

City Council Meeting Minutes - Final MAYOR AND COUNCIL



Smyrna Community Center
Magnolia Room
200 Village Green Circle
Smyrna, GA 30080

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)

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

August 07, 2023 / 7:00 PM

I. CEREMONIAL MATTERS

1. Roll Call

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

Also Present: 1 – Jeffrey Tucker

Staff: 7 – Joe Bennett, Jill Head, Dat Luu, Russell Martin, Heather Peacon-Corn, Joey Staubes, and Ashley White

2. Call to Order

Mayor Derek Norton called to order the August 7, 2023 Mayor and Council Meeting held at the Smyrna Community Center in the Magnolia Room at 7:00 PM.

3. Invocation and Pledge of Allegiance

A. Pastor Courtney Harkness, Cumberland Community Church (3059 South Cobb Dr)

4. Agenda Changes

5. Mayoral Report

Mayor Norton thanked those who were able to attend and tune in to the State of the City address. It is available to view on the City's website and Facebook page. Mayor Norton also announced the 151st Smyrna Birthday Celebration that will take place on October 7, 2023. It will follow a similar format to last year's celebration with the closing of Atlanta Road, lots of great bands, and the cultural programs celebrations throughout the day.

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. 2023-148 Update on Traffic Calming Program in the City – City Engineers **Citywide**

Ashley White, Assistant City Engineer, presented updates that have been made through the Traffic Calming Committee:

Overview:

- Formed in 2021
- Quarterly meetings
- Areas of Concern
 - Traffic Calming
 - Intersection Safety Improvements
 - Pedestrian Accessibility
- Members
 - Travis Lindley, Ward 3 Councilmember
 - Tim Gould, Ward 6 Councilmember
 - Susan Wilkinson, Ward 5 Councilmember
 - Eric Randall, Public Works Director
 - Ashley White, Assistant City Engineer

King Springs Road Improvements:

- Mid-Block Raised Pedestrian Crosswalk – Brinkley Park
- Mid-Block Crosswalk – Tolleson Park (underway)
- Rectangular Rapid Flashing Beacons (RRFBs)
- Side Street Crosswalk Restriping
- Intersection Improvements at Hayes Drive
- Sidewalk Connection Along Hayes Drive
- Sidewalk Connection from Dunn St to Hayes Dr (underway)

Lakeview at Vinings Improvements:

- Vehicles Approaching When Flashing (VAWF) Installation
- Cooper Lake Rd at Lakeview Terrace
- Limited Sight Distance in Both Directions

Ridge Road Improvements:

- Public Input Session Held on 8/4/2022
- Speed Reduction Markers Between Ridgehurst Dr & Glenhurst Dr
- New & Updated Traffic Signs – Speed Limit, SLOW, Intersection Ahead, Curve Ahead
- All-Way Stop at Cedar Cliff Drive
- RRFB for Creatwood Trail Crossing

Concord Rd & Old Concord Rd

- New Pedestrian Signals
- Curb Radius Improvements
- Dynamic Speed Display Signs (underway)

Roswell Street Improvements:

- Center Roadway Median
 - 1 ft Stamped Concrete Median
 - 11 ft Travel Lanes
 - Extends to Gilbert Street
- Choker Near Gilbert Street – 10 ft Travel Lanes
- Sidewalk Connection
- Intersection Improvement – Roswell St. Old Roswell Rd, Highland Ave

Riverview Road:

- New All-Way Stop at Nichols Drive
- Overhead Red Flashing Beacon
- Mid-Block Crossings with RRFBs

Concord Road Improvements:

- 85th Percentile Speed: 46 – 47 mph
- Public Meetings held on 2/8/23 & 5/17/23
- Mid-Block Pedestrian Crossings – Mosswood Lane and Highview Drive
- RRFBs at Both Pedestrian Crossings
- Three (3) Center medians
 - 100 ft long & 1-3 ft wide
 - Between Concord Ln & Ashley Ct
 - Between Autumn Lane & Highview Drive
 - Between Deerwood Circle & Mosswood Lane
- Truck Turn Around Signs
 - Guide to Covered Bridge Turnaround
 - Installed in ½ mile increments

