



# City of Powder Springs

City of Powder Springs  
4426 Marietta Street  
Powder Springs, GA 30127

## Meeting Minutes - Final Council Work Session

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Wednesday, September 13, 2023

5:00 PM

Ford Center Reception Hall  
4181 Atlanta Street, Building 2  
Powder Springs, GA 30127

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### Location Information:

**Onsite: Ford Center Reception Hall, 4181 Atlanta St., Powder Springs, GA 30127**

**Join Zoom Meeting - <https://us06web.zoom.us/j/81440670571>**

**Meeting ID: 814 4067 0571 Dial: 1-929-205-6099**

### Call to Order

Mayor Thurman called the meeting to order at 5:00 pm. All Council Members were present on site. Also present on site were City Attorney Julie Livingston, City Manager Pam Conner, and City Clerk Kelly Axt.

Staff in attendance: Lane Cadwell, Tina Garver, Travis Landrum (Zoom), Eric Meyer, Shaun Myers (Zoom), Rosalyn Nealy (Zoom), Tamara Newkirt, Travis Sims (Zoom), and Bill Tanks,

### Mayor's Comments

Mayor Al Thurman shared the Focus Atlanta article that featured Powder Springs.

### Work Session Matters

Development & Infrastructure Agency Executive Director Eric Meyer led the meeting.

[RES0 23-156](#) A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RENEWAL AGREEMENT WITH WHAT'S POPPIN' GOURMET POPCORN AND SWEET TREATS TO PROVIDE CERTAIN CONCESSION SERVICES AT THE SILVER COMET TRAIL LINEAR PARK PAVILION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [Resolution 2023-156 Concession Agreement Renewal](#)  
[Whats Poppin 2023 Contract Proposal - Revised](#)

Travis Landrum, Parks and Recreation Director, presented the proposed two year term and percentage for the concession services at the Linear Park. Mr. Landrum added that within the first year of the term the percentage will go from 10% to 12%,

and in the second year of the term from 12% to 15%.

No discussion was held.

[ORD 23-015](#)

AN ORDINANCE TO AMEND THE BUDGET FOR FISCAL YEAR 2023 TO ALLOCATE RECEIPTS AND EXPENDITURES RELATING TO BUILDING PERMITS; TO AMEND THE BUDGET FOR FISCAL YEAR 2024 TO ALLOCATE RECEIPTS AND EXPENDITURES RELATING TO ART GRANT FUNDS; TO REPEAL CONFLICTING ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [ORDINANCE 2023 - 015 Budget Amendment](#)  
[Proposed Budget Amendment 9-18-23 and 10-02-23](#)

Travis Sims, Finance Director, discussed the amendment to bring the Fiscal Year 23 budget into compliance and to update the budget for fees associated with building permits. Mr. Sims added that funds will be moved from one expense line item to another and will not increase the overall budget.

No discussion was held.

[RES0 23-166](#)

A RESOLUTION AUTHORIZING THE SURPLUS AND DISPOSAL OF EXPIRED VESTS NO LONGER USED BY THE CTY OF POWDER SPRINGS POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [20230817\\_134410](#)  
[RESOLUTION 2023 - 166 Vest Surplus](#)

Lane Cadwell, Chief of Police, discussed obtaining new active shooter vests through the Georgia Emergency Management Agency (GEMA) Grant and the request is to surplus the expired active shooter vests.

No discussion was held.

[RES0 23-167](#)

A RESOLUTION AUTHORIZING THE PURCHASE OF POLICE VEHICLES; AUTHORIZING AND APPROVING THE MAYOR TO EXECUTE AGREEMENTS TO PURCHASE, OUTFIT AND MARK SIX FORD EXPLORERS FOR AN AMOUNT OF \$61,171.14 EACH; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [2023 Ford Explorer vehicle quote](#)  
[2023 Ford Explorer outfitting quote Redacted](#)  
[RESOLUTION 2023 - 167 Ford Explorers](#)

Lane Cadwell, Chief of Police, discussed the request to purchase six police vehicles and the cost of equipment for each of those vehicles. Chief Cadwell added that the

money for the vehicles has already been budgeted.

No discussion was held.

[RPT 23-074](#) Presented by Bill T. - Report-Linear Park Parking Lot

Bill Tanks, Public Services, Equity and Inclusion Agency Executive Director, discussed utilizing the Linear Park parking lot for the Skate Park event October 14th for safety and vendor setup. Mr. Tanks added that Staff is working on a shuttle plan off site.

