

# 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)

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

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

**July 15, 2024  
6:45 PM**

## **I. CEREMONIAL MATTERS**

### **1. Roll Call**

**Present:** 6 – Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Latonia P. Hines, Councilmember Travis Lindley, Councilmember Susan Wilkinson, Councilmember Rickey N. Oglesby Jr.

**Also Present:** 1 – Scott Cochran

**Staff:** 15 – Joe Bennett, Chuck Combs, Jeff Crowder, Theresa Galletta, Richard Garland, Jacob Groat, Jill Head, Lewis Lay, Jodi Mills, Jessie Myers, Heather Peacon-Corn, Ashley Putnam, Kristin Robinson, Lee Sanders, Enoch Serna

**Absent:** 2 – Councilmember Charles Welch, Mayor Pro Tem / Councilmember Tim Gould

### **2. Call to Order**

Mayor Derek Norton called to order the July 15, 2024 Mayor and Council Meeting held at A. Max Bacon City Hall in Council Chambers at 6:45 PM.

### **3. Invocation and Pledge of Allegiance**

**A.** Associate Pastor, Justin Kier, Int'l Gospel Outreach Church (1101 Windy Hill Rd)

### **4. Agenda Changes**

**A.** **2024-213** Motion to Move Item 13 to Agenda Changes and vote to table all items until the August 12, 2024 Mayor and Council Meeting

Councilmember Travis Lindley made a motion to approve item 2024-213; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

**Aye:** 5 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Wilkinson, Councilmember Oglesby  
**Nay:** 0 – None  
**Absent:** 2 – Councilmember Welch, Mayor Pro Tem / Councilmember Gould

**13. Appeal Hearing - Atlantic Billboard / Webb, Klase & Lemond, LLC.**

Councilmember Travis Lindley made a motion to table to the August 12, 2024 Mayor and Council Meeting items SIGN24-70, SIGN24-71, SIGN24-74, SIGN24-75, SIGN24-76, SIGN24-77, SIGN24-78, SIGN24-79, SIGN24-93, SIGN24-120 at the request of Atlantic Billboard / Webb, Klase & Lemond, LLC; seconded by Councilmember Glenn Pickens.

The motion to table carried with the following vote:

**Aye:** 5 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Wilkinson, Councilmember Oglesby  
**Nay:** 0 – None  
**Absent:** 2 – Councilmember Welch, Mayor Pro Tem / Councilmember Gould

- A. **SIGN24-70** 4480 North Cooper Lake Road – 117040400040
- B. **SIGN24-71** 1669 Spring Road – 17063100410
- C. **SIGN24-74** 0 Atlanta Road – 17044400280
- D. **SIGN24-75** 2620 Cobb Parkway – 17084800050
- E. **SIGN24-76** 2264 Atlanta Road – 17049100210
- F. **SIGN24-77** 5240 South Cobb Drive – 17075400200
- G. **SIGN24-78** 0 Atlanta Road – 17055900310
- H. **SIGN24-79** 2410 South Cobb Drive – 17034600250
- I. **SIGN24-93** 0 Highlands Parkway – 17054400070
- J. **SIGN24-120** 0 Highlands Parkway – Right of Way – No Parcel ID

**5. Mayoral Report**

**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**

A. **PRC2024-022** Proclamation in recognition of National Park and Recreation Month, July 2024  
**Citywide**

Councilmember Glenn Pickens read aloud and presented the following proclamation:

A PROCLAMATION

By the Mayor of the City of Smyrna

In Recognition of National Park and Recreation Month – July 2024

**Whereas:** parks and recreation is an integral part of communities throughout this country, including Smyrna; and

**Whereas:** parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

**Whereas:** parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders and Alzheimer's; and

**Whereas:** parks and recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

**Whereas:** park and recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and

**Whereas:** parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

**Whereas:** parks and recreation is fundamental to the environmental well-being of our community; and

**Whereas:** our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

**Whereas:** the U.S. House of Representatives has designated July as Park and Recreation Month, and the City of Smyrna recognizes the benefits derived from parks and recreation resources; NOW

**Therefore:** I, Derek Norton, Mayor of the City of Smyrna, Georgia, do hereby proclaim the month of July 2024 as Park and Recreation Month and encourage all citizens to become familiar with the parks, trails, facilities, programs and services available to them.

