



City Council Meeting - Final

November 04, 2024
7:00 PM

C. MIN2024-183 Approval of the October 21, 2024 Mayor and Council Meeting Minutes

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

**October 21, 2024
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, Councilmember Rickey N. Oglesby Jr.

Also Present: 1 – Scott Cochran

Staff: 5 – Joe Bennett, Jill Head, Russell Martin, Heather Peacon-Corn, Joey Staubes

2. Call to Order

Mayor Derek Norton called to order the October 21, 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. Rev. Joel Smit, Smyrna Presbyterian (3130 Atlanta Rd)

4. Agenda Changes

5. Mayoral Report

- The City hosted a wonderful birthday celebration concert on October 12
- There is a Crafts & Drafts Festival this weekend
- He extended a thank you to staff for all of the coordinated efforts for the events
- He thanked the City Clerk, Heather Peacon-Corn, for the hard work and organization for early voting at the Community Center – Over double the number of voters have come through Smyrna so far

- Support Smyrna is having a gala this Thursday night at 6:00 PM at the Reed House, and there is a Golf Tournament on Friday morning

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. Smyrna Youth Council Introduction and Oath of Office – Ashley Youmans / Carson Haynie

Carson Haynie, Administrative Coordinator, introduced the 2024/2025 Smyrna Youth Council:

Harshad Premkumar, 10th, Campbell High School
Maxwell Zhiss, 11th, Campbell High School
Aniyah Obannon, 11th, Campbell High School
Augustus (Augie) Conner, 10th, Campbell High School
Sudharsan Saravanan, 11th, Wheeler High School
Ashwindh Ramesh, 10th, Campbell High School – *Community Service Project Chair*
Angelica Roman, 11th, The Westminster Schools
Haily Shah, 12th, Campbell High School
Mirella Haynes, 10th, Campbell High School – *School Outreach Chair*
Charles (Charlie) Scott, 10th, Campbell High School
Paige Bauer, 11th, Whitefield Academy
Fatou Diop, 11th, Campbell High School – *Youth Council Mayor Pro Tem*
Prayushi Padhi, 11th, Campbell High School – *Secretary*
Fiona McDermott, 12th, Campbell High School – *Youth Council Mayor*
Ajay Manickaraj, 11th, Campbell High School – *Treasurer*
Abigail Streger, 12th, Campbell High School – *Communications Outreach Chair*
Aayesha Sharwar, 11th, Campbell High School

Mayor Pro Tem Tim Gould administered the oath of office for 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.

7. **Community Development Items**

- #### A. **Z24-010** Public Hearing - Zoning Request - Z24-010 - Zoning Amendment to allow modifications to the currently approved site plan - Land Lot 380 - 4.95 acres - 3240 S Cobb Drive - LBX Four Corners, LLC. ***This application has been withdrawn by the applicant.*** **Ward 5 Councilmember - Susan Wilkinson**

Councilmember Susan Wilkinson made a motion to withdraw item Z24-010 at the request of the applicant; seconded by Councilmember Travis Lindley.

The motion to withdraw carried with the following vote:

Aye: 7 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould, Councilmember Oglesby
Nay: 0 – None
Recuse: 0 – None

**B. Z24-011 Public Hearing - Zoning Request - Z24-011 - Allow rezoning from R-20 to R-10 Conditional for the development of two single-family homes at a density of 3.08 units per acre - Land Lot 562 - 0.65 acres - 2471 Reed Street - Brookwood Homes
*Ward 3 Councilmember - Travis Lindley***

Joe Bennett, City Administrator, provided the following brief background:

Brookwood Homes is seeking approval of a rezoning for 2471 Reed Street from R-20 to R-10- Conditional for the development of two (2) single-family detached residences at a density of 3.08 units per acre. The existing single-family home will be demolished to allow the construction of the two (2) single-family detached homes with front entry garages.

Joey Staubes, Planner II, presented the following detailed background:

The applicant is requesting a rezoning from R-20 to R-10- Conditional for the development of two (2) single-family detached units at a density of 3.08 units per acre. A land use change from Moderate Density Residential is not required for this rezoning.
Staff Recommendation: Approval of the rezoning from R-20 to R-10 Conditional for two (2) new single-family detached units.
Planning & Zoning Commission Recommendation: Approve by a vote of 6-0 at the September 9, 2024, meeting.

Community Development recommends approval of the rezoning from R-20 to R-10- Conditional for the development of two (2) single-family units at a density of 3.08 units per acre with the following conditions:

Standard Conditions Requirements # 2, 3, 4, 5, 8, 9, 10, 12, and 17 from Section 1201 of the Zoning Code are not applicable. The following requirements remain applicable.