No discussion was held.

[RPT 23-076](#) Presented by Bill T. - Report on Skate Park Event October 14th

**Attachments:** [sp](#)

Bill Tanks, Public Services, Equity and Inclusion Agency Executive Director, discussed the grand opening event for the Skate Park Saturday October 14th between the hours of 12pm-6pm. Mr. Tanks added that there will be some amateur and pro-skater demonstrations.

Seating options were discussed by Mayor and the Council body. Mr. Tanks will follow-up.

[RES0 23-140](#) A RESOLUTION APPROVING AND AUTHORIZING THE PROPOSAL FROM BUILDING INSPECTION SERVICES TO CONDUCT AN ASSESSMENT OF CITY FACILITIES FOR A COST OF \$16,500; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [RESOLUTION 2023 - 140 City facility assessment](#)

Eric Meyer, Development & Infrastructure Agency Executive Director, discussed new building inspections for all of the City facilities, possibly including the Primitive Church. Mr. Meyer added that there were two responsive bidders and the review of those bids are underway.

The Council body asked if the City already has a building inspector for its facilities. Mr. Meyer replied that this allows different set of eyes to inspect the roof to foundation, and the City building inspector is used for permitting and not City facilities.

[RES0 23-168](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PEAK PAVEMENT MARKING, LLC TO RE-STRIPE THE CENTERLINE, CROSSWALKS, TURN ARROWS AND STOP BARS ON SILVER SPRINGS WAY AND SILVER SPRINGS

BOULEVARD FOR AN AMOUNT OF \$8,400; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [STRIPING Redacted](#)  
[RESOLUTION 2023 - 168 Restriping Silver Springs](#)

Eric Meyer, Development & Infrastructure Agency Executive Director, discussed the re-striping on the Silver Springs main roads.

No discussion was held.

[RES0 23-172](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH S.H. CREEL TO REPLACE FENCING IN THE LINEAR PARK FOR AN AMOUNT OF \$4,750; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [LINEAR PARK FENCE Redacted](#)  
[RESOLUTION 2023 - 172 Linear Park fence replacement](#)

Eric Meyer, Development & Infrastructure Agency Executive Director, discussed replacing the fence between the basketball court and the storm water detention pond in Linear Park.

No discussion was held.

[RPT 23-077](#) Presented by Dwayne E. - Report - Public Works Update

The Public Works report was tabled.

[PR 23-012](#) Presented by Pam C. - Presentation - 2022 Financial Audit Award

Attachments: [AFRA, Finance Department](#)  
[5 - Certificate](#)

Pam Conner, City Manager, discussed the awarding of the Financial Audit Award from GFOA (Government Financial Officers Association) to the Finance Department for their financial reporting.

No discussion was held.

[RES0 23-169](#) Resolution - fee amendments

Attachments: [Fee Schedule Updated Sept 2023](#)

Pam Conner, City Manager, discussed that each department will present proposed fees to include permits, development, parks, vendor, billing and zoning.

Shaun Myers, Planning and Zoning Manager, presented proposed Community

Development fee increases relating to zoning, permitting, development, occupational tax and alcohol. Mr. Myers added these increases will track with the market and keep in line with Cobb County.

The Mayor and Council body asked will these fees be effective upon Council's approval or by a certain date; define package versus pouring in terms of alcohol; how would these business owners receive word of the increases; and can these increases be brought up incrementally. Mr. Myers replied that these fees would be effective October 1st; package is alcohol purchased at liquor stores and pouring is served typically in restaurants. City Manager Pam Conner answered that the business owners would be notified during the renewal notice process; and some of the fees can be done incrementally.

Additional information will be researched and presented for Mayor and Council consideration.

Travis Landrum, Parks and Recreation Director, presented proposed fees for Thurman Springs Park rental, Powder Springs Park Pavilion, Ford Reception Hall Center and vendor fees.

The Mayor and Council body asked for the multi day events are the fees for each day or the entire event. Mr. Landrum replied that the multi day event fees are the whole event.

Travis Sims, Finance Director, presented the proposed language to discount \$5 per month of a customers bill should they sign up for automated withdrawal of their quarterly bills and to remove the \$0 deposit from the language.

