



City Council Meeting - Final

October 07, 2024
7:00 PM

A. MIN2024-157 Approve the September 19, 2024 Committee of the Whole Minutes

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)
Rickey N. Oglesby, Jr. (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 19, 2024
6:30 PM**

1. Roll Call

Present: 7 – Mayor Derek Norton, Councilmember Latonia P. Hines, Councilmember Travis Lindley, Councilmember Charles Welch, Councilmember Susan Wilkinson, Mayor Pro Tem / Councilmember Tim Gould, Councilmember Rickey N. Oglesby, Jr.

Absent: 1 – Councilmember Glenn Pickens

Also Present: 1 – Jeffrey Tucker

Staff: 14 – Joe Bennett, Richard Garland, Jill Head, Richard James, Bo Jones, Dat Luu, Russell Martin, Paul Osburn, Heather Peacon-Corn (virtual), Eric Randall, Kristin Robinson (virtual), Enoch Serna, Joey Staubes, Keith Zgonc

Call to Order

Mayor Derek Norton called to order the September 19, 2024 Committee of the Whole meeting held at A. Max Bacon City Hall in the HR Training Room at 6:31 PM.

Mayor Norton mentioned that the City Clerk has proposed a new meetings calendar for next year which will be presented soon. Councilmember Lindley asked about a future retreat. Mayor Norton suggested the first week in January at Lanier Islands again. More discussion will take place to finalize.

2. Staff M&C Agenda Items to Review

Bo Jones, Director of Water, Sewer & Utilities Distribution, spoke about the following:

ATH2024-127: This is a request from Water, Sewer, and Utilities to replace existing John Deere 410 Backhoe with TB 260 and TL 10v2 in the amount of \$146,600.00. Originally budgeted \$150,000.00 in vehicle replacement fund for replacement. This request of these two units is under budget but best serves the department with future needs of in-house water and sewer install.

ATH2024-136: This request from Water, Sewer and Utilities was budgeted in FY 2025 CIP to purchase for repair crews to utilize during water sewer repairs. This unit will allow crews to excavate around other utilities to access and repair water sewer infrastructure without possible disruption of other utilities. Currently crews have to dispatch sewer hydro jet machine from cleaning and inspecting sewer mains to assist with repairs and disrupt preventative maintenance measures of sewer infrastructure. With the purchase of this unit, sewer crews will not be disrupted and carry out the good faith efforts of cleaning and inspecting the city's sewer mail lines.

Dat Luu, IT Director, spoke about the following:

ATH2024-150: Microsoft 365 is the city's email communication and collaboration platform, which had been in use since 2019. The current Microsoft agreement will expire September 30, 2024, and will require renewal to continue usage. This is a request to renew the subscription for another three (3) years totaling \$298,238.76 to be paid out in three annual payments of \$99,412.92. The subscription will be renewed through SHI International Corporation, a Microsoft partner, who resells Enterprise Licensing to Government Customers utilizing the state contract Number 99999-SPD-SPD0000060-0003.

Police Chief Keith Zgonc spoke about the following:

RFQ25-004: Four 2025 Ford Utility Pursuit Vehicles from Prater Ford, Inc; One 2025 Ford Utility Pursuit Vehicle from Prater Ford, Inc., all equipped by Diversified Electronics

RFQ25-005: One 2024 Ford F-150 Responder from Family Ford equipped by Diversified Electronics, One 2024 Ford F-150 Administrative equipped by ProLogic ITS, LLC

RFQ25-006: One 2025 Ford Explorer XLT 4x4 from Phil Brannen Ford of Perry, equipped by ProLogic ITS, LLC

RFQ25-007: One 2024 Ford Edge SEL from Phil Brannen Ford of Perry

RFQ25-008: One 2024 Chevrolet Traverse from Hardy Chevrolet, equipped by Monster Customs

ATH2024-148: In previous agenda items, the PD requested authorization to purchase and outfit ten (10) Police administration vehicles. The budget adopted is \$540,000. The total cost to purchase, including outfitting, totaled \$553,211 which results in an overage of \$13,211 in the project budget. A separate Jail project in the amount of \$50,000 was part of the FY2025 Adopted Budget for the Vehicle Replacement Fund (VRF). We are requesting to move that project budget from the Jail project and into the Police Admin project to fund the overage for this request and the future funding of an additional Police Admin vehicle. There is not an immediate need for the Jail vehicle replacement that was budgeted.

Dr. Parin Chheda from the Campbell High School Educational Foundation spoke about the following:

- A graduate of CHS IB Program;
- Attended University of Florida;
- CHS Educational Foundation President ;
- The IB Program is robust, however, the AP program needs improvement;
- AP exams cost \$95-\$100 per test;
- Last year, CHS students took 1,415 AP exams costing \$104,000.00;
- For those who passed the exam, that amounts to \$3.2M of college credit;
- If you account for if that amount was in student loans, that is a \$5.1M benefit over 20 years;
- Many students attend schools in East Cobb once they hit middle school. He wants to stop that from happening;
- Would like to be able to come before Mayor and Council to provide updates;

- Wondering if there is a way to work with local government to raise funds to pay for AP exams.