Vinings Estates:

- Public Meeting Held 11/1/22
- Two (2) Permanent Radar Signs
- Approximately 3,650 ft of Centerline Striping from Vinings Approach to Whitehaven Park Lane

Oaks of Concord Centerline Striping:

- Oaks Parkway from Old Concord Rd to Poplar Pointe
- Approximately 650 ft of Centerline Striping

New All-Way Stop Sign Locations:

1. Hawthorne Ave & Reed St
2. Spring St & Walker Ct
3. King Springs Rd & Kingsview Dr
4. McCauley Rd & Pinedale Dr
5. Mathews St & Walker St
6. Mathews St & Whitfield St
7. Medlin St & Clifton Rd
8. Belmont Cir & Kissing Tree Ln
9. Roswell St & Windy Hill Pl
10. Powder Springs St & Guthrie St
11. Bank St & Fraser St
12. Lake Dr & Magnolia Dr
13. Riverview Rd & Nichols St
14. Lee St & Spruce Dr

15. Ashwood Dr & Twin Oaks Dr
16. Powder Springs St & Wayland Court
17. Powder Springs St & Stonecreek Rd
18. Dixie Ave & Pierce Ave
19. Ridge Rd & Cedar Cliff Rd
20. Bank St & Eastfield Rd
21. Gilbert St & Rileys Walk
22. Vinings North Trail & Ashwood Dr

Pat Mell Road Improvements:

- Sidewalk Project
 - From Gober Ave to Atlanta Road
 - Updated Substandard Sidewalk
 - New Sidewalk Connections
 - Grass Strip Addition for Pedestrian Buffer
- Wells Drive Improvements
 - Two (2) Speed Humps
 - Updated Traffic Signs

Park Road Improvements:

- Posted Speed Limit: 25 MPH
- 85th Percentile Speeds: 37 – 39 MPH
- Three (3) Speed Humps

New Speed Tables:

- King Springs Road (Brinkley Park)
- Park Road
- Powder Springs St (West of SR 280)
- Powder Springs St (East of SR 280)
- Church Road (West of SR 280)
- Lois Street
- San Fernando Drive
- Sherwood Road

Updated Speed Tables:

- Lois Street
- San Fernando Drive
- Hughes Street
- Stephens Street
- Pinehill Drive

Upcoming Projects:

- Woodruff Drive Sidewalk
- Highlands Parkway Intersection Improvements
- Concord Road Traffic Calming
- Highview Drive Traffic Calming
- Starline Drive Traffic Calming
- Village Parkway Intersection Improvements
- Smyrna Hill Drive Roadway Improvements
- Reed Road Traffic Calming

7. Community Development Items

- A. Z23-003** Public Hearing - Zoning Request - Z23-003 - Allow rezoning from R-8 Conditional to RDA - Conditional for the development of six single-family homes at a density of 4.87 units per acre - Land Lot 632 - 1.23 acres - 2791, 2801, and 2811 Madison Street - BaeBrooke LLC.

Ward 2 Councilmember - Latonia P. Hines

Russell Martin, Community Development Director, provided the following background:

The applicant is requesting a rezoning from R-8 to RDA-Conditional for the development of six (6) single-family detached units at a density of 4.87 units per acre. A land use change from Medium Density Residential is not required for this rezoning.

Staff Recommendation:

Approval of the rezoning from R-8 to RDA-Conditional for six new single-family detached units.

Planning & Zoning Board Recommendation:

Deny by a vote of 5-1 at the June 12, 2023 meeting.

