



# City of Smyrna

A. Max Bacon City Hall  
Council Chambers  
2800 King Street SE  
Smyrna, GA. 30080

## Action Summary City Council

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Monday, May 3, 2021

7:00 PM

A. Max Bacon City Hall Council Chambers  
2800 King St SE, Smyrna Ga. 30080

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### Rollcall

**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 - Scott Cochran

**Staff:** 9 - Joe Bennett, Penny Mocer, Heather Peacon-Corn, Tina Monaghan, Russell Martin, Joey Staubes, Jennifer Bennett, Dan Campbell and Julie Barwig

### Call to Order

Mayor Derek Norton called the May 3, 2021 Mayor and Council Meeting to order at 7:00 PM.

#### 1. Invocation and Pledge:

City Clerk Heather Peacon-Corn delivered the Invocation and led all in the Pledge of Allegiance.

#### 2. Agenda Changes:

There were no agenda changes.

#### 3. Mayoral Report:

- A. [PRC2021-04](#) Proclamation in Recognition of Memorial Day Poppy Distribution, May 15th, 21st, 22nd, 28th and 31st, 2021

**Sponsors:** Welch

#### 4. Land Issues/Zonings/Annexations:

- A. [2021-168](#) Name change request for the apartment complex located at 5000 S Lincoln Trace Avenue to Edison at the Battery.

Councilmember Glenn Pickens made a motion to approve a name change request for the apartment complex located at 5000 S Lincoln Trace Avenue to Edison at the Battery. 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

**B.**     [2021-116](#)

**Public Hearing** - V21-026 - Increase maximum impervious surface area from 45% to 48.8% - Land Lot 593 - 1607 Walker Street - Brian & Lauren Berry

Councilmember Travis Lindley made a motion to approve V21-026 - Increase maximum impervious surface area from 45% to 48.8% - Land Lot 593 - 1607 Walker Street - Brian & Lauren Berry. 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

**C.**     [2021-169](#)

**Public Hearing** - V21-038 - Allow new construction on lot of record below minimum lot size requirements - Land Lot 560 - 2740 Morris Circle - Brookhaven Home Designs

Councilmember Travis Lindley made a motion to approve V21-038 - Allow new construction on lot of record below minimum lot size requirements - Land Lot 560 - 2740 Morris Circle - Brookhaven Home Designs. 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

**D.**     [2021-171](#)

**Public Hearing** - V21-039 - Reduce the side setback from 10 feet to 3 feet for a carport and reduce the driveway setback from 5 feet to 3 feet - Land Lot 452 - 3212 Ridgecrest Road - Maria Swanson

Councilmember Travis Lindley made a motion to approve V21-039 - Reduce the side setback from 10 feet to 3 feet for a carport and reduce the driveway setback from 5 feet to 3 feet - Land Lot 452 - 3212 Ridgecrest Road - Maria Swanson. 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.**     [2021-172](#)

**Public Hearing** - V21-040 - Reduce the rear setback from 35 feet to 25 feet for a building addition - Land Lot 554 - 3766 Ashwood Drive - Stan & Laura Thompson

Councilmember Tim Gould made a motion to approve V21-040 - Reduce the rear setback from 35 feet to 25 feet for a building addition - Land Lot 554 - 3766 Ashwood Drive - Stan & Laura Thompson. 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

**F.**     [2021-173](#)

**Public Hearing** - V21-041 - Reduce side setback from 10 feet to 7 feet for a detached garage - Land Lot 408 - 3945 Green Forest Lane - Howard Dale & Virginia B. Williams

Councilmember Charles "Corkey" Welch made a motion to approve V21-041 - Reduce side setback from 10 feet to 7 feet for a detached garage - Land Lot 408 - 3945 Green Forest Lane - Howard Dale & Virginia B. Williams. 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

**G.**     [2021-174](#)

**Public Hearing** - V21-042 - Allow second accessory structure - Land Lot 408 - 3945 Green Forest Lane - Howard Dale & Virginia B. Williams

Councilmember Charles "Corkey" Welch made a motion to approve V21-042 - Allow second accessory structure - Land Lot 408 - 3945 Green Forest Lane - Howard Dale & Virginia B. Williams. 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

**H.**     [2021-175](#)

**Public Hearing** - V21-043 - Reduce streetside setback from 23.3 feet to 11 feet for a pool - Land Lot 519 - 1210 Pierce Avenue - Keri Kennedy Morgan

