



# City of Powder Springs

City of Powder Springs  
4426 Marietta Street  
Powder Springs, GA 30127  
www.cityofpowdersprings.  
org

## Meeting Minutes - Final

### City Council

*Mayor*

*Albert Thurman*

*Council Members:*

*Henry Lust, Doris Dawkins, Dwayne Green, Patrick Bordelon, Patricia*

*Wisdom*

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Monday, October 3, 2022

7:00 PM

Patricia C. Vaughn Cultural Arts Center & VIA  
ZOOM

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Onsite at Patricia Vaughn Cultural Arts Center - 4181 Atlanta Street

Pre-Meeting Discussion at 6:30PM

Join Zoom Meeting - <https://us06web.zoom.us/j/85118502351>

Meeting ID: 851 1850 2351 Dial: 1-929-205-6099

#### 1. Call to Order

Mayor Thurman called the meeting to order at 7:00 pm. All Council Members were present in person. 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, Eric Meyer, Shaun Myers, Tamara Newkirt, Travis Sims and Bill Tanks.

**Present** 6 - Mayor Al Thurman, Mayor Pro Tem - Ward 1 Henry Lust, Council Member - Ward 2 Doris Dawkins, Council Member - Ward 3 Dwayne Green, Council Member - At Large Post 1 Patrick Bordelon, and Council Member - At Large Post 2 Patricia Wisdom

#### 2. Invocation and Pledge of Allegiance

The Invocation was led by Mayor Thurman and the Pledge of Allegiance by Council Member Bordelon.

#### 3. Approval of Minutes

[2022 -022](#)

Council Minutes 09/19/2022

A motion was made by Council Member - At Large Post 2 Wisdom, seconded by Council Member - Ward 2 Dawkins, that Council Minutes 09/19/22 be approved. The motion carried by the following vote:

**Yes:** 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

[2022 -023](#) Council Work Session Minutes 09/28/2022

A motion was made by Council Member - At Large Post 2 Wisdom, seconded by Council Member - Ward 2 Dawkins, that Council Work Session Minutes 09/28/22 be approved. The motion carried by the following vote:

Yes: 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

#### 4. Mayor's Comments

Mayor Thurman congratulated Chief Lane on a wonderful job with the Police Department and the officers on a great job making Powder Springs look good. The Mayor shared that Cobb County Sheriff Greg Owens did a great job on the video of the two fallen deputies at the annual Cobb County Public Safety Breakfast.

#### 5. Citizens Comments

No citizen comments were made.

**Registration to speak at any City Council meeting, per City Charter, is the day of the meeting only beginning 20 minutes prior to the start of the meeting (6:40 - 7:00 PM). The first twelve registering to speak will be given five (5) minutes to address Mayor and Council with their comments. You can register by signing up in person at the Cultural Arts Center located at 4181 Atlanta Street - location of the on site meeting or by emailing [kaxt@cityofpowdersprings.org](mailto:kaxt@cityofpowdersprings.org) between 6:40 and 7:00 PM to register to speak.**

#### 6. Public Reports | Presentations

[2022 -019](#) Proclamation - Public Safety Appreciation Week

Mayor Thurman read and presented the proclamation to the Powder Springs Law Enforcement Officers and Public Safety Personnel that provides safety to the community and properties.

Chief Lane Cadwell mentioned the Cobb County's Annual Public Safety Awards breakfast was held this morning and Captain Jason Holcomb was awarded the Medal of Valor, which is a very prestigious honor.

[2022 -020](#) Proclamation – Hispanic Heritage Month

Mayor Pro Tem Lust presented and read the proclamation recognizing the achievements of the Hispanic Community to be held annually September 15th-October 15th.

[2022 -021](#) Proclamation - Emergency Preparedness

Council Member Bordelon presented and read the proclamation to raise awareness and the importance of preparing for disasters and emergencies at anytime.

[RPT 22-108](#) City Manager Report - Projects

Pam Conner, City Manager, provided updates on parking plans with the .02 of an acre of land at the downtown cemetery. She also discussed the open land west of the Primitive Baptist Church, which is in the public right of way, for possible preservation of the structure and additional parking. Mrs. Conner presented the history of the Austell Powder Springs Trail Study and the roundabout recommendations at Austell Powder Springs Road and Marietta Street.

Tina Garver, Community Development Director, added that Georgia Tech, with the assistance of the Atlanta Regional Commission, conducted a Powder Springs Corridor Connectivity Study focusing on Powder Springs and Austell Powder Springs Roads. The roundabout is a result of that study.

Eric Meyer, Development and Infrastructure Agency Director, stated that the Cobb County Trail Master Plan was adopted in 2018. It included looking at trail connections from the Silver Comet to Downtown Austell.

## 7. City Attorney

### A. Consent Agenda

RESO 22-155 was moved from the published Consent Agenda to the Regular Agenda so that matter RESO 22-155 could be tabled to the next City Council Meeting on November 17, 2022.