Baebrook LLC is seeking approval of a rezoning for 2791, 2801, and 2811 Madison Street from R-8-Conditional to RDA-Conditional for the development of six single-family detached residences at a density of 4.87 units per acre. The property was annexed and rezoned to R-8 in 2021 (Z21-003) for the development of five single-family homes at a density of 4.07 units per acre. The plan featured three homes facing Madison and two homes facing Mildred, with access drives for rear-entry homes. The applicant is proposing to add an additional lot to the currently approved plan with each home having a front entry garage and access from the public right of ways. Five of the homes will face Madison Street and one will face Mildred Place. The proposed lots will be between 4,299 and 14,122 sq. ft. The applicant proposes to use elements such as brick, stone, and siding for the façade materials for each home.

Engineering Review

The zoning proposal shows a stormwater detention facility located at the southern end of the property. The applicant has provided a site plan with the rezoning application for reference. A formal review of stormwater management requirements will be assessed during plan review and permitting. There is no stream located on the subject property. The applicant will be required to add new sidewalk around the development.

Fire Marshal Review

The Fire Marshal's office has reviewed the revised site plan and believes there is sufficient access to provide emergency services to the six homes.

Planning Review

The proposed rezoning would provide for six (6) new residences at density of 4.87 units per acre. The subject property is located in an area where the surrounding properties have a future land use designation of Medium Density Residential (up to 6 units per acre). The proposed lot sizes and widths would be significantly less than other lots in the area.

Community Development has reviewed the proposed development against the zoning standards of the recent nearby rezonings and found the proposed development to be

compatible with the surrounding area. The subdivision and construction of six new single-family homes result in a density of 4.87 units per acre on the subject property. The lot width and lot size are compatible with the other in-fill developments in the surrounding area. The applicant is requesting a rezoning from R-8 to RDA-Conditional and the proposed zoning is in compliance with the Future Land Use Plan.

Community Development considers the proposed density of 4.87 units per acre to be below the 6 unit per acre threshold of Medium Density Residential land use. The proposed rezoning will require variances from the RDA zoning district in terms of lot size and lot width. Staff is supportive of the variances required for the proposed development.

Community Development recommends approval of the rezoning from R-8 to RDA-Conditional for the development of six single-family units at a density of 4.87 units per acre with the following conditions:

Standard Conditions

Requirements # 2, 3, 4, 5, 8, 9, 10, 12, and 17 from Section 1201 of the Zoning Code are not applicable. The following requirements remain applicable.

1. The composition of the homes in a residential subdivision shall include a mixture of elements including but not limited to: brick, stone, shake, hardy plank and stucco. No elevation shall be comprised of 100% hardy plank siding. The residences whose lots abut external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.
2. All utilities within the development shall be underground.
3. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by either the City or the County during construction plan review. Sidewalks shall be provided by the developer inside the subdivision and outside the subdivision adjacent to any public right-of-way consistent with city's requirements for the extent of the development. A grass buffer with a minimum width of two feet shall be provided between the back of curb and sidewalk.
4. No debris may be buried on any lot or common area.
5. The developer will comply with the City's current tree ordinance. All required tree protection measures shall be adhered to by the developer during construction.
6. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.
7. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.
8. All single-family and/or duplex residential lots shall provide the following at the time of certificate of occupancy: either four 3" caliper trees or three 4" caliper trees. The following species of trees may be used: Nuttall Oak, Swamp Chestnut Oak, Allee Elm, and Village Green Zelkova. Other species may be used if approved by the City.

Special Conditions

9. The development shall maintain the following setbacks:
Front – 20'
Side – 5'
Rear – 15'
10. The minimum lot size shall be 4,299 sq. ft.
11. The minimum lot width shall be 40 feet.
12. Driveway – 22' minimum length from building face to back of sidewalk.

13. The developer shall install a 5 ft. sidewalk and 2 ft. grass strip at the frontage of property along Mildred Place and Madison Street.
14. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.
15. The developer shall be responsible for any water and sewer improvements deemed necessary by the Public Works Director during construction plan review.
16. The developer shall be responsible for any stormwater improvements deemed necessary by the City Engineer.
17. Approval of the subject property for the RDA-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 7/14/2023 and created by DGM Land Planning Consultants and all zoning stipulations above.
18. Approval of the subject property shall be conditioned upon substantial compliance with the elevations submitted on 3/10/2023.