Councilmember Travis Lindley made a motion to approve V21-043 - Reduce street side setback from 23.3 feet to 11 feet for a pool - Land Lot 519 - 1210 Pierce Avenue - Keri Kennedy Morgan. 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

**I.**     [2020-233](#)

**Public Hearing** - Zoning Request - Z20-006 - Rezoning from NS & RM-10 - Conditional for the development of 8 single-family detached homes at a density of 7.4 units per acre - 1.08 acres - Land Lot 669 - 3302 Atlanta Road - Edgeline, LLC

Councilmember Tim Gould made a motion to approve Zoning Request - Z20-006 - Rezoning from NS & RM-10 - Conditional for the development of 8 single-family detached homes at a density of 7.4 units per acre - 1.08 acres - Land Lot 669 - 3302 Atlanta Road - Edgeline, LLC. Councilmember Austin Wagner seconded the motion.

The motion to approve was carried by the following vote:

**Aye:** 5 - Councilmember Wagner, Councilmember Welch, Councilmember Wilkinson, Councilmember Gould and Councilmember Wheaton

**Nay:** 2 - Councilmember Pickens and Councilmember Lindley

## 5. Privilege Licenses:

There were no privilege licenses.

## 6. Formal Business:

- A. [ORD2021-07](#) Approval of Ordinance 2021-07, to amend Section 50-8, add section 58.1(Special use permit for consumer fireworks) and amend section 46 (Noise Ordinance) in order to better regulate consumer fireworks to the extent allowed by state law and authorize the Mayor to sign and execute all related documents.

Councilmember Tim Gould made a motion to approve Ordinance 2021-07, to amend Section 50-8, add section 58.1(Special use permit for consumer fireworks) and amend section 46 (Noise Ordinance) in order to better regulate consumer fireworks to the extent allowed by state law and authorize the Mayor to sign and execute all related documents. 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

- B. [2021-179](#) Approve Resolution 2021-02 authorizing the city to enter into a Sale Agreement and a Bond Purchase Agreement incident to the Downtown Smyrna Development Authority's issuance of bonds in an amount not to exceed \$29,000,000, with the proceeds to be used to design and construct certain projects within the 2022 SPLOST project list and fund other road and infra structure projects and authorize the Mayor to sign and execute all related documents.

Councilmember Charles "Corkey" Welch made a motion to approve Resolution 2021-02 authorizing the city to enter into a Sale Agreement and a Bond Purchase Agreement incident to the Downtown Smyrna Development Authority's issuance of bonds in an amount not to exceed \$29,000,000, with the proceeds to be used to design and construct certain projects within the 2022 SPLOST project list and fund other road and infra structure projects and authorize the Mayor to sign and execute all related documents. Councilmember Glenn Pickens seconded the motion.

The motion to approve was carried by the following vote:

**Aye:** 6 - Councilmember Pickens, Councilmember Wagner, Councilmember Lindley, Councilmember Welch, Councilmember Gould and Councilmember Wheaton

**Nay:** 1 - Councilmember Wilkinson

## **7. Commercial Building Permits:**

There were no commercial building permits.

## **8. Consent Agenda:**

Councilmember Tim Gould made a motion to approve the consent agenda as read aloud by City Administrator Joe Bennett. 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

- A. [MIN2021-27](#) Approval of the April 19, 2021 Pre-Council Meeting minutes.
- B. [MIN2021-28](#) Approval of the April 19, 2021 Mayor and Council Meeting minutes.
- C. [2021-154](#) Approval to use the Cooperative Procurement contract from City Of Alpharetta for Pipe Rehabilitation Services and Award to Utility Asset Management, Inc., 86 Peaches Drive Reynolds, GA 31076 using City of Alpharetta Contract No. 16-111C and authorize the Mayor to sign and execute all related documents.
- D. [2021-178](#) Approval of Property/Liability Insurance annual renewal with Georgia Local Government Risk Management Agency (GIRMA) for \$632,489 and approval to bind Excess (\$1M) Cyber Liability coverage with Crum and Forrester for \$14,800 and authorize Mayor to execute related documents
- E. [2021-184](#) Approval of 2021 City of Smyrna Community Events and corresponding Street Closings from May 2021 through December 2021.

## **9. Ward / Committee Reports:**

## **10. Show Cause Hearings:**

There were no show cause hearings.

## **11. Citizen Input:**

**12. Adjournment:**

Mayor Derek Norton adjourned the May 3, 2021 Mayor and Council meeting at 8:09 PM.