[RES0 22-154](#) A RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF VARIOUS ROADS WITHIN DOWNTOWN POWDER SPRINGS TO ACCOMMODATE NATIONAL NIGHT OUT ON OCTOBER 4 AND THE ANNUAL PARADE AND TREE LIGHTING ON DECEMBER 2, 2022; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**approved**

[RES0 22-156](#) A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ANNUAL COMMUNITY RATING SYSTEM RECERTIFICATION FORM; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**approved**

## Approval of the Consent Agenda

A motion was made by Council Member - At Large Post 1 Bordelon, seconded by Council Member - Ward 3 Green, to approve the Consent Agenda excluding Resolution 22-155 as read by the City Attorney Julie Livingston. The motion carried by the following vote:

**Yes:** 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

## B. Regular Agenda | Public Hearing

[RES0 22-155](#) A RESOLUTION TRANSMITTING TO THE ATLANTA REGIONAL COMMISSION AND THE DEPARTMENT OF COMMUNITY AFFAIRS THE ANNUAL UPDATE OF THE CAPITAL IMPROVEMENT ELEMENT AND SHORT TERM WORK PROGRAM OF THE COMPREHENSIVE PLAN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post Wisdom, that this Resolution 22-155 was tabled to the City Council, due back on 10/17/2022 The motion carried by the following vote:

**Yes:** 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

[PZ 22--027](#) Variance: 5374 Silver Woods. To consider a variance to comply with Section 12-13 (c) Removal of landscaping as approved on plat and 12-3 (e) which prohibits encroachment of structures into buffer areas; and to consider a change in zoning conditions related the buffer disturbance and encroachment. PIN: 19080700300

Kenneth Simpson, variance applicant, is requesting to leave the fence intact in the undisturbed buffer behind his home.

No other speakers in support or against the application.

A motion was made by Council Member - At Large Post 1 Bordelon, seconded by Council Member - Ward 3 Green, that this Variance PZ 22-027 be approved with the following conditions.

1. Approval of Variance to comply with 12-3 (e) to allow the encroachment of the fence structure and shed structure within the 50-foot undisturbed buffer
2. Approval of the variance to comply with Section 12-13 concerning removal of lot or buffer trees in rear yard.
3. Approval of the Change in Zoning Conditions to allow the encroachment of the fence structure and shed structure into the 50-foot undisturbed. This encroachment shall not be expanded.

The motion carried by the following vote:

**Yes:** 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

[PZ 22--028](#)

Variance: 3689 Ponderosa Lane. To consider a variance to UDC Table 4-1 to increase the maximum allowed height of front yard fences; and to consider a special use request to allow front yard fences, per Table 4-1. PIN: 19083200340.

Jocelyn, on behalf of her mother Maria Sanchez variance applicant, is requesting that the front installed gate remain intact.

No other speakers for or against the application.

Council questioned the fence in front yard and asked if the proposed fence planned would it keep the dogs out of yard. Jocelyn replied that they are planning to add a wrought iron fence; and no, but was thinking a mesh behind the fence to keep dogs out of the yard.

Council Member Lust moved to deny the application without prejudice, seconded by Council Member Bordelon. The motion failed 3 to 2 with Council Members Dawkins, Green and Wisdom not affirming the vote.

**A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - At Large Post 1 Bordelon, that this Variance PZ 22-028 be Denied.. The motion failed by the following vote:**

**Yes:** 2 - Mayor Pro Tem - Ward 1 Lust, and Council Member - At Large Post 1 Bordelon

**No:** 3 - Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 2 Wisdom

This is the motion presented upon failure of the motion and second to deny.

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - At Large Post Wisdom, that this Variance PZ 22--028 be approved. The motion carried by the following vote:

With the following stipulations:

1. The applicant shall comply with all Cobb County Fire Marshall's Office (FMO) regulations related to the front yard gate:  
FMO Comments: Provide emergency access through all gates securing Fire Dept. access with a minimum 12'-0" clear width and approved means of operation. (www.knoxbox.com)
2. Approval of the special use request to allow a fence in the front yard. Any fencing structures installed in the front yard shall comply with the approved material composition and types specified for residential zoning districts in Table 4-1 of the Unified Development Code. Fencing around the front yard shall not exceed 5-feet in height.
3. The installation of the front yard shall be subject to design review and approval by the Community Development Department, for composition materials and fence type.
4. Approval of the variance to increase the maximum allowed height of a front yard gate from 3-feet to 7-feet.
5. Should the gate be substantially damaged and need considerable repairs, it shall not be replaced.

**Yes:** 3 - Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 2 Wisdom

**No:** 2 - Mayor Pro Tem - Ward 1 Lust, and Council Member - At Large Post 1 Bordelon

[ORD 22](#)  
[-017](#)

AN ORDINANCE TO AMEND THE CAPITAL PROJECT BUDGETS; TO REPEAL CONFLICTING ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st Reading 8/15/22 - Tabled to 9/19/22

2nd Reading 10/3/22

Travis Sims, Finance Director, stated the ordinance will list ongoing projects with estimated costs and allow the ability to transfer funds between the current capital project funds to cover overages and shortages.

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that Ordinance 22-017 be amended. The motion carried by the following vote:

**Yes:** 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

## 8. City Manager and City Council Reports

Council Member Wisdom mentioned the ribbon cutting last Friday with Novare Group of the downtown multifamily project and expressed her delight in their positivity and moving the project in a timely manner.

Council Member Bordelon stated that he attended the Public Safety Appreciation breakfast at The Battery and made a special mention of Powder Springs Captain Jason Holcomb' Medal of Valor. Mr. Bordelon also reminded everyone to attend the National Night Out to be held at the Thurman Springs Park.

Council Member Lust shared Mr. Bordelon's comments and thanked everyone for coming out this evening.

Council Member Dawkins congratulated Captain Holcomb on his award and mentioned that she was glad to be back.

Council Member Green shared peace and blessings to everyone.

## 9. Executive Session was called for purposes Litigation

**A motion was made by Council Member - At Large Post 1 Bordelon, seconded by Mayor Pro Tem - Ward 1 Lust, that this Executive Session be called for the purpose of Litigation be approved. The motion carried by the following vote:**

**Yes:** 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

## Executive Session was concluded for purposes Litigation

**A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that Executive Session conclude for the purpose of Litigation be approved. The motion carried by the following vote:**

**Yes:** 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

## 10. Adjournment

**A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post Bordelon, that this Adjournment be approved. The motion carried by the following vote:**

**Yes:** 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom