



City Council Meeting - Final

May 15, 2023
7:00 PM

C. **MIN2023-049** Approval of the May 1, 2023 Mayor and Council Meeting Minutes.
Citywide

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)
Lewis Wheaton (Ward 7)

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

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

**May 01, 2023
7:00 PM**

I. CEREMONIAL MATTERS

1. Roll Call

Present: 7 – Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Latonia P. Hines, Councilmember Travis Lindley, Councilmember Charles Welch, Councilmember Susan Wilkinson, and Councilmember Lewis Wheaton

Also Present: 1 – Scott Cochran

Staff: 8 – Joe Bennett, Jill Head, Dat Luu, Russell Martin, Penny Mocer, Heather Peacon-Corn, Eric Randall, and Andrea Worthy

Absent: 1 – Mayor Pro Tem/Councilmember Tim Gould

2. Call to Order

Mayor Derek Norton called to order the May 1, 2023, Mayor and Council Meeting held at the Smyrna Community Center in the Magnolia Room at 7:00 PM.

Councilmember Lewis Wheaton left the meeting at 7:08 PM due to a prior appointment.

3. Invocation and Pledge of Allegiance

A. Dr. Jeff Pennington, Smyrna First Baptist Church (1275 Church Street)

4. Agenda Changes

5. Mayoral Report

Mayor Norton stated that the Jonquil Festival this past weekend was a wonderful event. He also announced that the ribbon cutting for the new downtown greenspace will be on June 10, 2023.

Councilmember Lewis Wheaton read the following statement:

It is with mixed emotions that I announce my resignation from the Smyrna city council, effective May 10. This has arisen because of happy and unexpected life circumstances that cause us to move outside the ward. Happily, my family and I will still have a Smyrna address and are excited to continue to serve this community we love dearly.

I want to thank the residents of Ward 7 for electing me to serve. It has truly been a pleasure to work with you all and to see what we have been able to do together. A core reason for my running for office was to be able to create better engagement with the residents of the southern portion of the city. Together, we have done that and there is much to look forward to.

I want to thank the staff. Seeing your professionalism and commitment to our community has truly been an honor. I am proud to say that I have been able to serve with you. Your desire to improve our community in all ways is an inspiration to me and gives me confidence in what lies ahead. You are truly respected and valued. I cannot underscore enough the value this staff has to this community. You do this work tirelessly, and it is impressive.

To my colleagues, Mayor Norton, and the Council. It has been an honor to serve with you all. Together we have committed ourselves to embrace the unexpected and grown in a way where we recognize that we can do more together than divided. Amid the many joys and frustrations of the elected role, we serve the community, a group of people bound together by more than ZIP codes and cross streets. We are a community knit together by what is possible. This is an election year, but I really hope that we all remember the amazing highs and lows of working together. From physically being in the same room for just two months to figuring out how to be online then with masks on seated apart. We have been through a lot together. It has been a pleasure to get to know all of you. I am sad to be stepping down. Thank you all so much.

The Mayor and Council all expressed that it was their honor to serve with Dr. Wheaton.

6. Proclamations and Presentations

A. **PRC2023-009** Proclamation in Recognition of Memorial Day Poppy Distribution **Citywide**

Councilmember Charles Welch read and presented the following proclamation:

A PROCLAMATION
BY THE MAYOR OF THE CITY OF SMYRNA
In Recognition of Memorial Day Poppy Distribution
May 2023

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and
WHEREAS, millions who have answered the call to arms have died on the field of battle; and

WHEREAS, A nation at peace must be reminded of the price of war and the debt owed to those who have died in war; and
WHEREAS, the red poppy has been designated as a symbol of sacrifice of lives in all wars; and
WHEREAS, the American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower,
NOW, THEREFORE, I, Derek Norton, Mayor of the City of Smyrna, Georgia, do hereby proclaim during the month of May in 2023, the 13th, 20th, 26th, and 29th as MEMORIAL DAY POPPY DISTRIBUTION DAYS and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy.