Mayor Norton explained that the City is able to help by putting the foundation in touch with organizations that could help with sponsorship. He also mentioned that the City has considered enhancing the Jonquil Jog which helps support the foundation. It was recommended that Mayor Pro Tem Gould be the contact for updates and outreach.

3. Formal Business and Presentations

- A. **COW2024-057** Discussion – Windy Hill Boulevard final coatings
Ward 3 Councilmember – Travis Lindley
Ward 5 Councilmember – Susan Wilkinson

Eric Randall, Public Works Director, discussed the anti-graffiti coating proposed for the Windy Hill slabs. The colors would be gray with accents of yellow. They were all in agreement with the colors.

4. Review of Current M&C Agenda

- A. **COW2024-055** Review of the September 23, 2024 Mayor and Council Meeting Notice and Agenda
Citywide

Z24-010: Russell Martin, Community Development Director, stated that the applicant has reverted back to their original plan, so this may not come before Council. Discussion took place about complaints from citizens because of people who are approaching patrons and asking for money. Councilmember Wilkinson mentioned that where there used to be a bank inside Kroger, there are now gambling machines and wonders if those are allowed to be there. Councilmember Welch stated that comments have come to him about making a left-hand turn out of the parking lot onto Concord Rd.

Z24-012: Russell Martin, Community Development Director, stated that Jacob Morris from First Baptist is present if there are any questions. Mr. Martin presented the following:

The City of Smyrna is requesting the rezoning of three parcels from R-15 (Residential) and LC (Limited Commercial) to R-15-Conditional for the use as a church. The subject properties are zoned R-15 & LC and have been used for residential purposes. The rezoning will allow consolidation of the three lots to one parcel with a single R-15 zoning designation. The city is proposing the R-15 zoning classification as it is the least intensive of the available zoning districts that permit a church. The existing buildings will be demolished for the construction of a new 60,000 sq. ft. church on 5.34 acres. The building will be two stories with a maximum height of 66 feet. The church will face Atlanta Road, and the building will be a minimum of 75 feet from any single-family residential property. A building setback reduction is requested for the front setback, as well as the sides adjacent to the Reed House and bank.

The parking lot is proposed behind the church, with stormwater detention placed at the rear of the property. Towards the rear of the subject property are properties occupied by single-family homes. Many of these properties will be adjacent to the parking lot and the detention area of the church property. A small area of the parking lot will require a reduction in the parking area setback to 10 feet along the southern property line.

Additionally, a 50-foot landscape buffer is required for an institutional use on properties over 5 acres. The landscape buffer will require a reduction to 10 feet along the southern property line and 20 feet along the northern and western property lines. However, the perimeter of the lot is proposed to be screened by vegetation to provide a buffer between the church property and all adjacent properties.

The proposed development will consist of two access drives. The main access will be a full access shared drive to the property and the Reed House. The primary access drive will be at a new traffic signal. The secondary access will be adjacent to the bank property and be right-in and right-out only. A total of 222 parking spaces are proposed for the church.

The proposed building will utilize brick and stone for the front façade. The applicant has provided architectural renderings with the zoning application for reference. The building will be a two-story structure, however the sanctuary will require a variance to extend to a maximum height of 66 feet.

The conceptual master plan will require the following variances:

1. Allow a reduction in the front setback from 50 feet to 25 feet. (Staff Supports)
2. Allow a reduction in the side building setback from 75 feet to 25 feet. (Staff Supports)
3. Allow a reduction in the landscape buffer from 50 feet to 10 feet along the southern property line and 20 feet along northern and western property lines. (Staff Supports)
4. Allow an increase in impervious coverage from 35% to 50%. (Staff Supports)
5. Allow an increase in building height from 35 feet to 66 feet. (Staff Supports)
6. Allow a parking area setback reduction from 20 feet to 10 feet along the southern property line. (Staff Supports)

Community Development believes there should be no negative impact if the variances are approved.

Some residents from the neighborhood behind the church have expressed security concerns including lighting and safety as it relates to an empty parking lot. Councilmember Welch asked if there is an agreement with the church regarding maintenance of the shared driveway. Mr. Martin stated there currently is no agreement. Councilmember Welch suggested that an agreement be made. Jacob Morris stated that has been something that has come up along with a shared parking agreement with the Reed House.

AGR2024-043: In 2020, the Trust for Public Land (“TPL”) and the City were among multiple groups and agencies that competed the Chattahoochee Riverlands Study. Since that time, TPL has identified that the initial portion of this trail will be located in south Cobb County, including a portion that lies within the Smyrna City limits, including Riverview Park and land soon-to-be dedicated to the City as public parkland. TPL would construct the recreational bicycle and pedestrian trail and associated amenities, using philanthropic dollars to build this portion of the trail. This Memorandum of Understanding (MOU) would grant TPL a temporary easement for access and construction on these City-owned properties.