Richard Garland, Parks & Recreation Director/Interim Asst. City Administrator, stated on behalf of the Parks & Recreation staff, he appreciates the opportunity. There are teams of people working with camps, day camps, the pool, concerts, etc. He and his team are blessed to be here, and Smyrna is blessed to have this team of folks. He thanked the Mayor and Council for recognizing them.

7. **Community Development Items**

8. **Privilege License and Show Cause Hearing**

9. **Formal Business**

A. **2024-159** Public Hearing for the 2024 Millage Rate; there will be no vote on this item.

### **Citywide**

Joe Bennett, City Administrator, provided the following background:

The FY25 budget approved by Council included revenue projections based on 8.99 mills. This is the second of three required public hearings before the formal adoption of the 8.99 millage rate. Tax information was received from Cobb County on June 20, 2024. Per the information provided, the City would need to roll back the millage rate to 8.244 to not advertise a tax increase. In comparison, last year's millage rollback was calculated at 7.829.

The official notice, and all required information, was posted in the Marietta Daily Journal on July 07, 2024. It was posted again on July 14, 2024. A press release was sent to the Marietta Daily Journal on July 1, 2024. It has also been posted on the City website.

This is the second public hearing of the three required. The first public hearing was a Special Called Mayor and Council meeting held this morning, July 15, 2024, at 8 am. The next public hearing will be held July 22, 2024 at 6:00 pm. The adoption of the millage rate will be an agenda item on the 6:00 pm Special Called Mayor and Council meeting on July 22, 2024.

Mayor Derek Norton stated that this is the 17<sup>th</sup> year that the millage rate has not changed despite what may be stated online in social media posts.

- B. ATH2024-093** Authorization to modify the GA Power scope of work in the approved GA Power Master Services Agreement and authorize the Mayor to sign and execute all related documents.

### **Citywide**

Joe Bennett, City Administrator, provided the following background:

This is a request for authorization to approve the following change in scope of work outlined in Work Order 2024-01-Rev1

- Requesting the removal from the original approved scope to remove ECM5 LED Lighting for all Park Ball Fields, Batting Cages and Pool. At a cost reduction of \$2,316,297.00
- Requesting an additional increase to scope ECM4 Switchgear, Transformers, Generators, ATSS. At a cost increase of \$1,775,650.00
- Requesting the modification and scope change of the original approved amount of \$10,735,243.00 to now \$10,194,596.00 with a cost savings of \$540,647.00 to the overall project amount not to exceed.

This request was based off findings as GA Power started performing engineering for the new generators it was found that the current ones do not service the main essential functions of Fire Stations 1 – 5, Police Department / Jail, & Public Works as they should be the essential facilities of the city. The new generators will service the entire facility at each location. If a catastrophic event were to arise the facilities would operate without interruption.

Councilmember Travis Lindley made a motion to approve item ATH2024-093; seconded by Councilmember Latonia P. Hines.

The motion to approve carried with the following vote:

**Aye:** 5 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Wilkinson, Councilmember Oglesby  
**Nay:** 0 – None  
**Absent:** 2 – Councilmember Welch, Mayor Pro Tem / Councilmember Gould

- C. RFP24-034** Approval of RFP24-032 and authorization to approve beautification, of downtown exterior roof lighting for City Hall, Library, and Community Center to Blingle of Marietta - Exhibit C to be funded by 2022 SPLOST Sidewalks/ Trails/ Greenways/ Beautification project in amount not to exceed \$92,675.00 and authorize the Mayor to sign and execute all related documents.  
**Ward 3 Councilmember Travis Lindley**

Joe Bennett, City Administrator, provided the following background:

This is a 1-time request to be paid from 2022 SPLOST. The general ongoing maintenance will be added to B&G operational budget.

It is the recommendation of Finance, Parks and Public Works to approve RFP24-032 for the authorization to approve beautification, of downtown exterior roof lighting for City Hall, Library, and Community Center to Blingle of Marietta - Exhibit C to be funded by 2022 SPLOST Sidewalks/ Trails/ Greenways/ Beautification project in amount not to exceed \$92,675.00 and authorize the Mayor to sign and execute all related documents.