B. PRC2023-011 Proclamation in Recognition of National Small Business Week and to honor businesses in Smyrna celebrating 20, 25 and 50-plus anniversaries
Citywide

Councilmember Travis Lindley read and presented the following proclamation:

A PROCLAMATION

BY THE MAYOR OF THE CITY OF SMYRNA

In Recognition of National Small Business Week and to Honor Businesses in Smyrna Celebrating 20, 25 and 50+ Anniversaries

Whereas, the President of the United States has proclaimed National Small Business Week every year since 1963 to highlight the programs and services available to entrepreneurs through the U.S. Small Business Administration and other government agencies; and

Whereas, this country's 32.5 million small businesses create nearly two out of three jobs in our economy, the City of Smyrna supports and joins in this national effort to help America's small businesses do what they do best - grow their business, create jobs, and ensure that our local communities remain as vibrant tomorrow as they are today; and

Whereas, in 2023, the following small businesses in Smyrna are celebrating 20 years in our community: All Pro Transmission Exchange, Cobb Galleria Automotive, Joe Debose Insurance Agency; and

Whereas, in 2023, the following small businesses in Smyrna are celebrating 25 years in our community: Alpha Nails, Atkins Park Tavern Smyrna, A-Z Signs, B&B Machinery Movers, Deeply Rooted, Delmar Gardens of Smyrna, La'Seviance Hair Spa Salon, Mexico Lindo Restaurant, Oxford Academy, Pro Materials Direct, Salon Suites; and

Whereas, in 2023, the following small businesses in Smyrna are celebrating more than 50 years in our community: Ask-Kay Electrical Contractors, Barrow Wrecker Service and Barrow Body Shop, Becky Jones School of Dance, Howard's Furniture Company, Howard's Wrecker Service, Jonquil Sporting Goods, Lillie Glassblowers, McEntyre's Bakery, Neighbors Feed & Seed Supply Co., Old South Bar-B-Q, Screen USA Inc, Smyrna Animal Hospital, Sparkles Smyrna, Vickery Ace Hardware; and
Whereas, during National Small Business Week, the City of Smyrna acknowledges and celebrates the achievements made by all small businesses, including those celebrating significant milestones in our community; NOW,

Therefore, I, Derek Norton, Mayor of Smyrna, do hereby proclaim April 30 through May 6, 2023, as National Small Business Week in Smyrna and a week of recognition

for all the small businesses in Smyrna, and encourage all city residents, officials, and staff to acknowledge and support the small businesses in our community.

- C. **PRC2023-010** Proclamation in recognition of Mental Health Awareness Month.
Ward 2 Councilmember – Latonia P. Hines
Ward 3 Councilmember – Travis Lindley

Councilmember Latonia P. Hines read and presented the following proclamation:

A PROCLAMATION
BY THE MAYOR OF THE CITY OF SMYRNA
In Recognition of Mental Health Awareness Month 2023

Whereas, May was first recognized in 1949 as Mental Health Awareness Month to educate, raise awareness, and recognize the importance of mental health; and
Whereas, mental health includes our emotional, psychological, and social well-being; it affects how we think, feel, and act; it also affects how we handle stress, relate to others, and make choices; and
Whereas, according to the CDC, one in five Americans will experience a mental illness in a given year. Millions of people will also be affected by mental illness each year, carrying physical, social, and financial impacts; and
Whereas, every person shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts; and
Whereas, the need for comprehensive, coordinated mental health service is a critical responsibility and is fundamental to the future of our community; and
Whereas, Congress passed the National Suicide Hotline Designation Act of 2020 which established 988 as a crisis number where a person in mental health crisis can speak with a trained counselor for immediate assistance. In 2022, 988 became available in Georgia; and
Whereas, every resident and community can make a difference in helping end the silence and stigma that for too long has surrounded mental illness and discouraged people from getting help;
NOW, Therefore, I, Derek Norton, Mayor of the City of Smyrna, Georgia, do hereby proclaim May 2023 as Mental Health Awareness Month in the City of Smyrna. As the Mayor, I call upon our citizens, government agencies, public and private institutions, businesses, law enforcement, and schools to recommit to increasing awareness and understanding of mental health, steps our residents can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

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***

7. **Community Development Items**

- A. **MOR2023-001** Resolution to impose a six (6) month moratorium on accepting applications seeking to obtain building permits or rezone property to be developed or otherwise used as auto service-oriented uses while the City studies zoning issues related to such uses.
Citywide

Joe Bennett, City Administrator, provided the following background:

In accordance with the Charter of the City of Smyrna, the City Council has concluded that it is necessary and desirable to adopt a moratorium for 180 days on applications seeking the issuance of a building permit or seeking to rezone a property to allow it to be used for automobile service stations, automobile parts and tire stores, automobile and truck sales and service, automobile repair (major and minor), emission and inspection stations, automobile wash services, automobile truck and trailer leasing, and to consider other amendments to the zoning ordinances regarding these uses. The moratorium would extend for no longer than six months beginning May 2, 2023, during which time the city would evaluate the city's existing standards on automotive uses.

