



City Council Meeting - Final

October 16, 2023
7:00 PM

C. **MIN2023-105** Approval of the October 2, 2023 Mayor and Council 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)
Kathy Young (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

**October 02, 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 – Scott Cochran

Staff: 4 – Joe Bennett, Dan Campbell, and Jill Head

2. Call to Order

Mayor Derek Norton called to order the October 2, 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 Justin Kier, Int'l Gospel Outreach Church (1101 Windy Hill Rd)

4. Agenda Changes

5. Mayoral Report

Mayor Norton announced that the green space park should be completed by Thanksgiving when the fencing will come down. He also announced the Culture and Spirit Festival on Saturday, October 7, 2023. There will be a variety of music and entertainment from violinists, African drummers, blue grass, jazz, traditional Chinese dance, fire performers, traditional Polynesian dance, break dancing, stilt walker, and the many concerts including 10,000 Maniacs, Wallflowers, and Goo Goo Dolls. He hopes to see everyone out celebrating.

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 Minutes***

6. **Proclamations and Presentations**
7. **Community Development Items**
8. **Privilege License and Show Cause Hearing**
9. **Formal Business**

- A. **RFP24-007** Authorization for the approval of award of RFP24-007 to Tidwell Traffic Solutions, Inc. (P.O. Box 191445, Atlanta, GA 31119) for Thermoplastic Striping in the City for a total budgeted amount of \$80,000.00 to be paid from Traffic Engineering and authorize the Mayor to sign and authorize all related documents.
Citywide

Joe Bennett, City Administrator, provided the following background:

Public Works requested bids for on-call thermoplastic striping and related services as an annual unit price contract for various streets and intersections throughout the City. Various project work may include, but are not limited to crosswalks, railroad crossings, arrows, solid lines, skip lines, wording, and removal of existing thermoplastic installations. The City received one response from Tidwell Traffic.

Public Works and Purchasing recommend authorization for the approval of award.

Councilmember Travis Lindley made a motion to approve item RFP24-007, award of RFP24-007 to Tidwell Traffic Solutions, Inc. (P.O. Box 141445, Atlanta, GA 31119) for Thermoplastic Striping in the City for a total budgeted amount of \$80,000.00 to be paid from Traffic Engineering 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

- B. **2023-213** Authorization requesting a Public Works job re-classification from a sanitation laborer to a sanitation driver in an effort to avoid entire crews being unable to service in the absence of laborers and authorize the Mayor to sign and execute all related documents.
Citywide

Joe Bennett, City Administrator, provided the following background:

Due to continued daily laborer shortage at Public Works, and specifically in the sanitation department, a reclassification is requested from sanitation laborer to sanitation driver in an effort to avoid entire crews being unable to service areas.

Public Works and Human Resources staff recommend authorization.

Councilmember Travis Lindley made a motion to approve item 2023-213, a Public Works job reclassification from a sanitation laborer to a sanitation driver in an effort to avoid entire crews being unable to service in the absence of laborers and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Charles Welch.

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. ATH2023-39** Authorization for emergency work for the storm drain collapse and road washout on Jonquil Drive as a result of the August 29, 2023 storm in the amount of \$356,316.72 to be paid from stormwater CIP and completed by Ardito Construction (P.O. Box 758, Smyrna, Georgia 30081) and authorize the Mayor to sign and execute all related documents.

Ward 2 Councilmember - Latonia P. Hines

Councilmember Latonia P. Hines made a motion to approve item ATH2023-39, the authorization for emergency work for the storm drain collapse and road washout on Jonquil Drive as a result of the August 29, 2023 storm in the amount of \$356,316.72 to be paid from stormwater CIP and completed by Ardito Construction (P.O. Box 758, Smyrna, GA, 30081) and authorize the Mayor to sign and execute all related documents; seconded by Councilmember Kathy Young.

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. BCA2023-012** Approval of the appointment of Ward 5 resident, Jennifer Corcoran, to the Smyrna Tree Board to fulfill term through August 31, 2024
Ward 5 Councilmember - Susan Wilkinson

Councilmember Wilkinson stated that Ms. Corcoran will be a good addition to the Smyrna Tree Board. She has a background in environmental services.

Councilmember Susan Wilkinson made a motion to approve item BCA2023-012, the appointment of Ward 5 resident, Jennifer Corcoran, to the Smyrna Tree Board to fulfill term through August 31, 2024; 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

E. BCA2023-013 Approval of appointment of Ward 1 resident, Karen Garcia, to the Smyrna Housing Authority to fulfill term expiring May 31, 2025
Ward 1 Councilmember - Glenn Pickens

Councilmember Pickens stated that Ms. Garcia will be a great addition to the Smyrna Housing Authority.

Councilmember Glenn Pickens made a motion to approve item BCA2023-013, the appointment of Ward 1 resident, Karen Garcia, to the Smyrna Housing Authority to fulfill term expiring May 31, 2025; 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

10. Consent Agenda

Councilmember Travis Lindley made a motion to approve the Consent Agenda; seconded by Councilmember Charles Welch.

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. MIN2023-098 Approval of the September 13, 2023 Committee of the Whole Meeting Minutes.