[RES0 23-170](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO RENEW THE AGILITY DISASTER RECOVERY SERVICES MEMBERSHIP FOR A MONTHLY AMOUNT OF \$1121.18; TO UPGRADE THE MEMBERSHIP; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [City of Powder Springs -Enhanced Bandwidth 350Mbps-AR-39480-29-Aug-2023-13-18-5 RESOLUTION 2023 - 170 Agility renewal and upgrade](#)

Pam Conner, City Manager, discussed the renewal for Agility Insurance and the arrangements in a natural disaster recovery efforts to City facilities. Mrs. Conner added that the increase is for 5G services.

No discussion was held.

[RES0 23-171](#) A RESOLUTION ACCEPTING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH INNOVATIVE BUILDING MAINTENANCE FOR JANITORIAL SERVICES ES FOR AN ADDITIONAL AMOUNT OF \$6,160; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [RESOLUTION 2023 - 171 Additional janitorial services at linear park](#)

Pam Conner, City Manager, discussed requesting additional custodial services at the Linear Park by adding extra cleanings during peak uses on the weekends.

No discussion was held.

[RES0 23-180](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH TERRACON TO TAKE ALL STEPS NEEDED TO ANALYZE, REMOVE, REPORT AND CLOSE UNDERGROUND STORAGE TANKS LOCATED AT THE MUNICIPAL COURT PROPERTY ON PINEVIEW DRIVE FOR AN AMOUNT UP TO \$59,620.00; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [RESOLUTION 2023 - 180 UST](#)  
[City of Powder Springs UST Closure Services Redacted](#)

Pam Conner, City Manager, discussed that on the Municipal Complex site the contractor discovered underground storage tanks during the excavation of the project. Mrs. Conner added the tanks were evaluated and removed in an appropriate manner.

The Mayor asked is there any legal recourse to the company because they did not find those tanks. City Attorney Julie Livingston replied that they could go back and see, however generally a title search is done for businesses should they have need for tanks in their business.

[ORD 23](#)  
[-009](#) AN ORDINANCE TO AMEND THE CODE OF ORDINANCES RELATING TO THE ALCOHOL BEVERAGE ORDINANCE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading July 17, 2023 (Motion to Table on 07/17/2023); 2nd reading August 21, 2023

Tabled 1st reading to August 21, 2023; 2nd reading September 18, 2023 (Motion to Table on 09/18/2023)

*Attachments:* [ORDINANCE 2023 - 009 Code of Ordinance Amendments](#)  
[Exhibit A](#)  
[Draft Entertainment District Map](#)

Tina Garver, Community Development Director, discussed the tabling of the second reading to October 16th to review code requirements and consult legal counsel.

No discussion was held.

[ORD 23-013](#)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES REGARDING HEALTH SPAS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading August 21, 2023; 2nd reading September 18, 2023

Attachments: [ORDINANCE 2023 - 013 Code of Ordinances Health Spas Chapter 12 HEALTH SPA](#)

Tina Garver, Community Development Director, discussed the code of ordinances regarding health spas and massage therapist requirements similar to Cobb County ordinances.

No discussion was held.

[ORD 23-014](#)

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE RELATING TO LAND DEVELOPMENT REQUIREMENTS FOR ROADS, STREETLIGHTS, AND GENERAL PROVISIONS FOR RESIDENTIAL DEVELOPMENTS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading August 21, 2023; 2nd reading September 18, 2023

Attachments: [Exhibits](#)  
[ORDINANCE 2023 - 014 UDC Amendments land use](#)

Tina Garver, Community Development Director, discussed requirements that builders are responsible to pay street light bills until the completion of streets in a subdivision; establishing a maximum of rentals within a subdivision; and allowing package stores in NRC zoning district.

No discussion was held.

[RES0 23-176](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A RENEWAL AGREEMENT WITH OPTERRA SOLUTIONS, TO MOW, CLEAR AND MAINTAIN CERTAIN DETENTION PONDS FOLLOWING COLLECTION OF FUNDS FROM OWNERS OF PROPERTIES WITHIN AFFECTED SUBDIVISIONS; TO AMEND SAID AGREEMENT TO INCLUDE CERTAIN ADDITIONAL DETENTION PONDS;

PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 176 Opterra detention ponds](#)

[Resolution 2023-176 Option 2](#)

[Estimate 339512-4 Redacted](#)

[Estimate 314049-2 Redacted](#)

[Estimate 314048-2 Redacted](#)

[Estimate 314049 Redacted](#)

[Estimate 314048 Redacted](#)

Tina Garver, Community Development Director, discussed private detention pond maintenance of Lost Mountain Lakes and Country Walk. Mrs. Garver added that the maintenance cost will be added to those homeowners tax bills in those subdivisions.

