

City Council Meeting 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)
Rickey N. Oglesby, Jr. (Ward 7)

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

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

**June 17, 2024
7:00 PM**

I. CEREMONIAL MATTERS

1. Roll Call

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

Also Present: 1 – Scott Cochran

Staff: 6 – Joe Bennett, Jill Head, Dat Luu, Russell Martin, Enoch Serna, and Joey Staubes

2. Call to Order

Mayor Derek Norton called to order the June 17, 2024 Mayor and Council meeting held at A. Max Bacon City Hall in Council Chambers at 7:00 PM.

3. Invocation and Pledge of Allegiance

A. Pastor David Moore, Covenant Church (3375 Atlanta Road SE)

4. Agenda Changes

A. **2024-136** Approval to add item to Consent agenda

Councilmember Travis Lindley made a motion to approve item 2024-136; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

- Aye:** 7 – Councilmember Pickens, Councilmember Hines (virtual), Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould, Councilmember Oglesby
- Nay:** 0 – None
- Recuse:** 0 – None

5. Mayoral Report

Mayor Derek Norton announced the exceptional group of 2024 Smyrna Little League 7U Coach Pitch All Stars who competed in Columbus, GA to win the state championship. Coaches: Mike Lowe, Scott Phelan, Dylan Blakes, Allen Nix
Columbus, GA: won all three games. 9-0 shutout in last game to win it all.

Coach Mike Lowe thanked Smyrna for their support. He stated Smyrna is the best small town in GA because of its commitment to the community and to Smyrna Little League. Coach Lowe introduced the team:

Levi Blakes
Barrett Carroll
Zayne Fuller
Andrew Gordon II
Palmer Han
Logan Harris
John Kesler
Shep Lowe
Tate Nix
Jack Norton
Jude Phelan
David Reed III

II. DISCUSSION / ACTION ITEMS

*Public comment during this portion of the Agenda must be limited to matters on the Agenda for action. If you wish to be heard, please sign up with the City Clerk, come to the podium when called by the Mayor, state your name and address for the record and make your remarks. The time allotted for each speaker is as follows: **Public Hearing - Five (5) Minutes***

6. Proclamations and Presentations

7. Community Development Items

- A. Z24-008 Public Hearing - Zoning Request - Z24-008 - Allow rezoning of an existing building from OD to GC - Land Lot 379 - 0.64 acres - 2968 Ask Kay Drive - Robin Rosenberg
Ward 5 Councilmember - Susan Wilkinson**

Joe Bennett, City Administrator, provided the following brief background:

Robin Rosenberg is requesting a rezoning from OD (Office-Distribution) to GC (General Commercial) to allow additional tenants to operate in the existing building. Rezoning to GC will also allow the property to be within a consistent zoning district of the other properties on Ask Kay Drive.

Joey Staubes, Planner II, provided the following background:

REZONING CASE Z24-008 – 2968 Ask Kay Drive

Planning & Zoning Commission Recommendation: Approve by a vote of 6-0 at the May 13, 2024

Community Development has reviewed the zoning proposal against the city's 2040 Comprehensive Plan and Future Land Use Plan. The zoning proposal is consistent with the CAC (Community Activity Center) Future Land Use Designation.

Community Development has reviewed the proposed rezoning against the requirements of the Zoning Ordinance and believes the GC zoning district is an appropriate zoning category consistent with adjacent properties. Community Development Staff is supportive of the change in zoning from the non-conforming zoning of OD to GC.

Community Development recommends approval of the rezoning from OD to GC at 2968 Ask Kay Drive.

Robin Rosenberg came forward and thanked Community Development staff for helping her through the process.

A public hearing was called, and no one came forward in favor of or in opposition to this item.

Councilmember Susan Wilkinson made a motion to approve item Z24-008; seconded by Councilmember Travis Lindley.