Councilmember Travis Lindley made a motion to approve item RFP24-034; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

**Aye:** 5 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Wilkinson, Councilmember Oglesby  
**Nay:** 0 – None  
**Absent:** 2 – Councilmember Welch, Mayor Pro Tem / Councilmember Gould

- D. RFQ24-035** Approval of RFQ 24-035 Riverlands Trail Streambank Stabilization in the amount of \$394,984.55 to be constructed by SCA Construction (4408 Westfield Dr SW, Mableton, GA 30126) and funded from the Stormwater Fund.  
**Ward 7 Councilmember - Rickey N. Oglesby Jr.**

Joe Bennett, City Administrator, provided the following background:

The City of Smyrna requested bids for the Riverlands Trail Streambank Stabilization. The purpose of this project is to stabilize the bank of the Chattahoochee River in the area by re-grading the slope and installing a vegetated concrete mat and live stakes. Eight (8) bids were received on Friday, June 21, 2024, and the lowest responsive and responsible bidder is SCA Construction in the amount of \$394,984.55.

Staff recommends approval of RFQ 24-035.

Councilmember Oglesby stated that Riverview Road is an exciting new location in Smyrna in Ward 7. There will finally be more accessibility, safe environment, upgrades, and trails.

Councilmember Rickey N. Oglesby, Jr. made a motion to approve item RFQ24-035; seconded by Councilmember Latonia P. Hines.

The motion to approve carried with the following vote:

**Aye:** 5 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Wilkinson, Councilmember Oglesby  
**Nay:** 0 – None  
**Absent:** 2 – Councilmember Welch, Mayor Pro Tem / Councilmember Gould

- E. AGR2024-029** Authorization to enter into an Intergovernmental Agreement between The City of Smyrna, Georgia and The City of Austell, Georgia for hosting Austell's MFR and RMS system on Smyrna's IT Infrastructure for an annual payment of \$1,000 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 Austell, Georgia has requested The City of Smyrna, Georgia to host Austell's Mobile Field Reporting (MFR) and Records Management System (RMS) systems within Smyrna's existing servers. These public safety software systems will allow Austell's police department to create police reports and store it electronically. Utilizing Smyrna's existing IT infrastructure will allow Austell to avoid the initial upfront cost and time to acquire servers that would run those systems. The agreement will take effect once it is approved and is valid for 5 years unless the agreement is terminated by means stated in the Intergovernmental Agreement. The City of Austell has agreed to pay the City of Smyrna an annual rate of \$1,000 compensations to cover the expenses related to hosting these systems.

Councilmember Latonia P. Hines made a motion to approve AGR2024-029; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

**Aye:** 5 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Wilkinson, Councilmember Oglesby  
**Nay:** 0 – None  
**Absent:** 2 – Councilmember Welch, Mayor Pro Tem / Councilmember Gould

- F. 2024-049** Appointment of Eric Randall, Public Works Director, to serve as an alternate member of the License and Variance Board alongside Chairperson, Richard Garland, Parks and Recreation Director, Boardmember Bo Jones, Water, Sewer and Utility Director, Boardmember Andrea Worthy, Economic Development Director, Alternate Boardmember Eric Mohrmann, Deputy Fire Chief, Alternate Boardmember Mary Moore, Library Services Director and to remove Fire Chief Brian Marcos as an alternate member of the board effective July 16, 2024.

***Citywide***

Councilmember Travis Lindley made a motion to approve item 2024-049; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

**Aye:** 5 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Wilkinson, Councilmember Oglesby  
**Nay:** 0 – None  
**Absent:** 2 – Councilmember Welch, Mayor Pro Tem / Councilmember Gould

- G.** **2024-162** Authorization for the 2024 Exterior Holiday Lighting and Decorations to Universal Concepts (1461 Ventura Drive, Cumming, Ga 30040) in the amount of \$200,000 for the first year (2024) with a 4-year lease agreement at \$200,000 per year and authorize the Mayor to sign and execute all related documents.  
**Citywide**

Joe Bennett, City Administrator, provided the following background:

The City of Smyrna requested proposals for services of a licensed, qualified and experienced holiday lighting and decorations contractor to provide exterior and interior lighting and decorations for the 2024 holiday season. Eight proposals were received and evaluated by the team based on several criteria including strength of proposal, experience with large scale projects, innovative and creative approach, references and schedule and proposed cost. After initial scoring and evaluation discussions, four firms were interviewed, and Universal Concepts was selected in the amount of \$200,000 per year with a 4-year lease agreement.

