

Committee of the Whole Minutes - Final MAYOR AND COUNCIL



Derek Norton, Mayor
Tim Gould, Mayor Pro Tem (Ward 6)
Glenn Pickens (Ward 1)
Latonia P. Hines (Ward 2)
Travis Lindley (Ward 3)
Charles "Corkey" Welch (Ward 4)
Susan Wilkinson (Ward 5)
Kathy Young (Ward 7)

Smyrna Community Center
Dogwood Room
1250 Powder Springs Street
Smyrna, GA 30080

City Attorney Scott Cochran
City Administrator Joseph Bennett
City Clerk Heather K. Peacon-Corn

**November 29, 2023
6:30 PM**

1. Roll Call

Present: 8 – Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Latonia P. Hines, Councilmember Travis Lindley (virtual), Councilmember Charles Welch, Mayor Pro Tem / Councilmember Tim Gould, Councilmember Susan Wilkinson, and Councilmember Kathy Young

Also Present: 1 – Jeffrey Tucker

Staff: 13 – Joe Bennett, Dan Campbell, Richard Garland, Bo Jones, Brian Marcos, Russell Martin, Paul Osburn, Heather Peacon-Corn, Kristin Robinson, Carol Sicard, Joey Staubes, Steven Watts, and Ashley Youmans

Call to Order

Mayor Derek Norton called to order the November 29, 2023 Committee of the Whole meeting held at the Smyrna Community Center in the Dogwood Room at 6:30 PM.

2. Staff M&C Agenda Items to Review

- Mayor Norton introduced Tarun Ganeriwal who is being recommended to the Downtown Development Authority (DDA) for Dianne Rasin's seat.

Mr. Tarun Ganeriwal stated the following:

- Lives in Ward 7
- Has lived in Smyrna for 22 years
- Is married and has raised five children in Smyrna
- Has started a couple companies, mainly in construction
- Has wanted to be more involved in the City of Smyrna directly
- Would be proud to serve on the DDA

Councilmember Welch expressed that he is not comfortable replacing someone who has not stepped down and is not comfortable with the process. He wondered if others have applied.

Mayor Norton explained this is who he is recommending, and the Council will have an opportunity to vote on December 18, 2023. Discussion took place as to how many minorities are represented on the DDA. Mr. Ganerwal pointed out that he would be a minority as he is a first generation American with parents from India, and he owns minority-owned companies.

Mayor Pro Tem Gould asked about his program he started at Nickajack Elementary. Mr. Ganerwal started successful foundations at both Nickajack and Griffin to help the schools and the surrounding communities.

Councilmember Lindley stated that when he applied to be on the DDA prior to running for council, the process was disorganized and difficult. He also expressed that Ms. Dianne Rasin has been in public disagreement with votes that even the Council has put forward which does not reflect positively on the City.

- Mayor Norton mentioned that on April 18, 2023, the Mayor's Education Awards were scheduled. It conflicts with a COW meeting, so he has asked that the COW be moved to Wednesday, April 17, 2023. This will be added to the agenda.

3. Formal Business and Presentations

A. **COW2023-063** Fire Department Presentation for review and discussion:

- Smyrna Safe Businesses
<https://youtu.be/8BRiUBVyB64>
- The City of Smyrna Emergency Operations Policy
- Disaster Recovery Support Program

Citywide

Chief Brian Marcos stated that Lt. Evan McBryer was recognized by the Emergency Management Agency as Outstanding Contributor to the Profession out of 159 counties. One of the reasons why Lt. McBryer and the City of Smyrna were recognized is because of the Smyrna Safe Businesses program. Chief Marcos showed a video:
<https://youtu.be/8BRiUBVyB64>

Chief Marcos also discussed the following:

Local Emergency Operations Plan Summation

The Local Emergency Operations Plan (LEOP) clarifies the actions taken for an effective city-wide response to a major incident and describes the integration of the processes and procedures detailed in the National Response Framework and National Disaster Recovery Framework. The LEOP also serves as the foundation for more specific supplemental plans and procedures. Serving as its own Emergency Management Agency, the City of Smyrna is required to maintain and submit a revised LEOP to the Georgia Emergency Management Agency (GEMA) on a four (4) year cycle.

The plan is formatted based on a FEMA-approved template. For the purposes of this summary, the plan is divided into three (3) primary categories:

1. Concept of Operations

The Concept of Operations outlines the objectives of the local government in the face of a disaster as well as plan activation procedures and Emergency Operations Center activation status. An area of special note in the Concept of Operations is the assigning of

Emergency Support Function responsibilities (15 total ESFs) to a primary and a supporting organization. All organizations listed as having Emergency Support Function responsibilities have been notified.