The motion to approve carried with the following vote:

Aye: 7 – Councilmember Pickens, Councilmember Hines (virtual), Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould, Councilmember Oglesby
Nay: 0 – None
Recuse: 0 – None

8. Privilege License and Show Cause Hearing

9. Formal Business

- A. ATH2024-091** Authorization of Recommendation 24-036 for the renovation of the Police Department Locker Room in the amount of \$90,994.89 to be completed by Osprey Management LLC (1640 Powers Ferry Road, Building 26, Suite 200, Marietta, Ga 30067) using Gordian ezIQC contract (Sourcewell#GA-ST08-040820-OML / State of Georgia #99999-SPD-S20200901-00014) and authorize the Mayor to sign and execute all related documents.

Ward 3 Councilmember - Travis Lindley

Joe Bennett, City Administrator, provided the following background:

The Smyrna Police Department budgeted in FY2023 CIP to renovate and refresh the men's and women's locker room, including replacement of flooring, shower tile, restroom countertops, painting, and replacement of metal lockers with modern wood lockers. We requested a proposal from Osprey Management LLC using Gordian eziQC contract (Sourcewell # GA-ST08-040820-OML / State of Georgia # 99999-SPD-S20200901-00014). Gordian is a Job Order Contracting (JOC) platform that allows us to perform construction projects quickly and easily and reduces engineering and design time by awarding contracts for renovation, repair, and construction projects. We recommend the award of the Police Department locker room renovation to Osprey Management LLC. Lockers will be purchased separately and installed by City Staff.

Councilmember Charles Welch asked if this is a design-build contract. Mr. Bennett answered that it is. The last time the locker rooms were redone was 1997.

Councilmember Travis Lindley made a motion to approve item ATH2024-091; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 7 – Councilmember Pickens, Councilmember Hines (virtual), Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould, Councilmember Oglesby
Nay: 0 – None
Recuse: 0 – None

- B. AGR2024-021** Approval to amend contract with Rebuilding Together Atlanta, Inc. (3060 Peachtree Road NW, Suite 1810 Atlanta, GA 30305) for administration of City's CDBG Home Repair Grant to allocate an additional \$125,000 to the program, extend the contract termination date to June 30, 2025, and authorize the Mayor to sign and execute all related documents.
Citywide

Joe Bennett, City Administrator, provided the following background:

The City of Smyrna entered into an agreement on June 3, 2022 with Rebuilding Together Atlanta, Inc. for the administration and implementation of a Home Repair Grant Program to assist lower income homeowners by providing grant funding for housing rehabilitation projects.

The City and Rebuilding Together Atlanta desire to continue the program and assist qualified homeowners. The fourth amendment to the contract will allocate an additional \$125,000 in Community Development Block Grant (CDBG) funds for the program, which will cover \$100,000 in grant funding for approximately 10 more homes and \$25,000 in administrative fees. Additionally, the terms of the agreement will be amended to extend the termination date from June 30, 2024 to June 30, 2025. Administration recommends approval.

Councilmember Susan Wilkinson made a motion to approve item AGR2024-021; seconded by Councilmember Charles Welch.

The motion to approve carried with the following vote:

Aye: 7 – Councilmember Pickens, Councilmember Hines (virtual), Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould, Councilmember Oglesby
Nay: 0 – None
Recuse: 0 – None

- C. CHOR2024-004** Approval of a change order in the amount of \$50,000 to the contract for the ADA upgrade and public restroom renovation at the Smyrna Public Library by Carter Construction Partners, Inc. (405 North Perry Street, Suite 5 Lawrenceville, GA 30046) and managed by TSW Design (1447 Peachtree St NE Ste 850, Atlanta, GA 30309) and amend the FY 2024 ARPA fund budget to increase the library restroom project budget by \$50,000.00 and authorize the Mayor to sign and execute all related documents.
Ward 3 Councilmember - Travis Lindley

Joe Bennett, City Administrator, provided the following background:

The City of Smyrna awarded the library renovation contract to Carter Construction Partners on November 6, 2023. Before construction began, city staff, TSW, and Carter Construction determined that an additional steel support beam would be needed for the project. The additional requested funds are for this support beam. The scope of the bathroom project includes the men’s, women’s, and toddler restrooms on the first floor and the men’s and women’s restrooms on the second floor. Purchasing and Library staff recommend approval.

Councilmember Travis Lindley made a motion to approve item CHOR2024-004; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 7 – Councilmember Pickens, Councilmember Hines (virtual), Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould, Councilmember Oglesby
Nay: 0 – None
Recuse: 0 – None

- D. AGR2024-025** Approval of the proposed agreement with Croy Engineering (200 Cobb Parkway North, Building 400, Suite 413, Marietta, Ga. 30062) for professional services for Program Management of the 2016 SPLOST as requested for the fiscal year 2025 in the amount of \$175,000.00 for the projects as outlined in the attached proposal.
Citywide

Joe Bennett, City Administrator, provided the following background:

The scope of work provided by the Program Management Task Order will be as outlined in the Professional Services Agreement for Smyrna 2016 SPLOST Program Management Services. This work will be completed as an hourly not to exceed fee project. Invoicing will be progressive and will be submitted monthly for work completed to date less previous payments. This proposal incorporates, as if fully set forth herein, the terms and conditions of the Professional Services Agreement for Smyrna 2016 SPLOST Program Management Services dated August 3, 2015, between Croy Engineering, LLC and the City of Smyrna. Staff recommends approval.

Councilmember Charles Welch made a motion to approve item AGR2024-025; seconded by Mayor Pro Tem / Councilmember Tim Gould.

The motion to approve carried with the following vote:

Aye: 7 – Councilmember Pickens, Councilmember Hines (virtual), Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould, Councilmember Oglesby
Nay: 0 – None
Recuse: 0 – None

- E. AGR2024-027** Approval of the proposed agreement with Croy Engineering (200 Cobb Parkway North, Building 400, Suite 413, Marietta, Ga. 30062) for professional services for Program Management of the 2022 SPLOST as requested for the fiscal year 2025 in the amount of \$512,000.00 for the projects as outlined in the attached proposal.

Citywide

Joe Bennett, City Administrator, provided the following background:

The scope of work provided by the Program Management Task Order will be as outlined in the Professional Services Agreement for Smyrna 2022 SPLOST Program Management Services. This work will be completed as an hourly not to exceed fee project. Invoicing will be progressive and will be submitted monthly for work completed to date less previous payments. This proposal incorporates, as if fully set forth herein, the terms and conditions of the Professional Services Agreement for Smyrna 2022 SPLOST Program Management Services dated June 7, 2021, between Croy Engineering, LLC and the City of Smyrna. Staff recommends approval.

Councilmember Charles Welch stated he would like an updated status report of the two SPLOST programs.

Mayor Pro Tem / Councilmember Tim Gould made a motion to approve item AGR2024-027; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 7 – Councilmember Pickens, Councilmember Hines (virtual), Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould, Councilmember Oglesby

Nay: 0 – None
Recuse: 0 – None

- F. **AGR2024-023** Approve Intergovernmental Agreement with Cobb County and the City of Smyrna to evenly share the costs to stabilize the slopes under the abutments for the bridge on Camp Highland Road with the design and engineering cost at \$41,730.00 and the construction cost estimated at not to exceed \$1,700,00.00, and authorize the Mayor to sign and execute all related documents.
Ward 7 Councilmember - Rickey N. Oglesby Jr.

Joe Bennett, City Administrator, provided the following background:

After Georgia DOT provided an inspection report for the bridge on Camp Highland Road over the abandoned CSX Transportation rail line where apparent deficiencies were noted, the City and the Cobb County DOT undertook inspection and testing activities to verify the stability of the slope under and adjacent to the bridge. This area has come under further scrutiny with the construction of the Silver Comet Trail extension by the PATH foundation. Before opening the trail to users, the City and Cobb County desire to stabilize the slope based on the recommendations of the geotechnical investigation, with both parties sharing the cost. Staff recommends approval.

