



City Council Meeting - Final

November 06, 2023
7:00 PM

C. MIN2023-108 Approval of the October 16, 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 16, 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: 6 – Tyler Addison, Jill Head, Penny Mocerri, Heather Peacon-Corn, Carol Sicard, and Ashley Youmans

2. Call to Order

3. Invocation and Pledge of Allegiance

A. Pastor Richard Walker, Hurt Road Baptist Church (17 Hurt Road)

4. Agenda Changes

5. Mayoral Report

Mayor Norton announced this weekend will be the last handmade market from 11AM – 3PM. He also announced on October 27 from 6PM – 9PM there will be a Spooky Festival at Brawner Hall. And on October 28/29 the Crafts & Drafts Festival will take place. He gave a special thanks to all staff for their hard work for another successful Culture & Spirit Festival.

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. **2023-214** Introduction and Presentation of the Smyrna Youth Council Program and its 2023-24 members and administration of their Oath of Office.

Ashley Youmans, Special Projects Coordinator, stated that the 2023-24 Smyrna Youth Council has been selected and began meeting. They will learn about government operations and represent the youth of Smyrna by planning their own initiatives. She presented the 2023-2024 Smyrna Youth Council students:

- Coralie-Anne Hilaire, 12th grade, Campbell High School, Mayor
- Fiona McDermott, 11th grade, Campbell High School, Mayor Pro Tem
- Aayesha Sharwar, 10th grade, Campbell High School, Secretary
- Haily Shah, 11th grade, Campbell High School, Treasurer
- Claire Gundersen, 12th grade, Pebblebrook High School, Communications and Outreach Chair
- Nandana Avasarala, 12th grade, The Westminster Schools, Community Service Project Chair (absent)
- Abigail Streger, 12th grade, Campbell High School, School Outreach Chair
- Caitlyn Hardaway, 12th grade, Campbell High School
- Dia Sashittal, 11th grade, Campbell High School
- Benjamin Scott, 11th grade, Campbell High School
- Paige Bauer, 10th grade, Whitefield Academy
- Fatou Diop, 10th grade, Campbell High School
- Ajay Manickaraj, 10th grade, Campbell High School
- Prayushi Padhi, 10th grade, Campbell High School
- Mirella Haynes, 9th grade, Campbell High School
- Charles Scott, 9th grade, Campbell High School

Mayor Pro Tem Tim Gould administered the oath of office to the Smyrna Youth Council:

I do affirm, that I desire to be a member of the Smyrna Youth Council; that I will honestly and faithfully perform the duties assigned to me; that I will abide by the rules which governs Smyrna Youth Council members; and that I will be a good role model for all youth in Smyrna.

B. **PRC2023-021** Proclamation in recognition of Red Ribbon Week, October 23-31, 2023 ***Ward 2 Councilmember - Latonia P. Hines***

Councilmember Latonia P. Hines read aloud the following proclamation:

A PROCLAMATION

BY THE MAYOR OF THE CITY OF SMYRNA

In Recognition of Red Ribbon Week October 23 - 31, 2023

Whereas: communities across America have been plagued by the numerous problems associated with illicit drug use and those that traffic in them; and

Whereas: there is hope in winning the war on drugs, and that hope lies in education and drug demand reduction, coupled with the hard work and determination of organizations such as the Young Marines of the Marine Corps League to foster a healthy, drug-free lifestyle; and

Whereas: governments and community leaders know that citizen support is one of the most effective tools in the effort to reduce the use of illicit drugs in our communities; and,

Whereas: the red ribbon has been chosen as a symbol commemorating the work of Enrique "Kiki" Camarena, a Drug Enforcement Administration agent who was murdered in the line of duty, and represents the belief that one person can make a difference; and

Whereas: the Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and involvement in drug prevention and reduction efforts; and

Whereas: October 23-31 has been designated National Red Ribbon Week, which encourages Americans to wear a red ribbon to show their support for a drug-free environment; Now,

Therefore: I, Derek Norton, Mayor of the City of Smyrna, Georgia, do hereby proclaim October 23-31 as RED RIBBON WEEK and urge all citizens to join me in this special observance by wearing a red ribbon to promote a drug-free environment and participating in drug prevention and reduction activities.