This item was approved on the Consent Agenda.

- B. **MIN2023-099** Approval of the September 18, 2023 Pre-Council Meeting Minutes.

This item was approved on the Consent Agenda.

- C. **MIN2023-100** Approval of the September 18, 2023 Mayor and Council Meeting Minutes.

This item was approved on the Consent Agenda.

- D. **ATH2023-38** Approval of "No Parking" signs on King Springs Road
Ward 6 Mayor Pro Tem / Councilmember - Tim Gould

This item was approved on the Consent Agenda.

- E. **2023-212** Approval to use Council Chambers for Smyrna Market Village Annual HOA Meeting, November 27, 2023, 6:30pm - 8:00pm (backup plan: Smyrna Community Center/Dogwood Room)
Ward 3 Councilmember - Travis Lindley

This item was approved on the Consent Agenda.

11. Ward and Staff Reports

Councilmember Pickens has a Ward 1 meet-and-greet on October 9, 2023 at Argyle Estates from 6:00 – 7:30 PM.

Councilmember Hines announced Rose Garden's Fall Festival on October 14, 2023. Gave a shout out to staff for the Hispanic Heritage Festival which was well done.

Mayor Pro Tem / Councilmember Gould stated that he attended the Public Safety Awards where many Smyrna public safety members were nominated for awards.

Councilmember Young thanked Ms. Mocerri for all of her help with various projects. She mentioned the first of the utility boxes have been decorated with artists' work. She reminded all of Campbell High School's "Newsies Jr." musical this weekend. She announced she will have a meet-and-greet on October 14, 2023 at Reformation Brewery.

Deputy City Clerk Jill Head announced that advanced voting begins on October 16, 2023 in the Community Center. All of the information can be found on the City of Smyrna website and Cobb County Elections website.

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 Minutes***

12. Public Comment

- Graham Jagger on behalf of his daughter Rebecca Sullivan – 5003 Rose Court SE – made the following statement which was provided to the Deputy

City Clerk for purposes of the minutes:

Good evening, Mr. Mayor and District Representatives and thank you for allowing me to address you this evening.

My name is Graham Jagger, and I'm here this evening to speak on behalf of my daughter Rebecca Sullivan who lives at 5003 Rose Court South SE here in Smyrna which is Mrs. Wilkinson's ward. I want to talk to you about Nickajack Creek and the damage it's causing to my daughter's property.

My daughter bought her house over seven years ago now, and Nickajack Creek runs behind the house and is the boundary between Smyrna and Cobb County. Seven years ago, the creek was a small, slow-running, shallow creek over which my two grandsons could easily jump without getting their feet wet. Today, you would need to be an Olympic long jumper to get across it and as happened on August 28th and 29th, it turned into a raging 12-foot-deep, 30-foot-wide torrent of water that continues to erode my daughter's yard area and is creeping closer to her house slowly but surely. It's difficult to fully describe the situation on the ground by Councilmember Mrs. Wilkinson has seen it for herself, and I'm sure she can fill you in with more details if necessary.

On the two days in question, the rainfall was recorded as a one in 100-year storm event meaning the second was effectively a one in 200-year event on the back of the previous one which hadn't had time to subside. The damage to my daughter's property in terms of the loss of land is significant and the erosion will continue year on year until the creek takes away my daughter's yard, house, and home. Can you understand how she feels about that? She cannot sleep now when it starts to rain heavily.

Thanks to Councilmember Wilkinson, we met with her and an officer from the city council about the problem being caused by the creek. A day later, another officer from the council came out and did an inspection following which I got a message from my daughter which said she'd been told to "prepare for financial ruin" because of the progress of the creek toward her house.

Following several discussions with various people and a lot of research, I know more about what can't be done than what can be done to stop the creek getting nearer and nearer to my daughter's house. This "protected creek" is going to eventually take away her house and home. This is a wholly unacceptable situation. If you have a desire to help, then that will make a difference.

To conclude, I respectfully ask you, Mr. Mayor, to take a personal interest in this matter along with Ward 5 Councilmember Wilkinson and advocate for my daughter and work with others to come up with a suitable solution to stop the continuing advancement of Nickajack Creek toward my daughter's house and home for the reasons I have set out in this presentation. It can be done, it must be done and as quickly as is possible, and I trust you will act accordingly. Thank you.

- Twila Parker – 3152 Highland Drive – stated she has been a Smyrna citizen for 2.5 years. She spoke about the August 28th and 29th storm. She

mentioned canals that are throughout her neighborhood. After speaking to the City Engineer, it was suggested that there likely needs to be a dam introduced to the area to prevent future issues. Ms. Parker wanted to bring this to the attention of the Council to see if a dam could be constructed. Councilmember Hines stated that if building were to occur now in that area, it would actually not be allowed. Another issue is that some of the waterways are not within Smyrna jurisdiction but are actually state waterways. Ms. Hines further mentioned that she has a planned meeting for that area to discuss proactive measures that can be taken to assist residents for future events.

13. Adjournment

Mayor Derek Norton adjourned the October 2, 2023 Mayor and Council meeting at 7:19 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