2. Continuity of Government/Continuity of Operations Plan (COG/COOP)

The COG/COOP establishes the essential functions of the local government when the LEOP is activated. This section also outlines the succession of command as well as mission essential positions.

3. Direction, Control, and Coordination

The Direction, Control, and Coordination section illustrates the authority to activate the LEOP as well as lists National Incident Management System (NIMS)-compliant positions that will need to be filled in the event of a plan activation.

Chief Marcos also discussed the Disaster Recovery Support Program which assists residents with the aftermath processes when their property is harmed during a disaster. The businesses that will be part of the list of contractors will be heavily vetted and will meet a list of criteria in conjunction with Cobb County and GEMA.

**B. COW2023-064 2024 Workers Compensation Presentation and Discussion
Citywide**

Carol Sicard, Human Resources Director, explained that the City's Worker's Compensation insurance program renews on January 1, 2024. The City's coverage has been with Georgia Municipal Association (GMA) for the past 20+ years. Mr. John Knop from Oakbridge Insurance will present an alternative to renewing with GMA. This change would lower costs and provide enhanced, proactive risk management services.

GMA plan carries a \$100,000 deductible per occurrence. The 2023 premium was \$305,000. Total annual average (2019-20223) cost is \$516,996. Proposed National Liability & Fire Insurance Company plan offers a \$2,500 deductible per occurrence for a total annual premium of \$508,996.

It is recommended that the City place the City's Worker's Compensation Insurance program with National Liability and Fire Insurance Company with Oakbridge Insurance/John Knop as the broker:

- \$508,996 annual premium with \$2,500 deductible
- Implement Oakbridge's Proactive Services to improve safety and risk management culture
- Implement 2-3 year plan to reduce claims and lower first dollar/low deductible premiums for next few renewals
- Review claims after 2-3 years of proper proper risk management to determine if taking greater risk is appropriate to lower cost even further and authorize Mayor to execute related documents.

**C. POL2023-002 Approval to update Personnel Policies and Procedures - LVE 1.04
Annual Leave Sell-Back policy
Citywide**

Carol Sicard, Human Resources Director, explained that in July 2022 the Mayor and Council approved a new policy to restore the annual leave sell-back program. The Mayor and Council have also approved three additional City holidays.

For Police, Detention, and E-911 Communications Officers and Fire personnel working 24-hour shifts, holiday hours are embedded in their annual leave accrual rate. With the addition of the three new holidays, annual leave accrual rates have increased to a point where it is difficult for these employees to use their annual leave and bring their year-end leave balance to at or below the maximum, 200 hours (280 for 24/48 Fire personnel).

The current annual leave sell-back policy allows employees to sell-back up to one week of annual leave per year.

Staff recommends approval of the amended the Annual Leave Sell-Back policy to allow personnel who accrue holidays with their annual leave to sell-back up to two weeks per year, assuming they meet the policy's eligibility criteria and authorize the Mayor and City Administrator to sign and execute all related documents.

4. Review of Current M&C Agenda

A. COW2023-064 Review of the December 4, 2023 Mayor and Council Meeting Notice and Agenda

- Utility Services Director Bo Jones discussed item AGR2023-042 to award a contract to K. M. Davis Contracting Co for a water main replacement to be paid from Water CIP in the amount of \$486,525.00. There have been some issues in the past being able to access the water main. This should assist with that problem.

- Russell Martin, Community Development Director, presented the following for item Z23-004:

A motion to approve the request failed by a vote of 3-4 at the June 5, 2023, meeting. There was no additional motion made to deny the request. Therefore, the application will be brought to Mayor & Council for a final vote at the December 4, 2023, meeting. Since the June 5, 2023, meeting the applicant has agreed to revise the unit mix of the 295 units, from 50% reserved for occupants aged 55+ to 60%, and 50% of units unrestricted to 40%. Additionally, four units will be set aside for first responders working in Smyrna.

The proposed building will not be a significant change from what was originally approved in 2015. The proposed building is to be eleven-stories tall, with rooftop amenities, on top of structured underground parking garage. The applicant has provided building elevations with the zoning amendment request. The building façade will consist of stucco and brick and have minimal changes to the existing approved elevations. The proposed elevation changes include green roof top terraces, a different color palette, consists of a new covered entrance, and eliminates the elevated pedestrian connection to phase I. Additionally, a secondary stand alone parking deck is proposed on the northern side of the property. The parking deck will consist of a stucco and brick exterior.