The Council body asked if the cleaning is just the cleaning of the debris and overgrowth. Mrs. Garver replied that the maintenance has evolved overtime, some consists of cleaning of vegetation and debris removal.

[RES0 23-179](#) A RESOLUTION APPROVING AND AUTHORIZING A TEMPORARY EVENT PERMIT FOR THE TEMPORARY CLOSURE AND USE OF BROAD STREET ON OCTOBER 7, 2023 FROM 10AM TO 10PM FOR THE PURPOSE OF ACCOMMODATING AN EVENT TO CELEBRATE OKTOBERFEST; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 179 Oktoberfest](#)

Tina Garver, Community Development Director, discussed the request to close Broad Street from 10am-10pm for Skint Chestnut Brewery's Oktoberfest October 7th. Mrs. Garver added that Staff recommends approval of the event.

No discussion was held.

[RPT 23-078](#) Presented by Tina G. - Report - Community Development Update

Tina Garver, Community Development Director, provided updates on business licenses, storm water, development, and subdivisions.

No discussions were held.

[RES0 23-173](#) A RESOLUTION APPROVING CERTAIN ENCROACHMENT IN THE RIGHT OF WAY; AUTHORIZING THE MAYOR TO EXECUTE AN ENCROACHMENT AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.



Attachments: [Sign rendering and location Redacted](#)  
[RESOLUTION 2023 - 173 Encroachment Agreement Happy Valley](#)

Tina Garver, Community Development Director, discussed the Happy Valley mobile home park sign that is in need of replacing and the request is to allow the new sign in the right of way. Mrs. Garver added that the property owner would be responsible for the maintenance of the new sign.

No discussion was held.

[RES0 23-178](#) A RESOLUTION AUTHORIZING THE CLOSURE OF NEW MACLAND ROAD, AND AFFECTED SIDE STREETS, FROM MACEDONIA ROAD TO THE CITY’S NORTHERN BOUNDARY LIMITS TO ACCOMMODATE THE MCEACHERN HIGH SCHOOL HOMECOMING PARADE ON OCTOBER 4, 2023; AUTHORIZING NECESSARY TRAFFIC CONTROL BY THE POLICE AND PUBLIC WORKS DEPARTMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Parade application - McEachern Redacted](#)  
[Map of parade route](#)  
[RESOLUTION 2023 - 178 McEachern Homecoming Parade](#)

Tina Garver, Community Development Director, discussed the annual McEachern High School Homecoming Parade route from the Dollar Tree parking lot to McEachern High School on October 4th from 5:30pm-6:00pm.

No discussion was held.

**Dinner Recess was called at 6:30PM**

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 2 Dawkins, that this Dinner Recess at 6:30 be approved. The motion carried by the following vote:

Yes: 5 - Henry Lust, Doris Dawkins, Dwayne Green, Patrick Bordelon, and Patricia Wisdom

**Dinner Recess was concluded at 7:00PM**

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that this Dinner Recess conclude at 7:00PM be approved. Council Member Wisdom had not returned from Dinner Recess in time. The motion carried by the following vote:

Yes: 4 - Henry Lust, Doris Dawkins, Dwayne Green, and Patrick Bordelon

Absent: 1 - Patricia Wisdom

**Executive Session was called for the purpose of Real Estate, Litigation and Personnel Matters**

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3

**Green, that this Executive Session for the purpose of Real Estate, Litigation and Personnel Matters be approved. The motion carried by the following vote:**

**Yes:** 5 - Henry Lust, Doris Dawkins, Dwayne Green, Patrick Bordelon, and Patricia Wisdom

### **Executive Session was concluded from the purpose of Real Estate, Litigation and Personnel Matters**

**A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 2 Wisdom, that this Executive Session conclude from the purpose of Real Estate, Litigation and Personnel be approved. The motion carried by the following vote:**

**Yes:** 5 - Henry Lust, Doris Dawkins, Dwayne Green, Patrick Bordelon, and Patricia Wisdom

### **City Manager and Council Reports**

Council Member Wisdom provided a report.

Mayor Pro-Tem Lust provided a report.

### **Recess to Next Scheduled City Council Meeting**

**A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that this Recess to Monday September 18, 2023 at 6:30pm be approved. The motion carried by the following vote:**

**Yes:** 5 - Henry Lust, Doris Dawkins, Dwayne Green, Patrick Bordelon, and Patricia Wisdom