



City Council Meeting - Final

May 20, 2024
7:00 PM

C. MIN2024-062 Approval of the May 6, 2024 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)
Rickey N. Oglesby, Jr. (Ward 7)

A. Max Bacon City Hall
Council Chambers
2800 King Street
Smyrna, GA 30080

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

**May 06, 2024
7:00 PM**

I. CEREMONIAL MATTERS

1. Roll Call

Present: 6 – Mayor Derek Norton, Councilmember Glenn Pickens, Councilmember Latonia P. Hines, Councilmember Travis Lindley, Councilmember Susan Wilkinson, Councilmember Rickey N. Oglesby Jr.

Absent: 2 – Councilmember Charles Welch and Mayor Pro Tem / Councilmember Tim Gould

Also Present: 1 – Scott Cochran

Staff: 6 – Joe Bennett, H. Houze, Jill Head, Sherita Martin, Heather Peacon-Corn, and Andrea Worthy

2. Call to Order

Mayor Derek Norton called to order the May 6, 2024 Mayor and Council Meeting held at A. Max Bacon City Hall in Council Chambers at 7:00 PM.

3. Invocation and Pledge of Allegiance

A. Pastor Brian Downing, Oakdale Church of God (1631 Cooper Lake Road)

4. Agenda Changes

5. Mayoral Report

Mayor Norton invited any candidates running for office to come forward and make a brief statement.

Gabriel Sanchez – candidate for house district 42 – stated he is a Colombian-American and running because he believes in healthcare and affordable housing for everyone. He

also mentioned the Ward 1 train noise issue that is ultimately a federal issue but believes it can be addressed on all levels of government.

Mayor Norton thanked Mr. Sanchez and stated that for the last few years, more resources and time have been spent on the train noise than nearly any other issue in this city. Meetings have taken place with Senator Ossoff, citizens, and the rail companies. Smyrna has done everything that can be done.

Mayor Norton reported that last Saturday was a huge day in the city with the Jonquil Festival. The new layout made it one of the best ever. The Fire Department also had their community open house; there was a pop-up legal clinic with Judge Murphy; the Arts Council had a jazz festival; and on May 4 there was the Smyrna Garden Tour. He also announced that the Campbell High School boys' soccer team has made it to the state finals. They will have a proper send off this Friday. The girls' soccer team made it to the final 8. The boys' tennis made the final 4, and the boys' soccer at Whitfield made it to the final 4.

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. **PRC2024-009 Proclamation in Recognition of National Small Business Week and to honor businesses in Smyrna celebrating 20-, 25-, 30- and 40-year anniversaries. **Citywide****

Mayor Derek Norton read aloud the following proclamation and presented them to the business owners in attendance:

A PROCLAMATION

By the Mayor of the City of Smyrna

In Recognition of National Business Week and to Hone Businesses in Smyrna
Celebrating 20-, 25-, 30- and 40-Year 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 2024, the following small businesses in Smyrna are celebrating 20 years in our community: Spring Road Cleaners, Dream Makers Youth Foundation, Cycle Gear, Car Connexx, Nu-Life Shoe Repair and Alteration, DLM Hose & Supply Co., Good Cents Cleaners, AOS Tax and Accounting Services, Elmer's Hardwood Floors, Highland Dental, Keller Williams Realty Cityside; and

Whereas, in 2024, the following small businesses in Smyrna are celebrating 25 years in our community: Curtis Law Group, Southern Paints, Michael's Clothing, DK Interiors, Alpha Eye Associates; and

Whereas, in 2024, the following small businesses in Smyrna are celebrating 30 years in our community: Cayce Foods, Inc., Precision Pipette, Roberts Fire Protection, Dairy Queen, Rosalind J. Nation, PsyD., LCSW; and

Whereas, in 2024, the following small business in Smyrna is celebrating 40 years in our community: Dirt Cheep Music; 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 28 through May 4, 2024 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.