The building will support 295 living units at 313,955 sq. ft. and 8,930 sq. ft. of common area and accessory uses for the exclusive use of the residents. The common area for the development will include a communal kitchen, party room, lounge and fitness room, indoor pool and outdoor pool deck, sky deck, pet spa, remote office, as well as conference and game room. The 295 proposed dwelling units shall include 3 different unit plans. These unit plans include:

1. 24 Units – Studio (8%)
2. 122 Units – One Bedroom Plus a Den Units (41%)

3. 149 Units – Two Bedroom Units (51%)

The proposed development will be restricted to residents aged 55 and older for 60% 50% and no age restriction for 40% 50%. The proposal also includes 625 sq. ft. for a coffee shop on the ground level of the main building and a 5,317 sq. ft. restaurant on the top level of the external parking deck.

The Silver Comet Connection is going to connect the Silver Comet Trail to Centennial Park and the Beltline. This property is directly on this which is an asset. Cobb County, Fulton County, and the City of Atlanta are investing in this.

- Item 2023-223 for the Wolfe Center PoolPak has to be tabled indefinitely in order for it to be brought before the Council at a future date.

- Mayor Pro Tem Gould discussed item AGR2023-043, the extension of the contract for the Fanny Williams Legacy Project. The extension is necessary due to circumstances beyond the artist's control. The project should be completed by March/April.

5. Other Business / Staff Comment

Joe Bennett, City Administrator, updated the Council on the following:

- Substantial progress has been made on the first and second floors
- Leaning really hard on the vendor for the soundproof panels
- Substantial time has been spent of the retreat
- Look for an email from Christy Ullman asking for top priorities that need to be discussed
- Wayne Wright has agreed to facilitate
- City park is coming along – foundation has been poured, expecting stage soon

Councilmember Young – mentioned the artist renderings on the utility boxes and how artists are asking when they can submit to do others. Smyrna's logo was on ESPN

Councilmember Lindley – asked if there is a plan to have the park dedicated or if it is just going to open. Richard Garland, Interim Assistant City Administrator, stated there will be a dedication. The question is whether they want it done when everything is complete or when some of the fencing comes down. Mr. Lindley stated how proud he was about the Christmas tree lighting. He also would like to see lighting added to the S Cobb Drive / Concord Rd intersection because it is dangerous.

Mayor Pro Tem Gould – expressed his appreciation to Mr. Garland and his team for the Home for the Holidays event.

Councilmember Hines – very appreciative of Smyrna's public safety team. She also stated that having the Christmas light installation contracted out was a great idea. Friday, the sale of Black History tickets will go live.

Richard Garland – expressed his gratitude for his Parks & Recreation team as well as Public Works staff who do an immense amount of work to put these events on successfully. Mentioned that Smyrna Vinings Lifestyle Magazine is offering the Parks & Recreation department a half page for advertising events, etc. in exchange for them being considered for the official media for Smyrna Parks & Recreation events. It was suggested that this be tried for a year to see how it goes. Lake Court Park dog park – it has been put out to bid, but all the bids have come back over \$1M. The whole purpose for the dog park was to get the waste away from the creek. It was

suggested that this be put on hold until a further discussion can be had about how best to move forward.

Councilmember Pickens – stated someone reached out to him about the Trees Atlanta project and who chooses the variety of trees to be planted. Russell Martin (Comm. Dev. Dir.) explained that Julie Barwig (Environmental Services Dir.) will know more about the trees and the coordination, but he did explain that often the trees are chosen based on the canopy provided.

Councilmember Welch – paid his compliments to staff for their work on the Home for the Holidays event.

Councilmember Wilkinson – paid her compliments to staff for the Home for the Holidays event. She stated that she continues to get calls about traffic calming around schools and requests for speed humps. Discussion took place about road rage and driving behavior and the difficulty controlling that.

6. Executive Session (As Needed)

7. Adjournment

Mayor Derek Norton adjourned the November 29, 2023 Committee of the Whole meeting at 8:11 PM.

Facilities are provided throughout City Hall for convenience of persons with disabilities.

THIS MEETING WAS PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS IN ACCORDANCE WITH THE NOTICING STANDARDS AS OUTLINED IN O.C.G.A. 50-14-3:
The City of Smyrna website – www.smyrnaga.gov
City Hall, 2800 King Street SE, Notice Boards