

# 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)

A Max Bacon City Hall  
Human Resources Training Room  
2800 King Street SE  
Smyrna, GA 30080

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

## September 13, 2023 6:30 PM

### 1. Roll Call

**Present:** 8 – Mayor Derek Norton, Councilmember Glenn Pickens (virtual), 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 – Scott Cochran

**Staff:** 12 – Jennifer Bennett, Joe Bennett, Richard Garland, Russell Martin, Penny Mocer, Heather Peacon-Corn, Eric Randall, Kristin Robinson, Carol Sicard, Joey Staubes, Mark Wolff, and Andrea Worthy

### Call to Order

Mayor Derek Norton called to order the September 13, 2023 Committee of the Whole meeting held at A. Max Bacon City Hall in the HR Training Room at 6:30 PM.

### 2. Staff M&C Agenda Items to Review

### 3. Formal Business and Presentations

- A. COW2023-050** Human Resources Updates – Carol Sicard, HR Director
- 2024 Holiday Calendar
  - Retiree Health Benefits

Carol Sicard, Human Resources Director, provided the following information regarding the holiday schedule:

- The holiday calendar represents the same holidays that were approved last year.
- When asked if the floating holiday should be included, Mayor Norton stated, yes, it should be included for employees.
- The holidays coincide with the schedule of holidays per policy and per the "meetings calendar" previously presented by the City Clerk.

Joe Bennett, City Administrator, discussed the retiree health benefits. He stated that the cost of retiree healthcare is cost-prohibitive, specifically for those with a spouse. They have been working toward a solution to benefit the retirees and the City as well. Ms. Sicard provided the following background and information:

- In 2012, HR implemented Via Benefits for retirees.
- Post-65 retirees work with Via Benefits to select Medicare supplements.
- The City funds \$250/month for Medicare benefits.
- HRA funds are used to pay their premiums, etc.
- Any excess funds in their HRA can be used for anything medical.
- Also in 2012, for those who were not yet Medicare eligible, they would cap the City's contribution for the lowest cost health plan for only the retiree.
- It was assumed that the amount would track along with the lowest cost health plan as it tracked over time.
- That did not happen – Pre-65 retirees are paying a minimum of over \$300/month for just themselves, and over \$1,000/month for spouse and/or family.
- Via Benefits helps the retiree make the selection for which program is best for them, whether they can use the subsidy from the City or tax subsidies from the government.
- The solution was for the City to give \$1000/month into a health reimbursement arrangement which allows the retirees to choose what they want and pay their premiums with the amount given to them by the City.
- This will be more cost-efficient for retirees, and there is no overall insurance impact from the retirees from their claims.
- Pre-65 retirees are 10% of plan enrollment but they carry 15% of claims.
- If the City moves to this program, the City would be paying on average \$775K/year *less*.

Mr. Bennett added that the retirees will be brought in for education and information sessions. One-on-one meetings will happen also for those who request it. Many retirees and soon-to-be retirees have already been spoken to about this, and they are in support.

**B. COW2023-046 Review of recent Citywide flood challenges.**

Mark Wolff, City Engineer, presented the following:

**8.28.23 – 8.29.23**

**FLOODING POST-INCIDENT REPORT**

- Monday, August 28 – 4.2 inches in 1.5 hours
  - Extreme rain and wind
  - “First-flush”
  - Issues with large amounts of water moving debris, branches to drains, flooding
- Tuesday, August 29 – 4.8 inches in 3 hours
  - Extreme rain and wind
  - Saturated ground conditions, ponds storage full
  - Drains and pipes still being cleared from Monday storm
  - Increased flooding issues
- Each rain event, individually, equivalent to “100-year storm”
- Storm intensity with statistical 1% chance of occurring in any given year