**B. PRC2024-010 Proclamation in recognition of Mental Health Awareness Month
Ward 3 Councilmember – Travis Lindley
*Ward 2 Councilmember - Latonia P. Hines***

Councilmember Travis Lindley read aloud the following proclamation:

A PROCLAMATION

By the Mayor of the City of Smyrna

In Recognition of Mental Health Awareness Month 2024

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

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 2024 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, foster resilience, and the need for appropriate and accessible services for all people with mental health conditions.

Irene Barton, Exec. Director at Cobb Collaborative, and Melanie Dallas, Chief Exec. Officer at Highland Rivers Behavioral Health, were present to accept the proclamation.

7. **Community Development Items**

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

9. **Formal Business**

- A. **ATH2024-072** Approval for replacement of the water main on King Springs Road beginning at Stone Castle Cir to Spring Wood Dr. in the amount of \$102,210.00 to be funded from Water CIP to be awarded to K.M. Davis Contracting Co. Inc. (3259 Austell Road, Marietta, Ga 30008) and authorize Mayor to sign and execute all related documents.

Ward 6 Mayor Pro Tem / Councilmember - Tim Gould

Joe Bennett, City Administrator, provided the following background:

The current water main line requested to be replaced is currently 2" water main feeding 6" water main and due to back-feeds and pressure during emergency shutdowns, this section must be replaced. Quote based off of current water sewer contract RFQ 22-003 awarded to KM Davis August 16th 2021.

Councilmember Travis Lindley made a motion to approve item ATH 2024-072; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

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

- B. **ATH2024-074** Approve Sanitary Sewer and Water System Ownership, Operation, Maintenance and Repair Agreement for Wetherbrooke Subdivision and authorize the Mayor to sign and execute all related documents.

Ward 7 Councilmember - Rickey N. Oglesby Jr.

Joe Bennett, City Administrator, provided the following background:

The Wetherbrooke Subdivision has private water lines within the development. Through this agreement, the homeowners association will replace the water meters within the neighborhood and after passing inspection the meters will be dedicated to the city. After that time, the city will be responsible for all maintenance of the water meters and water boxes within the Development and will read the water meters, process billing, hold the individual lots responsible for the water charges incurred to each individual lot, and pursue collection of the water charges from the individual lots. Maintenance responsibilities for the water lines, as opposed to the water meters, shall remain the responsibility of the homeowners association or the individual homeowner depending upon the location of the line.

Councilmember Rickey N. Oglesby Jr. made a motion to approve item ATH 2024-074; seconded by Councilmember Latonia P. Hines.

The motion to approve carried with the following vote:

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

- C. **BCA2024-010** Approval of the appointment of Ward 3 resident, Scott Hancock, to the Smyrna Hospital Authority. This is a four-year term that expires May 2029.
Ward 3 Councilmember - Travis Lindley

Councilmember Travis Lindley made a motion to approve Item BCA2024-010; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

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

- D. **BCA2024-011** Approval of the appointment of Ward 3 resident, Heather Kuemmerle, to the Smyrna Tree Board. Ms. Kuemmerle will fulfill the current term through August 2024.
Ward 3 Councilmember - Travis Lindley

Councilmember Travis Lindley made a motion to approve item BCA2024-011; seconded by Councilmember Latonia P. Hines.

The motion to approve carried with the following vote:

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

10. Consent Agenda

Councilmember Travis Lindley made a motion to approve item ATH 2024-072; seconded by Councilmember Glenn Pickens.

The motion to approve carried with the following vote:

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

- A. **MIN2024-054** Approval of the April 17, 2024 Committee of the Whole Meeting Minutes
Citywide

This item was approved on the Consent Agenda.

- B. **MIN2024-055** Approval of the April 22, 2024 Pre-Council Meeting Minutes
Citywide

This item was approved on the Consent Agenda.

- C. **MIN2024-056** Approval of the April 22, 2024 Mayor and Council Meeting Minutes
Citywide

This item was approved on the Consent Agenda.