Councilmember Hines presented the proclamation to Young Marine Lance Corporal William Hughes.

**C. PRC2023-023 Proclamation in Recognition of Domestic Violence Awareness Month
*Ward 2 Councilmember - Latonia P. Hines***

Councilmember Latonia P. Hines read aloud the following proclamation:

A PROCLAMATION

BY THE MAYOR OF THE CITY OF SMYRNA

In Recognition of Domestic Violence Awareness Month October 2023

Whereas: homes should be a place of warmth, unconditional love, tranquility, and security. The family is the foundation of a safe and healthy community, and it is a goal of this administration for communities to be safe; and

Whereas: domestic violence is more than the occasional family dispute, and the problem affects all citizens of Georgia crossing all racial, social, religious, ethnic, geographic, and economic groups; and

Whereas: millions of Americans face physical and emotional abuse at the hands of their significant other each year; and

Whereas: in a lifetime, one in four women and one in seven men experience severe violence at the hands of an intimate partner; and

Whereas: organizations like LiveSafe Resources are committed to providing safety and healing to those impacted by domestic violence and sexual assault within our community by providing emergency shelter, transitional housing, counseling, legal advocacy, a 24-hour crisis line and many other services to empower those we serve to rebuild their lives. By raising awareness and fostering support, LiveSafe Resources is dedicated to building a community free from domestic violence, sexual assault and elder abuse; and,

Whereas: organizations across Georgia are working to end domestic violence and provide the support survivors need to find their voice, while law enforcement remains committed to ensuring justice is served to individuals who harm those who trust them; Now,

Therefore: I, Derek Norton, Mayor of the City of Smyrna, Georgia, do hereby proclaim October 2023 as DOMESTIC VIOLENCE AWARENESS MONTH and urge all citizens to observe this month by becoming aware of the tragedy of domestic violence, supporting those who are working toward its end, and participating in community efforts.

Mallori Bruning, Interim Executive Director of LiveSafe Resources, stated the following:

Thank you, Latonia and thank you Mayor Norton and Council.

I'm Mallori Bruning, Interim Executive Director for LiveSafe Resources, a local agency serving people impacted by domestic violence and sexual assault. Each year, our team supports more than 3,500 victims of crimes, including violence and abuse at home, assault, stalking, and more. We provide safety and emergency shelter, guidance in navigating legal and judicial issues, counseling, long term housing support, child advocacy, and forensic exams for victims of sexual assault. Our full suite of services help victims through crisis and we continue working with them through independence and a new life. All of our services are provided at no charge, 24/7 - 365 days a year. We are proud of our decades-long history serving Cobb Countians, but we can serve any victim in need. We work directly with Paulding, Cherokee, and many colleges and universities as well.

We deeply appreciate your support by allowing us to host an important fundraising event at Taylor Brawner Park this weekend and I want to invite all Smyrnans to come check it out. 'Que & Brew features competition BBQ and Beer tasting of more than 40 brews, along with live music, games, and football games on the big screen.

'Que & Brew is happening this Saturday from 12 noon to 5pm at Taylor Brawner Park, the same place as Food Truck Tuesdays. I hope lots of Smyrna residents will come check it out and support an important cause while they have fun.

Our BBQ teams are professionals -they cook and compete all around Georgia and the U.S., and we are super excited to welcome four new teams this year, so even if you've been to 'Que & Brew before, there's always something new!

You can find details, the link to tickets, and all the info on our website, at livesaferesources.org, under the Events tab. You can also get tickets when you arrive, but late in the day we could be sold out!

Thank you for letting us bring awareness to those listening who might need our services, and also for helping us host our 4th annual 'Que & Brew event right here in Smyrna I We are proud to partner with you and we thank you for this proclamation.