**Flooding & Drainage Issues**

- In the City of Smyrna

- **956** properties in the **100-year floodplain**
- **536** properties in the **floodway**
- Flooding reported primarily:
  - Near creeks, major drainageways
  - In and near floodplain, floodway areas
  - Localized, low-lying areas
- Some Citywide flooding and drainage issues due to:
  - Downed trees
  - Debris and limbs clogging drains, pipes during storm event
  - Drainage undermining roads, driveways
- Damage reported to homes, real estate, personal property
- Many residents reported:
  - Highest they had seen their creek
  - "...worst it has ever been..."
  - Water in basement for first time
- Every storm is a unique event – potentially with unprecedented outcomes

### **City of Smyrna Response**

- Over 150 drainage/flooding-related issues reported
- City response during, immediately following storm event
- Clearing debris washed into drains, pipes culverts
- Calls for rescues from flood waters
- Post-storm clean-up
- Ongoing follow-up with affected residents, concerns, questions
- Assessing damaged infrastructure
- Determining measures to mitigate future flooding
- Assisting with Georgia Interlocal Risk Management Agency (GIRMA) claims
- Public Safety – Police, Fire
  - Smyrna EMA provides licensed and approved contacts for disaster recovery services
- Public Works – Streets, Sanitation, Engineering
- Utility Services – Water, Sewer
- Community Development – Building
- Parks & Recreation
- Administration
- Public Relations

### **CITY ACTION PLAN**

#### **Public Education**

- Floodplain and stream information
- Flood and extreme weather preparedness
- Public awareness
  - Website
  - Social Media
  - GIS story maps
  - Public meetings
- NFIP education
- Consider implementing alert system (SEMA, Munis)

#### **Assessment & Study**

- Focused assessment of City drainage infrastructure
  - Condition, size

- Aging infrastructure
- Confirm sizing based on existing conditions
- Prioritize capital improvements
- Stormwater ponds
  - Inventory and condition assessment – ongoing
  - Inspection and maintenance
- FEMA Community Rating System (CRS)

#### **Capital Improvement Projects**

- Opportunities for regional solutions
- Flood protection projects
- Upgraded infrastructure
- Funding
  - SPLOST
  - Stormwater Utility
- FEMA Hazard Mitigation Assistance Grants

Councilmember Hines thanked staff for all of their hard work and asked if there is a plan or program to educate the residents to get the information out. Eric Randall, Public Works Director, stated that he would like to see the City website utilized as a more robust communication line for residents.

Discussion took place regarding condemnation of homes and FEMA grants.

#### **4. Review of Current M&C Agenda**

##### **A. COW2023-047 Review and Discussion of the September 18, 2023 Mayor and Council Meeting Agenda**

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

The subject property was initially rezoned from RAD-Conditional to LC-Conditional on December 15, 2008 (Rezoning Case Z08-007) for the development of a 10,699 sq. ft. daycare facility. The zoning of the property was conditioned upon the development of the property to a specific site plan and building elevations. The project went through the development process and was completed in 2009.

A zoning amendment was approved November 19, 2012, (Zoning Amendment Case Z12-008) to allow construction of a 1,081 sq. ft. addition to the existing daycare facility for a total enrollment of 168 students.

The current zoning amendment is proposed to add 3,027 sq. ft. for 48 additional students. The additional area is proposed to create three additional classrooms and support spaces. The building addition will match the existing building materials and colors.

The existing daycare facility currently provides fifty (50) parking spaces for its customers. Based off the zoning stipulation #21 from Z08-007, the requirement parking ratio for the site is one (1) parking space for every nine (9) students and one (1) parking space per employee. With a total capacity of 216 students and twenty-six (26) employees, the total required parking is fifty (50) parking spaces which meets the minimum requirement.

Community Development recommends approval.

Councilmember Wilkinson expressed that concern about the intersection where this school is located and wondered about having an off-duty officer placed at the intersection. She contended this was a stipulation placed on the variance from 2012. If that is not a possibility, she asked if there are possible traffic calming endeavors. Mr. Martin stated that they would pull accident logs to determine if there have been any accidents or issues at this intersection. Councilmember Welch stated that if the off-duty officer was a stipulation added by a previous board, then that stipulation needs to be removed.