This is funded from the General Fund.

Councilmember Glenn Pickens made a motion to approve item 2024-162; seconded by Councilmember Rickey N. Oglesby, Jr.

The motion to approve carried with the following vote:

**Aye:** 5 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Wilkinson, Councilmember Oglesby  
**Nay:** 0 – None  
**Absent:** 2 – Councilmember Welch, Mayor Pro Tem / Councilmember Gould

- H.** **CHOR2024-008** Request from Baldwin Paving (1014 Kenmill Drive N.W., Marietta, GA 30060) for a change order for an additional 10 days to be added to their contract for a delay in implementing the traffic shift on Windy Hill Road in May 2024 and authorize the Mayor to sign and execute all related documents.  
**Ward 5 Councilmember - Susan Wilkinson**  
**Ward 3 Councilmember - Travis Lindley**

Joe Bennett, City Administrator, provided the following background:

City staff contends the request for additional days was not made in accordance with the terms of the contract. Staff does not recommend approving the request.

Councilmember Travis Lindley made a motion to deny item CHOR2024-008; seconded by Councilmember Latonia P. Hines.

The motion to deny carried with the following vote:

**Aye:** 5 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Wilkinson, Councilmember Oglesby  
**Nay:** 0 – None  
**Absent:** 2 – Councilmember Welch, Mayor Pro Tem / Councilmember Gould

## 10. Consent Agenda

Councilmember Travis Lindley made a motion to approve the Consent Agenda as presented; seconded by Councilmember Rickey N. Oglesby, Jr.

The motion to approve carried with the following vote:

**Aye:** 5 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Wilkinson, Councilmember Oglesby  
**Nay:** 0 – None  
**Absent:** 2 – Councilmember Welch, Mayor Pro Tem / Councilmember Gould

- A. MIN2024-094** Approval of the June 13, 2024 Committee of the Whole Meeting Minutes.  
**Citywide**

This item was approved on the Consent Agenda.

- B. MIN2024-096** Approval of the June 17, 2024 Pre-Council Meeting Minutes.  
**Citywide**

This item was approved on the Consent Agenda.

- C. MIN2024-098** Approval of the June 17, 2024 Mayor and Council Meeting Minutes.  
**Citywide**

This item was approved on the Consent Agenda.

- D. AGR2024-031** Approval of Letter of Agreement with Mitch Leff & Associates for ongoing public relations support, managed by the Community Relations Department.  
**Citywide**

This item was approved on the Consent Agenda.

- E. AGR2024-033** Approval of Amendment No.1 to the Cobb County Community Development Block Grant (CDBG) Subrecipient Agreement No: CD24-C24SA/S8 to increase the award by \$91,927.30 for a total amended PY2024 allocation of \$272,985.15 and authorize the Mayor to sign and execute all related documents.  
**Citywide**

This item was approved on the Consent Agenda.

## 11. Ward and Staff Reports

Councilmember Glenn Pickens – thanked all who came out to the joint town hall last Sunday. October will be the next quarterly meeting.

Councilmember Latonia P. Hines – stated what a wonderful job Parks & Recreation staff did with the concert. Uptown Funk was amazing. She announced another back-to-school event next Saturday. She also noted that the Handmade Market continues.

Councilmember Travis Lindley - thanked all who came out to joint town hall. Huge thanks to staff for a wonderful event this past weekend. He also encouraged anyone to visit the new exhibit at the museum about behavioral health.

Councilmember Susan Wilkinson – thanks to all who came out to the concert Saturday night despite the heat. She extended a special thanks to Parks & Recreation staff.

Councilmember Rickey N. Oglesby, Jr. – Sunday, July 21 at 3PM at 1100 Wilson Way suite 400, public safety training facility - community meeting.

## 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***

### 12. Public Comment

### 13. Adjournment

Mayor Derek Norton adjourned the July 15, 2024 Mayor and Council Meeting at 7:11 PM.

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

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**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](http://www.smyrnaga.gov)  
City Hall, 2800 King Street SE, Notice Boards**