Councilmember Welch asked if the properties would be required to be sprinkled with the houses being 10 feet apart. Mr. Martin said there is no requirement to be sprinkled. Mr. Welch asked where drainage will be discharged. Mr. Martin stated that it would likely discharge to the street, but that would all be addressed during plan review.

David Meyer, DGM Land Planning & Consultants, representing the applicant came forward. He stated that each house will have two spaces inside the garage and two spaces on the driveway. The previous plan asked for 5' front setback variance. They are removing that request from lots 1 – 4. They are asking for it on lots 5 and 6. The goal is to stagger the front plane of the houses for a more aesthetic effect. After consideration and consultation with a real estate agent, they made the decision to make these homes front loaded so as to have larger backyards. Mr. Meyer mentioned that there have been concerns that the street widths are narrow and that creates concern about traffic and parking. They took measurements at a similar neighborhood and found that at Vinings Point the inside curb to inside curb is 23'. The street width at the lots in question is 26' which is a little bit more room to work with.

Steve Nance, BaeBrooke LLC, came forward. In February of 2021, they came before Smyrna's Council to have this property rezoned from four homes to five homes. They intend to develop these lots themselves. The homes will have a guest room and a master bedroom on the main floor with two additional bedrooms upstairs. His intent is to create homes that are family friendly. The exterior will have three different materials with stone, brick, and hardiplank.

Councilmember Welch expressed concern that the renderings presented do not accurately reflect the width of the homes that can actually be placed on the lots. Because of the width of the lot, the builder is limited to a 33' wide house. Mr. Nance explained that the renderings are just to give examples of the materials, but he did concur that these houses will be built narrower but much deeper. The price point will be between \$600K – \$750K. Mr. Welch further expressed concern that the front room will be very narrow.

Councilmember Wilkinson asked if these homes will have front door entries. Mr. Nance stated they would. Ms. Wilkinson mentioned that three of the backyards look very small.

Councilmember Pickens asked what the timeline is. Mr. Nance stated that it depends on the economic situation and interest rates. He further stated that his company would

be the builder/developer, but he would utilize a local company to work with because he lives in Rome, Georgia.

Mayor Norton opened the public hearing.

William Cripps, 3897 High Dove Way, stated he has family that lives directly across from this property. He expressed that he would like to see the development of this property done in a quality way. He stated there is no reason to allow for high density on these lots that started with three homes. This is an older single-family area, and the infrastructure is already overwhelmed. And storm water is a huge issue.

David O'Rourke, 2789 Madison Street, stated that the homes that are being proposed are beautiful, but the biggest concern is that they are taking what used to be three houses and developing the land for six houses. He stated that GPS feeds traffic through Madison Street to the shopping center – all this means is more traffic, more deliveries, etc., on an already crowded road.

Councilmember Welch asked Mr. Nance why they wanted to add a sixth house and not keep the five houses with front entry which would mean every property gets front entry and a nice backyard. Mr. Nance stated there is no reason that cannot be done, but when reconfiguring the design with the realtor and engineer, they felt that six houses could be laid out in an area that is a highly desired location.

Councilmember Wilkinson mentioned that it would be nice to have a community play area.

Councilmember Hines stated that a private drive would not be good for the area as was originally proposed. And she said that there are not a lot of single-family homes in Smyrna because it is a sought-after community.

Councilmember Welch asked if this item were denied, would they be required to wait a year before reapplying. Mr. Martin stated that at a minimum they would have to wait six months. Mr. Martin, in reference to the mention of a community play area, stated that once the decision was made to make these front-loaded houses, they in turn lost community access to a common area, and those areas became part of the footprint of the backyards. Mr. Martin explained that there are three variances tied into the current approved plan, and the proposed plan has four variances.