**D. PRC2023-024 Proclamation in Recognition of Breast Cancer Awareness and Prevention Month
*Ward 2 Councilmember - Latonia P. Hines***

Councilmember Latonia P. Hines read aloud the following proclamation:

A PROCLAMATION
BY THE MAYOR OF THE CITY OF SMYRNA
In Recognition of Breast Cancer Awareness Month October 2023

Whereas: National Breast Cancer Awareness Month is observed in October each year to promote screening and prevention of breast cancer; and

Whereas: this observance provides a focused time to support patients and families facing a breast cancer diagnosis, educate people about breast cancer risk factors emphasizing the importance of regular screening starting at an age that's appropriate for their personalized risk, and to fundraise for breast cancer research; and

Whereas: this year's theme, "No one should face breast cancer alone," serves as a reminder for providers to consider the many ways they can partner with patients and families in the prevention, detection, and treatment of breast cancer; and,

Whereas: nearly 300,000 women will be diagnosed with breast cancer this year, and one in eight women in America will be diagnosed with the disease in their lifetimes; and

Whereas: many organizations continue to search for a cure through vital research, and physicians, public health professionals, and advocates continue to educate our community about the awareness and innovative advancements in early detection and treatment; Now

Therefore: I, Derek Norton, Mayor of the City of Smyrna, Georgia, do hereby proclaim October 2023 as BREAST CANCER AWARENESS MONTH and urge all citizens to observe this month by recognizing the trauma breast cancer brings and join in activities that will increase awareness of what Americans can do to prevent and control breast cancer and pay tribute to those who have lost their lives to this disease.

Councilmember Latonia P. Hines presented the proclamation to:

- Leona Rittenhouse – Government Relations Advocate with GMA – who thanked the Mayor and Council and brought forward her parents who supported her through her treatment.
- Judy Gould, Mayor Pro Tem Tim Gould's wife

7. Community Development Items

- A. **Z23-007** Public Hearing - Zoning Request - Z23-007 - Allow rezoning from LI to OD-Conditional for use as a climate controlled self-storage facility - Land Lot 668 - 1.88 acres - 3265 Atlanta Road - Atlantic Development Partners LLC.
This item will be tabled until the November 20, 2023 Mayor and Council Meeting at the request of the applicant.
Ward 1 Councilmember - Glenn Pickens

Councilmember Glenn Pickens made a motion to table item Z23-007 to the November 20, 2023 Mayor and Council Meeting; seconded by Councilmember Latonia P. Hines.

The motion to table 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. **ATH2023-44** Apartment Complex Name Change Request – A request was made to change the name of Lexington Park Apartments, 2950 S Cobb Drive SE, to Novus on Cobb. The applicant is Richard Taller, Managing Member, Hilltop Cobb 2950 LLC.
Ward 5 Councilmember - Susan Wilkinson

Councilmember Susan Wilkinson made a motion to approve ATH2023-44, an apartment complex name change request from Lexington Park Apartments located at 2950 S Cobb Drive SE to Novus on Cobb by applicant Richard Taller, Managing Member; 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

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

9. **Formal Business**

- A. **ATH2023-42** Approval of the recommended 2024 employee benefits insurance plans, providers and plan designs as recommended by Insurance Broker, John Knop of Oakbridge Insurance and staff and authorize the Mayor to sign and execute all related documents.
Citywide

Penny Mocer, Deputy City Administrator, provided the following background:

Oakbridge Insurance has presented the 2024 employee benefits insurance plans, providers and plan designs as attached and recommends approval and pr3esednted

to Mayor and Council on October 11, 2023. Human Resources and Finance recommend approval of the recommended 2024 employee benefits.