ATH2024-142: Council approved the purchase of a new recycling truck that was not budgeted on the August 26, 2024 Council agenda (Item F under Formal Business). The Agenda item stated it would be paid for with General Fund Reserves but did not include all

the specific language needed for the budget amendment needed. This item takes care of the budget amendment language needed.

ATH2024-144: Council approved the purchase of three vehicles which required additional funds to be added to the adopted budgets on the August 26, 2024 Council agenda (Item E under Formal Business) and the purchase of a John Deere 710 Tractor that also required additional funds to be added to the adopted budget on the same agenda (Item H under Formal Business). The agenda item stated it would be paid for with General Fund Reserves but did not include all the specific language needed for the budget amendment needed. This item takes care of the budget amendment language needed.

ATH2024-146: This request is based off the CIP for furniture remodel for the E911 Communications Center. Requesting replacement of existing Watson consoles, cabling, and electronics in the budgeted amount is \$168,000.00 and the actual cost is \$167,132.08.

5. Other Business / Staff Comment

A. **COW2024-053** Cobb Park Discussion – Corkey Welch ***Ward 4 Councilmember – Charles “Corkey” Welch***

Councilmember Welch explained that he had received an email and has seen a lot of comments on social media that they would like to consider naming the field at Cobb Park Bill Deutsch Field. Richard Garland, Parks & Recreation Director, stated that after some research, they have been able to verify that he was a coach here in Smyrna. Discussion took place about dedication protocols. Generally, dedications are brought forward by a council member and voted upon by Council.

Joe Bennett, City Administrator, updated Council on the following:

- He and Scott Cochran had mediation with Dirt Cheep Music;
- It was an unsuccessful meditation;
- Trial will begin October 9;
- Another trial with another issue will begin shortly thereafter.

Councilmember Oglesby – Smyrna Public Art Committee has met. They will present to Council soon. Smyrna Elite Track Club will be at the Council meeting on Monday. There is great talent represented there. He believes at least one or two will be future Olympians.

Councilmember Lindley – The next Church Redevelopment Advisory Committee city tours will be in about two weeks in Suwanee and Sugar Hill. He asked Jennifer Bennett (Community Relations Director) about bio information for the committee because an inquiry has been made about the racial makeup of the committee. He also mentioned the hospital closure and the incorrect information being spread on social media. For the record, the City supported the need for the hospital, but Wellstar opposed it, and it failed.

Mayor Norton – stated that the Parks & Rec Commission and the Church Redevelopment Advisory Committee are committees that often do not have their representatives attend. He asked council members to please reach out to their representatives to stress the importance of attending these meetings.

Councilmember Hines – Rebuilding Together Atlanta will be in Ward 2 and Ward 6 to assist residents. She expressed a big thanks to Richard and Jennifer for the concerts and activities.

Councilmember Welch – mentioned new chairs need to be purchased for the HR Training Room.

Councilmember Wilkinson – Mr. Graham Jagger has reached out to her about his daughter's house. Mayor Norton stated that is a legal matter now. All correspondence needs to be directed to legal. She also stated that she will hold a Ward 5 meeting soon.

Mayor Pro Tem / Councilmember Gould – Ward 6 in Forest Hills has a meter reading discussion meeting coming. On October 6, there will be a joint Ward 1, 3, & 6 meeting.

Paul Osburn, Deputy Public Works Director, Cooper Lake and King Springs Rd. sidewalk. Commissioner Richardson asked where this project stands. The City stated that it is anticipating Cobb County acquire the right-of-way, but they are expecting that the work be done to their standards and their design specifications. Mayor Norton stated a meeting needs to be set up to negotiate an agreement for this project and Rhyne Park.

Mr. Bennett asked Interim City Administrator Richard Garland to step out. He explained:

- When Richard was moved into the Interim City Administrator position, it was to determine what that position may require;
- Multiple discussions took place among he, Richard and Kristin Robinson (Deputy City Administrator);
- After these several months when Richard assumed the Interim position, it was determined that the position is better suited for a Programming Director;
- His recommendation is to not have an Assistant Administrator position and move Richard into a Director of Community Services position and place Parks & Recreation, Library, Keep Smyrna Beautiful, and museum underneath him;
- Mr. Bennett would continue to handle "essential functions" like PD and FD, Kristin would remain over operations, and Richard would be over programming;
- He also recommended a 10% pay increase for Richard which places him in the same range as Police and Fire Chief.

6. Executive Session (As Needed)

7. Adjournment

Mayor Derek Norton adjourned the September 19, 2024 Committee of the Whole meeting at 7:51 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