Councilmember Kathy Young stated that this is a good opportunity to add single-family homes to Smyrna.

Mayor Norton closed the public hearing.

Councilmember Latonia P. Hines made a motion to approve item Z23-003, a public hearing and zoning request (Z23-003) to allow rezoning from R-8 Conditional to RDA – Conditional for the development of six single-family homes at a density of 4.87 units per acre on land lot 632 on 1.23 acres located at 2791, 2801, and 2811 Madison Street by applicant BaeBrooke LLC with the following stipulations: each home have a two-car garage, a front porch, and front entry; seconded by Councilmember Kathy Young.

The motion to approve carried with the following vote:

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

B. CNV2023-001 Approval to accept the dedication of land described in Exhibit A and authorization to sign all related documents - District 18, Land Lots 172, 174, 175, 2.66 acres - Prestwick Drift LLC
Citywide

Councilmember Latonia P. Hines made a motion to approve item CNV2023-001 to accept the dedication of land described in Exhibit A and authorization to sign all related documents in district 18 on land lots 172, 174, and 175 on 2.66 acres by applicant Prestwick Drift LLC; seconded by Councilmember Travis Lindley.

The motion to approve carried with the following vote:

Aye: 6 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould
Nay: 0 – None
Recuse: 1 – Councilmember Kathy Young

8. Privilege License and Show Cause Hearing

9. Formal Business

A. BCA2023-010 Approval of the appointment of Ward 7 resident, Mr. Kennall Mond to the Parks and Recreation Commission to fulfill term through December 31, 2023
Citywide

Councilmember Kathy Young introduced Mr. Kennall Mond who has been a dedicated community member, very active in the recreation areas of Smyrna and will be an asset to the Parks and Recreation Commission.

Councilmember Kathy Young made a motion to approve item BCA2023-010, the appointment of Ward 7 resident, MR. Kennall Mond, to the Parks and Recreation Commission to fulfill term through December 31, 2023; seconded by Councilmember Travis Lindley.

The motion to approve carried with the following vote:

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

- B. CHOR2023-003** Approval to amend the budget for the purchase of a Pierce 110' Aerial Fire Truck (2022-074) in the amount of \$34,977 to be purchased from Ten-8 Fire and Safety (1591 Collier Rd. Forsyth, Ga.) using the NPPgov cooperative contract, funded from the American Rescue Plan Act of 2021 (ARPA) and authorize the Mayor to sign and execute all related documents.
Citywide

Joe Bennett, City Administrator, provided the following background:

The purchase of a ladder truck replacement was approved at the contracted price of \$1,179,656.00 during the March 7, 2022 City Council Meeting. The apparatus committee returned from a pre-build meeting at Pierce Manufacturing in June 2023 with several specification revisions that will enhance personnel safety, improve apparatus functionality, and aim to reduce maintenance costs over the life of the vehicle.

Councilmember Travis Lindley made a motion to approve item CHOR2023-003 to amend the budget for the purchase of a Pierce 110' Aerial Fire Truck (2022-074) in the amount of \$34,977.00 to be purchased from Ten-8 Fire and Safety (1591 Collier Rd. Forsyth, GA) using the NPPgov cooperative contract, funded from the American Rescue Plan Act of 2021 (ARPA) and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Latonia P. Hines.

The motion to approve carried with the following vote:

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

- C. RES2023-011** Approval of RES2023-011 for local amendment to plumbing code for water efficiency submission of proposed amendment to DCA (City of Smyrna ordinances Chapter 102 - Section 17 Water Efficiency) and authorize the Mayor to sign and execute all related documents.
Citywide

Joe Bennett, City Administrator, provided the following background:

Each Local government shall adopt by January 1, 2024, and thereafter maintain the Metro Water District – Water Efficiency Code Requirements as a local amendment to the Georgia State Minimum Standard Plumbing Code.

Georgia established itself as a national leader when the state passed the Water Stewardship Act of 2010, which directed the Georgia Department of Community Affairs to set more efficient state-wide minimums for indoor water efficiency.