Councilmember Travis Lindley made a motion to approve item ATH2023-42, the recommended 2024 employee benefits insurance plans, providers and plan designs as recommended by Insurance Broker, John Knop of Oakbridge Insurance, and staff 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

- B. 2023-215** The Citywide evaluation team from Parks & Recreation, Public Works and Administration recommends that Mayor and Council award Illuminating Design the project (RFP 24-009) for holiday lighting and decorations for The City of Smyrna for 2023 holiday season in the amount of \$196,728.68 and authorize the Mayor to sign and execute all related documents

Citywide

Penny Mocer, Deputy City Administrator, provided the following background:

The City of Smyrna requested proposals for the services of a licensed, qualified and experienced holiday lighting and decorations contractor for the 2023 holiday season. Four proposals were received and evaluated by staff from Parks & Recreation, Public Works and Administration. The top two firms were selected for interview and presentation. Based on these proposals the team recommends Illuminating Design for the project.

Councilmember Charles Welch stated that along with it taking several weeks for City staff to decorate the City for the holidays, Parks & Recreation and Public Works Departments are both short-staffed, so this is a practical measure for the City.

Councilmember Travis Lindley made a motion to approve item 2023-215, the award of project RFP 24-009 for holiday lighting and decorations for the City of Smyrna 2023 holiday season in the amount of \$196,728.68 to Illuminating Design 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. **ORD2023-012** Approval of ORD2023-012 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

Penny Mocerri, Deputy City Administrator, provided the following background:

Council voted on the resolution on August 7, 2023. What is being voted on tonight is the submission of the ordinance to the DCA. The intent is to increase indoor and outdoor water efficiency through new requirements adopted as local code amendments. 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. No modifications may be made to the water efficiency requirements or the effective date.

Councilmember Travis Lindley made a motion to approve item ORD2023-012, Ordinance ORD2023-012 for local amendments 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; 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

10. Consent Agenda

Councilmember Travis Lindley made a motion to approve the Consent Agenda as read; 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

- A. **MIN2023-103** Approval of the September 27, 2023 Committee of the Whole Meeting Minutes.
Citywide

This item was approved on the Consent Agenda.

**B. MIN2023-104 Approval of the October 2, 2023 Pre-Council Minutes.
*Citywide***

This item was approved on the Consent Agenda.

**C. MIN2023-105 Approval of the October 2, 2023 Mayor and Council Minutes.
*Citywide***

This item was approved on the Consent Agenda.

**D. ATH2023-41 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, October 12, 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.

11. Ward and Staff Reports

Councilmember Lindley – Thanked staff for their monumental efforts before, during, and after the 151st Birthday Celebration.

Councilmember Pickens – Run Smyrna will have a Halloween run on October 30. He invites all to attend.

Councilmember Hines – Rose Garden had its fall festival held by the neighborhood run on donation alone. Ms. Hines thanked staff for their efforts for the concert. She commended each and every department. Shout out to Jennifer Bennett, Community Relations Director. The 151st Birthday Celebration was funded by Cobb Travel and Tourism dollars. Ms. Hines also acknowledged the atrocities in Israel. She stated that she is proud of the City for its inclusivity. The non-discrimination ordinance is an example. Evil wins when we are silent.

Councilmember Wilkinson – Echoed Councilmember Hines' statement. She attended the wonderful Rose Garden festival which has a lot of great food.

Mayor Pro Tem / Councilmember Gould – Stated that last week there was a local non-profit that had a fundraiser, Gotcha Covered which is in recognition of a Smyrna Police Officer who passed away two years ago. The Que & Brew event will be held this Saturday from 12PM - 5PM. Mr. Gould also recognized his mother who was in attendance.

Councilmember Young – Thanked Councilmember Hines for her words recognizing the conflict in Israel. She stated that early voting started today. Encouraged all to vote.

Heather Peacon-Corn, City Clerk – Early voting began today here at the Community Center from 8AM – 6PM. She also announced there is a new app that allows residents to input information and find out their polling location, which ward they are in, etc.

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 October 16, 2023 Mayor and Council Meeting at 7:37 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**