Councilmember Travis Lindley made a motion to approve MOR2023-01, a resolution to impose a six (6) month moratorium on accepting applications seeking to obtain building permits or rezone property to be developed or otherwise used as auto service-oriented uses while the City studies zoning issues related to such uses; seconded by Councilmember Charles Welch.

The motion to approve carried with the following vote:

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

8. Privilege License and Show Cause Hearing

9. Formal Business

- A. **AGR2023-020** Approval of Property/Liability Insurance annual renewal with Georgia Local Government Risk Management Agency (GIRMA) for a not to exceed amount of \$802,509.00 and authorize Mayor to sign and execute all related documents.

Citywide

Joe Bennett, City Administrator, provided the following background:

The City maintains property and liability insurance with an annual coverage period of May 1 - April 30. Rates are based on a 5-year look back period. Total premium represents an overall increase in premiums of 18.8%. This includes a 10% increase to the base rates as well as rate changes that can be attributed to losses and exposures. Staff recommends approval.

Councilmember Travis Lindley made a motion to approve item AGR2023-020, Property/Liability Insurance annual renewal with Georgia Local Government Risk Management Agency (GIRMA) for a not to exceed amount of \$802,509.00 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: 5 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson
Nay: 0 – None
Absent: 2 – Mayor Pro Tem/Councilmember Gould, Councilmember Wheaton

- B. BCA2023-008** Appointment of Ward 6 resident Leigh Anne Rehkopf to the Smyrna Parks and Recreation Commission to fulfill term through December 31, 2023.

Ward 6 Mayor Pro Tem / Councilmember - Tim Gould

Councilmember Travis Lindley made a motion to approve item BCA2023-008, appointment of Ward 6 resident Leigh Anne Rehkopf to the Smyrna Parks and Recreation Commission to fulfill term through December 31, 2023; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

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

- C. BCA2023-007** Appointment of Ward 3 resident Ms. Tobi North to the Smyrna Parks and Recreation Commission to fulfill term through December 31, 2023.
Ward 3 Councilmember - Travis Lindley

Councilmember Travis Lindley made a motion to approve item BCA2023-007, the appointment of Ward 3 resident Ms. Tobi North to the Smyrna Parks and Recreation Commission to fulfill term through December 31, 2023; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

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

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

- A. **MIN2023-041** Approval of the April 13, 2023, Committee of the Whole Meeting Minutes.
Citywide

This item was approved on the Consent Agenda.

- B. **MIN2023-042** Approval of the April 17, 2023, Pre-Council Meeting Minutes.
Citywide

This item was approved on the Consent Agenda.

- C. **MIN2023-045** Approval of the April 17, 2023, Mayor and Council Meeting Minutes.
Citywide

This item was approved on the Consent Agenda.

- D. **CON2023-010** Approve use of Georgia DOT Agency Contract #48400-DOT0002597-0010 for on-call traffic signal services with Sunbelt Traffic LLC in as needed for an indefinite quantity or contract amount, to be paid from the Public Works - Engineering budget item for Contract Labor.
Citywide

This item was approved on the Consent Agenda.

- E. **ATH2023-06** Approval of Excess Cyber Insurance annual renewal with Crum & Forster/Georgia Local Government Risk Management Agency (GIRMA) for \$36,980.00 and authorize Mayor to execute related documents
Citywide

This item was approved on the Consent Agenda.

- F. **RES2023-008** Approval of Resolution RES2023-008 to continue being a subrecipient of the Cobb County Community Development Block Grant (CDBG) program, and to enter into a Cooperation Agreement for Cobb County Georgia and the City of Smyrna, Program Years 2024 through 2026 and authorize the Mayor to sign and execute all related documents.
Citywide

This item was approved on the Consent Agenda.

- G. **CON2023-009** Approval to award archiving of old Community Development electronic records to MCCI in the amount of \$23,793.76 to be paid from the Community Development Records Management account 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

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 May 1, 2023, Mayor and Council Meeting at 7:44 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