- D. **ATH2024-073** Authorization for the closure of W. Spring St. in the lower portion of the Market Village to King St. on Saturday, November 2nd, 2024, from 7:00 a.m. to 11:59 p.m. for the Smyrna Public Safety Foundation and Vineyard Wine Market Jazz Under the Gazebo private event, and council approval to serve beer and wine.
Ward 3 Councilmember - Travis Lindley

This item was approved on the Consent Agenda.

- E. **AGR2024-017** 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.

- F. **BCA2024-009** Approval of the re-appointment of Ward 1 resident, CJ Wilkes, to the Smyrna Hospital Authority. This is a four-year term that expires May 2029.
Ward 1 Councilmember - Glenn Pickens

This item was approved on the Consent Agenda.

- G. **BCA2024-012** Approval of the re-appointment of Ward 7 resident, Stacy Levine, to the Smyrna Hospital Authority. This is a four-year term that expires May 2029.
Ward 7 Councilmember - Rickey N. Oglesby Jr.

This item was approved on the Consent Agenda.

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***

11. **Public Comment**

Alex Backry – 3549 Shawnee Trail – mentioned the following:

- 80% of Smyrna residents do not vote.
- The 20% of those who vote do not represent a majority.

- Two elections ago there were 23 candidates running.
- Not many people are taking an interest now.
- Transparency is an issue – no referendums on Windy Hill, Aquatic Venter, Church property
- March 26 council meeting – First Amendment rights should be respected by public officials.

Mike Mitchell – 1181 Church Street – spoke about the following:

- Repetitive maladaptive behavior, repetition compulsive disorder – defined these terms to mean “crazy, repeating the same steps over and over again expecting different outcomes.”
- There is a ‘community action group’ in Smyrna, based on social media, that keeps talking about “a road, a train, some greenspace, a creek, a brewery, and now a church and an aquatic center.”
- This body has addressed and exhausted all of these topics of conversation.
- He is tired of talking about “a road, a train, some greenspace, a creek, a brewery, and now a church and an aquatic center.”
- He is angry at his “co-citizens.”

12. Ward and Staff Reports

Councilmember Glenn Pickens thanked the Fire Department for their open house last week. All of the kids got to play on the firetruck. He also announced Food Truck Tuesday starts tomorrow (Tuesday).

Councilmember Latonia P. Hines also thanked the Fire Department for their open house and the demonstrations. She thanked fellow Councilmember Lindley in partnering with her and Chief Judge Murphy for the pop-up legal clinic hosted by Rev. Derek Porter at Smyrna First Methodist. There were over 100 people seen in the two hours they were there. She also expressed how great the KSB Garden Tours were. She announced that she will host a “Get Ready for Summer” event for kids at Tolleson Park on May 18. And on May 20, the 147th anniversary for Mt. Zion Baptist Church will be celebrated.

Councilmember Travis Lindley expressed his thanks to KSB and all those who participated for the Garden Tours. He also thanked staff for executing the first Jonquil Festival in the new downtown green space. He also mentioned that the first Church Redevelopment Advisory Committee had its first meeting on May 2.

Councilmember Susan Wilkinson thanked all the homeowners that shared their yards to the community for the KSB Garden Tours.

Councilmember Rickey N. Oglesby, Jr. wanted to recognize KEH, a camera store in Ward 7, for receipt of the Rockstar Award from the state of Georgia. He thanked Tobert Harrison for hosting the Smyrna Arts Council Jazz Concert Under the Lights in the old Smyrna firehouse. He also wished all mothers a Happy Mother’s Day.

Joe Bennett, City Administrator, stated that Jonquil Park in Wards 1 and 2 will be closing tomorrow for the installation of turf fields.

Heather Peacon-Corn, City Clerk, announced that advanced voting is ongoing at the Smyrna Community Center. And she also thanked Officer Steve Branyon for his service to the city as he will be retiring tomorrow.

13. Adjournment

Mayor Derek Norton adjourned the May 6, 2024 Mayor and Council meeting at 7:41. PM.

Facilities are provided throughout City Hall for the 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**