Councilmember Rickey N. Oglesby, Jr. made a motion to approve item AGR2024-023; seconded by Mayor Pro Tem / Councilmember Tim Gould.

The motion to approve carried with the following vote:

Aye: 7 – Councilmember Pickens, Councilmember Hines (virtual), Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould, Councilmember Oglesby
Nay: 0 – None
Recuse: 0 – None

10. Consent Agenda

Councilmember Travis Lindley made a motion to approve the Consent Agenda as presented; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 7 – Councilmember Pickens, Councilmember Hines (virtual), Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould, Councilmember Oglesby
Nay: 0 – None
Recuse: 0 – None

- A. **MIN2024-077** Approval of the May 30, 2024 Committee of the Whole Meeting Minutes
Citywide

This item was approved on the Consent Agenda.

**B. MIN2024-079 Approval of the June 3, 2024 Pre-Council Meeting Minutes
*Citywide***

This item was approved on the Consent Agenda.

**C. MIN2024-081 Approval of the June 3, 2024 Mayor and Council Meeting Minutes
*Citywide***

This item was approved on the Consent Agenda.

D. 2024-138 Acknowledge receipt of appeal from Atlantic Billboards and set matter for a hearing.

This item was approved on the Consent Agenda.

III. CITIZEN PARTICIPATION

*Public comment during this portion of the agenda must be limited to matters within the jurisdiction of the City Council. No subject may be acted upon by the City Council unless that subject is on the agenda and is scheduled for action. If you wish to be heard, please sign up with the City Clerk, come to the podium when called by the Mayor, state your name and address for the record and make your remarks. The time allotted for each speaker is as follows: **Public Comment - Three (3) Minutes***

11. Ward and Staff Reports

Councilmember Glenn Pickens – Joint Town Hall for Wards 1,3, & 6 on July 7, 2024, at 5:00 PM at City Hall.

Councilmember Latonia P. Hines (virtual) – Ward 2 meeting on Wednesday June 26, 2024, at City Hall from 6:00-7:00 PM.

Councilmember Travis Lindley – The Traffic Calming Committee met today as they make lots of progress. He mentioned the quarterly Joint Ward meeting on July 7 at 5:00 PM at City Hall. He extended a huge thanks to staff for the first of the summer concert series this past weekend.

Councilmember Wilkinson – Reminded all of the runoff election tomorrow. Ward 5 residents vote at the church on S. Cobb Drive.

Mayor Pro Tem Tim Gould – Also reminded all of the District 2 Commissioner runoff election tomorrow. Reiterated the Joint Ward meeting on July 7.

Councilmember Rickey N. Oglesby, Jr. – Met with Walt Ray of Chattahoochee Land Project who said they are ready to start building the Chattahoochee River area. He will be providing a tour of Smyrna to Design Local for the Public Arts Committee on Thursday. And he reminded all that Wednesday is Juneteenth.

Heather Peacon-Corn, City Clerk – Directed voters to the Cobb County Elections website and the City of Smyrna website to find their polling locations and times for the runoff election tomorrow from 7:00 AM - 7:00 PM.

12. Public Comment

Bill Strickland – 25-year Smyrna resident – came forward to talk about the app that is used to report issues or problems. He explained that it is not user-friendly. He was attempting to report about a water meter and spicket with hose that were at the entrance of his neighborhood to water the hydrangeas and azaleas in honor of a beloved community member. Those were all taken. He is asking if the spicket and hose can be put back and to also be approved so as not to have to have a back flow so those plants can be watered. Mr. Bennett stated he will meet with Mr. Strickland in the morning.

13. Adjournment

Mayor Derek Norton adjourned the June 17, 2024 Mayor and Council Meeting at 7:42 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**