1. The composition of the homes in a residential subdivision shall include a mixture of elements including, but not limited to: brick, stone, shake, hardy plank and stucco. No elevation shall be comprised of 100% hardy plank siding. The residences whose lots abut external roadways shall not be permitted to utilize hardy plank for any elevation facing these roads.
2. All utilities within the development shall be underground.
3. The developer shall be responsible for any traffic improvements (including additional right-of-way dedications) deemed necessary by either the City or the County

during construction plan review. Sidewalks shall be provided by the developer inside the subdivision and outside the subdivision adjacent to any public right-of-way consistent with city's requirements for the extent of the development. A grass buffer with a minimum width of two feet shall be provided between the back of curb and sidewalk.

4. No debris may be buried on any lot or common area.

5. The developer will comply with the City's current tree ordinance. All required tree protection measures shall be adhered to by the developer during construction.

6. All landscape plans must be prepared, stamped, and signed by a Georgia Registered Landscape Architect for any common areas or entrances.

7. All yards and common areas are to be sodded, and landscaped. Irrigate as appropriate.

8. All single-family and/or duplex residential lots shall provide the following at the time of certificate of occupancy: either four 3" caliper trees or three 4" caliper trees. The following species of trees may be used: Nuttall Oak, Swamp Chestnut Oak, Allee Elm, and Village Green Zelkova. Other species may be used if approved by the City.

Special Conditions

9. The development shall maintain the following setbacks:

Front – 25'

Side – 7.5'

Rear – 25'

10. The minimum lot size shall be 13,621 sq. ft.

11. The minimum lot width shall be 50 feet.

12. Driveway – 22' minimum length from building face to back of sidewalk.

13. The developer shall dedicate property along Reed Street to ensure all utilities and sidewalk are located in the right-of-way.

14. All structures will be built to a maximum height of 35' as measured from the sidewalk along the front elevation.

15. The lot to the north shall have the driveway oriented towards the interior lot line.

16. A vegetative buffer shall be planted along the northern property line between the new home and the adjacent property.

17. Approval of the subject property for the R-10-Conditional zoning district shall be conditioned upon the development of the property in substantial compliance with the site plan submitted 8/12/2024 and created by SJM Murphy LLC. and all zoning stipulations above.

18. Approval of the subject property shall be conditioned upon substantial compliance with the elevations submitted on 8/12/2024.

Sean Murphy, (3282 Lee Street) representing the applicant (Mr. Kolb) Brookwood Homes, stated this property is directly across the street where there are three houses, and they are proposing two houses. Councilmember Lindley asked what the price point will be. Mr. Kolb stated high-\$700K to low-\$800K. Councilmember Welch asked what the lot width is. Mr. Staubes answered it is 57 feet.

A public hearing was called.

Cheryl James, 2455 Reed Street, initially opposed the splitting of the lot. She appreciated that they have reached out to her. She just wanted it on record that she was not happy, but she understands that it is what is going to happen.

Councilmember Travis Lindley made a motion to approve item Z24-011; seconded by Mayor Pro Tem / Councilmember Tim Gould.

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 Oglesby
Nay: 0 – None
Recuse: 0 – None

8. Privilege License and Show Cause Hearing

9. Formal Business

**A. ATH2024-167 Approval of 2025 City Holidays
*Citywide***

Councilmember Travis Lindley made a motion to approve item ATH2024-167; 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 Oglesby
Nay: 0 – None
Recuse: 0 – None

**B. 2024-252 Approval of the 2025 Committee of the Whole, Pre-Council, and Mayor and Council Meeting dates and authorize the City Clerk to post in the Marietta Daily Journal for publication.
*Citywide***

Councilmember Charles Welch made a motion to approve item 2024-252; 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 Oglesby
Nay: 0 – None
Recuse: 0 – None

**C. ATH2024-169 Approval of the recommended 2025 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***

Joe Bennett, City Administrator, provided the following background:

Approval of the recommended 2025 employee benefits insurance plans, providers and plan designs as recommended by Insurance Broker, John Knop of Oakbridge Insurance Recommended:

- Renew with Pareto Captive (ICM) + Allied TPA
- VeracityRx (ProCare) – continue all existing programs
- Guardian Ancillary Lines – Renew with Guardian
- Continue Dependent Care & Health Flexible Spending Accounts with WEX
- Renew with Pareto Captive (ICM) + Allied TPA – no plan design changes other than IRS required changes to the HDHP plan deductibles (\$3,200 to \$3,300 indiv., \$6,400 to \$6,500 family)
- VeracityRx (ProCare) – continue all existing programs
- Guardian Ancillary Lines – Renew with Guardian Dental & Vision – 0% increase Basic Life & AD&D – 33% increase STD - 8% rate increase, 65% loss ratio over the past 12 months LTD – 0% rate increase
- Continue Dependent Care & Health Flexible Spending Accounts with WEX
- Continue Teladoc benefit • No change in rates to employees

Councilmember Travis Lindley made a motion to approve item ATH2024-169; 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 Oglesby
Nay: 0 – None
Recuse: 0 – None

- D. ATH2024-161** Approval and acceptance of the 2022 State and Local Cybersecurity Grant Program award to create a 5-year cybersecurity plan, incident response plan, and provide cybersecurity training to staff as awarded by the Georgia Emergency Management and Homeland Security Agency, authorize the City match of 10% of the total award (\$6,965.00) to be funded from IT Professional Services line item and authorize the Mayor to sign and execute all related documents.