In the past 11 years, new water efficient technologies and standards have been developed, and more efficient technologies have become widely available at comparable prices in the marketplace that increase indoor and outdoor water efficiency.

The requirements are also consistent with other nation-leading mandatory codes adopted by other states and local governments and other green codes and standards like International Association of Plumbing & Mechanical Officials (IAPMO) 2020 Water Efficiency and Sanitation Standard for the Built Environment, and the International Code Council 700-2020 National Green Building Standard.

Councilmember Travis Lindley made a motion to approve item RES2023-011, a resolution for local amendment to plumbing code for water efficiency submission of proposed amendments to DCA (City of Smyrna ordinances Chapter 102 – Section 17 Water Efficiency) and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

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

- D. AGR2023-027** Approval to award to K.M. Davis Contracting Co., Inc., 3259 Austell Road, Marietta, GA 30008, in the amount of \$163,385.00 to be funded from StormWater CIP for the replacement of storm drain system at 3260 Concord Circle.

Ward 3 Councilmember - Travis Lindley

Joe Bennett, City Administrator, provided the following background:

At some point in the past, a storm drain system was installed by the City to collect water from the back yard at 3260 Concord Circle and convey it to the to inlet in front of 3276 Concord Circle. There is no record of this system in the files at Public Works, but we are reasonably confident that it was constructed by City crews. We were recently informed that it was not functioning correctly, and through our investigation found that it was not installed properly. An survey and engineering design was approved by this body on November 7, 2023 (AGR2022-32) and completed earlier this Spring. The Public Works Department solicited bids from it prequalified contractors for storm drainage work, and K.M Davis provided the lowest cost.

Councilmember Travis Lindley made a motion to approve item AGR2023-027 to award to K.M. Davis Contracting Co., Inc. (3259 Austell Road, Marietta, GA 30008) in the amount of \$163,385.00 to be funded from StormWater CIP for the replacement of storm drain system at 3260 Concord Circle; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

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

- E. ATH2023-22** Authorization for a budget amendment and modification of the contract with Russell Landscape Group (5590 Oakdale Rd SE, Mableton, GA 30126) for the enhancement designs to Market Village, City Hall, Community Center, Library, Police Department and Wolfe Recreation Center in the amount of \$292,653.50 to be funded from General fund and authorize the Mayor to sign and execute all related documents.

Citywide

Joe Bennett, City Administrator, provided the following background:

City landscape is 30 years old and has seen its effective use of life. As we make upgrades to the other areas around the downtown area this is a well needed upgrade on beautification.

Councilmember Susan Wilkinson asked if this is the yearly budget for all landscaping. Mr. Bennett answered that this is in addition to the regular landscaping maintenance contract, and this is for the replacement of what is already there.

Councilmember Latonia P. Hines made a motion to approve item ATH2023-022 for a budget amendment and modification of the contract with Russell Landscape Group (5590 Oakdale Rd SE, Mableton, GA 30126) for the enhancement designs to Market Village, City Hall, Community Center, library, Polica Department, and Wolfe Center in the amount of \$292,653.50 to be funded from General Fund and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Travis Lindley.

The motion to approve carried with the following vote:

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

- F. CON2023-012** Authorization for the replacement of existing core network router system, three years support, assessment, design and integration services with Lockstep Technology group (P.O. Box 932094, Atlanta, GA 31193) in the amount of \$115,616.12 using the State of Georgia contract #99999-SPDD-NVPUT3229-0001 and authorize the Mayor to sign and execute all related documents.

Citywide

Joe Bennett, City Administrator, provided the following background:

Currently the city's core network routing function is being handled by a network switch. While this configuration does provide the routing function, it does not provide any additional security enhancement the city desires. Migrating the core routing to a firewall will enable us to control the traffic between various segments of our network. These enhancements will increase network segmentation and strengthen the cybersecurity for our city's IT network. This request will allow the IT department to purchase new firewall units that can handle the additional traffic load.

