, began centralized collection of E-911 surcharges. The current \$1.50 per line surcharge will remain the same but will be collected by the state and distributed to local jurisdictions. Staff recommends approval of Resolution 2020-14 extending the emergency 911 surcharge and allowing the State of Georgia to collect on the City of Smyrna's behalf.

Councilmember Travis Lindley made a motion to approve of Resolution 2020-14 reaffirms the necessity for the \$1.50 911 charge on telephone subscribers served by the enhanced 911 system for the fiscal year. Councilmember Charles "Corkey" Welch seconded the motion.

The motion to approve was carried by the following vote:

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

M. [RES2020-16](#)

Approval of Resolution 2020-16 imposing a **911** charge on prepaid wireless service at the retail point of sale at the rate of \$1.50 per retail transaction and revenues received by a municipality and authorize the Mayor to sign and execute all related documents.

Interim City Administrator Joe Bennett explained that Part 4 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, authorizes counties and cities that operate a 9-1-1 public safety answering point to impose a 9-1-1 charge on prepaid wireless service at the retail point of sale and pursuant to Code Section 46-5-134.2 of the Official Code of Georgia Annotated, such charges shall be imposed at the rate of \$1.50 per retail transaction and revenues received by a county or municipality from such charges must be deposited in the emergency telephone system fund maintained by the county or municipality. Imposition of the charge on prepaid wireless service is contingent upon the enactment of an ordinance or resolution of the county or municipality and the City of Smyrna operates a 9-1-1 public safety answering point and the City Council does now deem it in the best interest of the citizens of the City of Smyrna to impose such a charge. Approval of Resolution 2020-16 imposing a 911 charge on prepaid wireless service at the retail point of sale at the rate of \$1.50 per retail transaction and revenues received by a municipality and authorize the Mayor to sign and execute all related documents and authorize the Mayor to sign and execute all related documents.

Councilmember Travis Lindley made a motion to approve of Resolution 2020-16 imposing a 911 charge on prepaid wireless service at the retail point of sale at the rate

of \$1.50 per retail transaction and revenues received by a municipality and authorize the Mayor to sign and execute all related documents. Councilmember Susan Wilkinson seconded the motion.

The motion to approve was carried by the following vote:

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

N. [RES2020-17](#)

Approval of Resolution 2020-17 imposing a **911** charge on postpaid wireline, wireless and voice over internet protocol (V.O.I.P) telephone service at the answering point at the rate of \$1.50 per month received by a municipality and authorize the Mayor to sign and execute all related documents.

Mr. Bennett provided background. Part 4 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, authorizes counties and cities that operate a 9-1-1 public safety answering point to impose a 9-1-1 charge on the postpaid wireline, wireless and V.O.I.P. telephone bill; and pursuant to Code Section 46-5-134 of the Official Code of Georgia Annotated, such charges shall be imposed at the rate of \$1.50 per month; and revenues received by a county or municipality from such charges must be deposited in the emergency telephone system fund maintained by the county or municipality. Imposition of the monthly charge is contingent upon the enactment of an ordinance or resolution of the county or municipality; and the City of Smyrna operates a 9-1-1 public safety answering point; and the City Council does now deem it in the best interest of the citizens of the City of Smyrna to impose such a charge. Approval of Resolution 2020-17 imposing a 911 charge on postpaid wireline, wireless and voice over internet protocol (V.O.I.P) telephone service at the answering point at the rate of \$1.50 per month received by a municipality and authorize the Mayor to sign and execute all related documents.

Councilmember Travis Lindley made a motion to approve of Resolution 2020-17 imposing a 911 charge on postpaid wireline, wireless and voice over internet protocol (V.O.I.P) telephone service at the answering point at the rate of \$1.50 per month received by a municipality and authorize the Mayor to sign and execute all related documents. Councilmember Charles "Corkey" Welch seconded the motion.

The motion to approve was carried by 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:

Interim City Administrator Joe Bennett read aloud the consent agenda.

Councilmember Austin Wagner made a motion to approve the consent agenda as read aloud by Interim City Administrator Joe Bennett. Councilmember Glenn Pickens seconded the motion.

The motion to approve was carried by the following vote:

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

- A. [2020-512](#) Approve the request for the road closure at Belmont Circle intersection on the North side of Windy Hill Road beginning January 5, 2021 through January 23, 2021 (weather permitting) as requested by Baldwin Paving Company for the construction of a temporary road for a lane shift on the Windy Hill Boulevard project Weather permitting
- B. [2020-536](#) Authorization Community Development Block Grant Expenditure Extensions (PY2018, 2019, & 2020) and authorize the Mayor to sign and execute all related documents.

9. Ward / Committee Reports:

Mayor Norton thanked everyone for helping neighbors in need, for being safe, and for staff being so helpful. He wished everyone a Merry Christmas.

Councilmember Glenn Pickens wished everyone a Merry Christmas and Happy New Year.

Councilmember Austin Wagner gave holiday greetings and reminded everyone of early voting that will take place at the Smyrna Community Center.

Councilmember Travis Lindley echoed the others that spoke before him. He noted the challenging year and wished every Happy New Year. He asked everyone to please reach out if you need help.

Councilmember Charles "Corkey" Welch wished everyone a Happy New Year.

Councilmember Susan Wilkinson reiterated the holiday greetings and well wishes of her fellow elected officials.

Councilmember Tim Gould expressed his appreciation to staff and the tremendous job that they do. He thanked those in Ward 6 for the opportunity to serve them. He concluded his report by reminding everyone to stay safe.

Councilmember Lewis Wheaton wished all the happy holidays and be safe.

Interim City Administrator Joe Bennett thanked the community for their support of public safety.

10. Show Cause Hearings:

There were no show cause hearings.

11. Citizen Input:

No one signed up to participate in citizen input.

12. Adjournment:

Mayor Norton adjourned the December 21, 2020 Mayor and Council meeting at 8:14 PM.