Citywide

Joe Bennett, City Administrator, provided the following background:

Two years ago, the Smyrna IT Department applied for the 2022 State and Local Cybersecurity Grant to create a high overview five-year cybersecurity plan for the city. That plan would include a cybersecurity assessment, a roadmap of new cybersecurity improvements, incident response plan, table talk exercises, and cybersecurity training for staff. This grant is funded through the Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law, and will be managed by the Georgia Emergency Management and Homeland Security Agency (GEMA/HS). GEMA/HS is awarding the city \$69,650 with a required 10% cost share match in the amount of \$6,965.00.

Councilmember Glenn Pickens made a motion to approve item ATH2024-161; 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 Oglesby
Nay: 0 – None
Recuse: 0 – None

- E. **AGR2024-047** Approval of an amendment to the Professional Services Agreement adopted June 7, 2021 between the City of Smyrna and Croy Engineering for the Smyrna 2022 SPLOST Program Management to amend and replace Appendix B with new standard rates and authorize the Mayor to sign and execute all related documents.
Citywide

Joe Bennett, City Administrator, provided the following background:

Council approved at the June 7, 2021 Council meeting an agreement for Croy Engineering to provide program management for the City of Smyrna 2022 SPLOST. Croy Engineering is asking to replace and amend Appendix B with new standard billing rates.

Councilmember Charles Welch made a motion to approve item AGR2024-047; seconded by Mayor Pro Tem / Councilmember Tim Gould.

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 Oglesby
Nay: 0 – None
Recuse: 0 – None

- F. **AGR2024-049** Approval of an amendment to the Engineering Services Agreement adopted August 1, 2022 between the City of Smyrna and Croy Engineering to amend and replace Appendix B with new standard rates and authorize the Mayor to sign and execute all related documents.
Citywide

Mayor Pro Tem / Councilmember Tim Gould made a motion to approve item AGR2024-049; seconded by Councilmember Rickey N. Oglesby, Jr.

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 Oglesby
Nay: 0 – None
Recuse: 0 – None

- G. AGR2024-051** Approval of an amendment to the Standby Engineering Services Agreement adopted May 20, 2024 between the City of Smyrna and Croy Engineering to amend and replace Appendix B with new standard rates and authorize the Mayor to sign and execute all related documents.
Citywide

Councilmember Glenn Pickens made a motion to approve item AGR2024-051; 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 Oglesby
Nay: 0 – None
Recuse: 0 – None

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: 7 – Councilmember Pickens, Councilmember Hines, Councilmember Lindley, Councilmember Welch, Councilmember Wilkinson, Mayor Pro Tem / Councilmember Gould, Councilmember Oglesby
Nay: 0 – None
Recuse: 0 – None

- A. MIN2024-167** Approval of the October 3, 2024 Committee of the Whole Meeting Minutes

This item was approved on the Consent Agenda.

- B. MIN2024-169** Approval of the October 7, 2024 Pre-Council Meeting Minutes

This item was approved on the Consent Agenda.

- C. MIN2024-171** Approval of the October 7, 2024 Mayor and Council Meeting Minutes

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

12. Ward and Staff Reports

Councilmember Latonia P. Hines thanked Parks & Recreation and all departments involved with the birthday celebration. She announced that Rose Garden will have their fall festival next Saturday. And the date for the Black History Month Program is set for February 28, 2025.

Councilmember Travis Lindley also thanked city staff for the massive undertaking of a great birthday celebration. He mentioned that he had received a couple inquiries about Tolleson Pool and stated that the City anticipates design concepts next month.

Councilmember Charles Welch mentioned that the Keep Smyrna Beautiful Cleanup is this weekend.

Councilmember Susan Wilkinson announced the Crafts & Drafts Festival this weekend as well as her Ward 5 meeting at the Wolfe Center at 10:00 AM.

Mayor Pro Tem / Councilmember Tim Gould reminded all of the Wednesday morning Racial Trust Building Breakfast.

Councilmember Rickey N. Oglesby, Jr. announced the new, completed public art installation is complete in front of City Hall called "Butterfly Dance" by artist, Lela Brunet. He also stated that he had the honor of standing in for the mayor this past Friday to announce the homecoming queen, Sidney Nelson, at Campbell High School. He extended thanks to Westchester Commons for their candid conversation. He also announced the retirement of Honorable Chief Judge Yvette Miller, a Smyrna resident

Heather Peacon-Corn, City Clerk, reminded all that advanced voting is taking place at the Community Center from 7:00 AM – 7:00 PM this week, including Saturday. All information is posted on the City website or Cobb Elections website. She thanked Parks & Recreation staff for making sure this election was organized and easy to navigate.

13. Adjournment

Mayor Derek Norton adjourned the October 21, 2024 Mayor and Council Meeting at 7:38 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