Councilmember Tim Gould made a motion to approve item CON2023-012 for the replacement of existing core network router system, three years support, assessment, design and integration services with Lockstep Technology group (P.O. Box 932094, Atlanta, GA 31193) in the amount of \$115,616.12 using the State of Georgia contract #99999-SPDD-NVPUT3229-0001 and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

Aye: 7 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould, Councilmember Young
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 Latonia P. Hines.

The motion to approve carried with the following vote:

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

- A. **MIN2023-068** Approval of the June 15, 2023 Committee of the Whole Meeting Minutes
Citywide

This item was approved on the Consent Agenda.

- B. **MIN2023-069** Approval of the June 20, 2023 Pre-Council Meeting Minutes
Citywide

This item was approved on the Consent Agenda.

- C. **MIN2023-070** Approval of the June 20, 2023 Mayor and Council Meeting Minutes
Citywide

This item was approved on the Consent Agenda.

- D. **MIN2023-072** Approval of the July 13, 2023 Committee of the Whole Meeting Minutes
Citywide

This item was approved on the Consent Agenda.

- E. **MIN2023-074** Approval of the July 27, 2023 Special Called Council Meeting Minutes
Citywide

This item was approved on the Consent Agenda.

- F. **MIN2023-075** Approval of the August 3, 2023 10:00 AM Special Called Council Meeting Minutes
Citywide

This item was approved on the Consent Agenda.

- G. **MIN2023-076** Approval of the August 3, 2023 6:30 PM Special Called Council Meeting Minutes
Citywide

This item was approved on the Consent Agenda.

- H. **2023-144** Approval to use Council Chambers for Concord Lake Village HOA Meeting, August 13, 2023, 5pm. (City Hall / HR Training Room is the contingency plan if Council Chambers are not ready)
Ward 3 Councilmember - Travis Lindley

This item was approved on the Consent Agenda.

- I. **AGR2023-029** Approval of Amendment No.2 to the Cobb County Community Development Block Grant (CDBG) Subrecipient Agreement No: CD23-C23SA/S8 to adjust the total amended PY2023 allocation to \$259,237.76 and authorize the Mayor to sign and execute all related documents.
Citywide

This item was approved on the Consent Agenda.

- J. **AGR2023-031** Authorization to enter into an Intergovernmental Agreement for a period of five years from July 1, 2023 through December 31, 2028 between the City of Acworth, Georgia and the City of Smyrna, Georgia for the Housing of Prison Inmates at a per diem rate of \$70.00 per 24 hour period for each inmate housed in the Smyrna Detention Center and authorize the Mayor to sign and execute all related documents.
Citywide

This item was approved on the Consent Agenda.

- K. **AGR2023-032** Authorization to enter into an Intergovernmental Agreement for a period of 5 years from July 1, 2023 through December 31, 2028 between the City of Powder Springs, Georgia and the City of Smyrna, Georgia for the Housing of Prison Inmates at a per diem rate of \$70.00 per 24 hour period for

each inmate housed in the Smyrna Detention Center and authorize the Mayor to sign and execute all related documents.

Citywide

This item was approved on the Consent Agenda.

- L. **AGR2023-033** Authorization to enter into an Intergovernmental Agreement for a period of 5 years from July 1, 2023 through December 31, 2028 between the City of Sandy Springs, Georgia and the City of Smyrna, Georgia for the Housing of Prison Inmates at a per diem rate of \$70.00 per 24 hour period for each inmate housed in the Smyrna Detention Center and authorize the Mayor to sign and execute all related documents.

Citywide

This item was approved on the Consent Agenda.

- M. **AGR2023-034** Authorization to enter into an Intergovernmental Agreement for a period of 5 years from July 1, 2023 through December 31, 2028 between the City of Marietta, Georgia and the City of Smyrna, Georgia for the Housing of Prison Inmates at a per diem rate of \$70.00 per 24 hour period for each inmate housed in the Smyrna Detention Center and authorize the Mayor to sign and execute all related documents.