- Councilmember Welch suggested that the professional services agreement with Kash Trivedi be reviewed and renewed annually. Heather Peacon-Corn, City Clerk, stated that this was a contract that was renewed each year. It has recently changed to be open-ended until Mr. Trivedi is terminated. Councilmember Hines asked if there is a process should termination be necessary. Scott Cochran, City Attorney, stated this contract can be terminated for any reason or no reason. Mayor Norton asked Ms. Peacon-Corn to change the contract to reflect that this be renewed yearly.

- Kristin Robinson, Assistant City Administrator/Finance Director, explained the following:

The first two months of the new fiscal year are complete, and several expenditures have occurred that were not included in the original budget adoption. The FY 2024 adopted budget needs to be amended to cover these expenditures for financial reporting purposes.

The City received funding from the 2023 LMIG Safety Action Plan. The budget in the 2022 SPLOST fund needs to be amended to increase the revenue from State Government Grants and to increase the Traffic Calming Project expenditure budget.

There are various items in the General Fund that were not included in the original budget that need to be added to cover expenditures.

The City needed to make a catch up contribution to our OPEB trust based on conversations with the actuary. The OPEB trust is funded by the General Fund, Hotel Motel Tax Fund, E911 Fund, and the Water Sewer Fund.

We also needed to clean up projects that had multiple sources of funding (ARPA, CIP, and General Fund) to make them easier to track for better financial transparency. This included adding some additional transfers not originally budgeted.

- Richard Garland, Parks & Recreation Director, provided the following information regarding the splash pad at River Line Park:

- Received two bids on the CMAR request
- A panel of five staff members that reviewed
- Consensus was that Winter Construction was the better choice of the two
- This can be purchases through a cooperative purchasing program
- There will be a price increase in October

Councilmember Welch asked what is being done to prevent significant price increases/change orders during this project. Joe Bennett, City Administrator, stated that part of controlling costs is to move forward with the purchase of product now to avoid significant price increases set to take place in October. Councilmember Welch explained that CMAR is Construction Manager at Risk which means that should the project go over budget, it is supposed to be their responsibility to bear, not the City's.

Councilmember Young asked what were some of the biggest differences between the two companies that submitted bids. Mr. Garland stated that there were not necessarily significant differences, but Winter Const. was a little less expensive and the timeline was probably the deciding factor. They hope to be ready by end of June 2024.

- Councilmember Wilkinson asked that an item to appoint a member to the Tree Board be added to the agenda.

## 5. Other Business / Staff Comment

Councilmember Lindley thanked staff for addressing the issues surrounding the water feature in the downtown greenspace.

Councilmember Hines expressed that the downtown water feature is amazing. She specifically thanked Joe Bennett for his professionalism throughout these difficulties. She reminded all about the open house at the fire station and the Taste of Smyrna.

Councilmember Young stated that HR, Police Department, and Fire Department have been so responsive as she has coordinated career education for Campbell High School. She reminded all that this weekend is homecoming.

Mayor Pro Tem Gould thanked staff for everything.

Mayor Norton stated that estimated completion of the downtown park is the end of the year, and Stillfire broke ground today. Mayor Norton suggested that political rhetoric be kept out of these meetings going forward.

## 6. Executive Session (As Needed)

### A. COW2023-045 Legal Discussion – Executive Session

Councilmember Travis Lindley made a motion Enter into Executive Session; seconded by Councilmember Latonia P. Hines.

The motion to Enter into Executive Session carried with the following vote:

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

Councilmember Travis Lindley made a motion Return to Regular Session; seconded by Councilmember Latonia P. Hines.

The motion to Return to Regular Session carried with the following vote:

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

## 7. Adjournment

Mayor Derek Norton adjourned the September 13, 2023 Committee of the Whole meeting at 9:10 PM.

Facilities are provided throughout City Hall for 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