Citywide

This item was approved on the Consent Agenda.

- N. **ATH2023-21** Approval of agreement with KM Davis (3259 Austell Rd SW, Marietta, GA., 30008) to perform water main line and service replacement located in Ward 5 on Glendale Circle to be funded from FY23 water sewer CIP fund in the amount of \$181,560.00 and authorize the Mayor to sign and execute all documents.

Ward 5 Councilmember - Susan Wilkinson

This item was approved on the Consent Agenda.

- O. **AGR2023-028** Adopt the Georgia Department of Transportation (GDOT) Title VI Nondiscrimination Agreement with assurances to include relevant language, provisions, and protections regarding compliance with Title VI and related statutes and authorize the Mayor to sign and execute all related documents.

Citywide

This item was approved on the Consent Agenda

- P. **GRA2023-02** Approval and acceptance of the federal money Public Safety and Community Violence Reduction grant award for the next three years, supporting the purchase of FUSU's software as awarded by the Governor's Office of Planning and Budgeting and authorize the Mayor to sign and execute all related documents.

Citywide

This item was approved on the Consent Agenda.

- Q. ATH2023-24** Retroactive authorization for the closure of W. Spring St. from the base of the fountain area to the top of the first median on Thursday, July 27, 2023, from 6:00 pm to 11:00 pm for the Cornhole Atlanta and Atkins Park cornhole league playoffs.

Ward 3 Councilmember - Travis Lindley

This item was approved on the Consent Agenda.

- R. ATH2023-25** Approval of a sidewalk project from Dunn Street to Hayes Drive along King Springs Road for pedestrian access to Tolleson Pool as requested by Council with the work to be done by Llano Contractors, LLC (4028 Townsend Lane, Dunwoody, GA, 30346) in the amount of \$104,254.44 and authorize the Mayor to sign and execute all related documents.

Ward 6 Mayor Pro Tem / Councilmember - Tim Gould

This item was approved on the Consent Agenda.

- S. AGR2023-035** Approval of Amendment No. 3 to the Community Development Block Grant (CDBG) PY22 Subrecipient Agreement No: CD22-C22SA-A and CD22-C22SA-F to extend the termination date for the agreement to March 31, 2024 and authorize the Mayor to sign and execute all related documents.

Citywide

This item was approved on the Consent Agenda.

- T. AGR2023-036** Approval of Amendment No. 6 to the Community Development Block Grant (CDBG) PY21 Subrecipient Agreement No: CD21-C21SA-A and CD21-C21SA-F to extend the termination date for the agreement to March 31, 2024 and authorize the Mayor to sign and execute all related documents.

Citywide

This item was approved on the Consent Agenda.

- U. ATH2023-26** Approval of Street Closings for the September 23, 2023 Hispanic Heritage Celebration starting Friday, September 22 at 6:00 a.m. until Saturday, September 23 at 11:59 p.m. at King Street from W. Spring Street to Powder Springs Street, and at Bank Street from Village Walk to King Street.

Ward 3 Councilmember - Travis Lindley

This item was approved on the Consent Agenda.

11. Ward and Staff Reports

Councilmember Glenn Pickens – Reminded everyone of the Joint Wards 1, 2, &3 Town Hall that will take place on August 29, 2023 at 6:30 PM

Councilmember Latonia P Hines – Expressed her appreciation to all during her difficult times with the passing of her sister.

Councilmember Kathy Young – Thanked all those involved with the Traffic Calming Committee.

Heather Peacon-Corn, City Clerk, briefly provided information about qualifying:

- Qualifying will take place August 22 – 24, 2023 in the HR Training Room from 8:30 AM – 4:30 PM daily with a noon – 1:00 PM lunch closure
- Qualifications are listed on the website and available through the City Clerk's Office

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 August 7, 2023 Mayor and Council Meeting at 8:45 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