



City of Powder Springs

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

Meeting Minutes - Final Council Work Session

*Mayor
Albert Thurman*

*Council Members:
Henry Lust, Doris Dawkins, Dwayne Green, Dwight McMurtry, Patricia
Wisdom*

Wednesday, January 10, 2024

5:00 PM

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

Location Information:

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

**Join Zoom Meeting - <https://us06web.zoom.us/j/82196688882>
Meeting ID: 821 9668 8882 Dial: 1-929-205-6099**

***Public Comments are reserved for City Council Public Hearings.
No Public Comments are heard during Work Session Agenda Meetings.***

Call to Order

Mayor Albert Thurman called the meeting to order at 5:00 pm. Council Members Dawkins, Green, Lust and Wisdom were present on site. Council Member McMurtry was absent. Also present on site were City Attorney Julie Livingston, City Manager Pam Conner, and City Clerk Kelly Axt.

Staff in attendance: Velda Babiak (Zoom), Lane Cadwell (Zoom), Dwayne Eberhart (Zoom), Tina Garver (Zoom), Travis Landrum, Shaun Myers (Zoom), Tamara Newkirt, Travis Sims (Zoom), Bill Tanks (Zoom), Marsellas Williams (Zoom), and Wayne Wright (Zoom).

Mayor's Comments

Mayor Thurman wished everyone a Happy New Year and hoped everyone had a great holiday.

Work Session Matters

[RPT 24-002](#) Report presented by Pam C. - Update on 278 Curb Cut

Pam Conner, City Manager, provided an update on the 278 curb cut and that the

Georgia Department of Transportation (GDOT) staff will not vary from their standards and that the next step is to reach out to the Commissioners and State Representatives.

No discussion was held.

[RES0 24-007](#) A RESOLUTION AUTHORIZING THE ACQUISITION OF RIGHT OF WAY NEEDED TO COMPLETE THE SIGNAL UPGRADE PROJECT AT NEW MACLAND AND MARIETTA STREET FOR AN AMOUNT OF \$1,900.00; AUTHORIZING THE USE OF CONDEMNATION TO ACQUIRE THE RIGHT OF WAY, IF NEEDED; AUTHORIZING THE MAYOR TO EXECUTE DEEDS OR OTHER DOCUMENTS NEEDED TO COMPLETE ACQUISITION, CLOSING AND CONVEYANCE TRANSACTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 007 Condemnation Petition 4180 Marietta Street POWDE.240034 Marietta St](#)

Pam Conner, City Manager, discussed the condemnation of 4180 Marietta Street for the traffic signal upgrade.

No discussion was held.

[RES0 24-003](#) A RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE AND USE OF CERTAIN PUBLIC SPACES IN THE DOWNTOWN TO ACCOMMODATE THE HOP, SWEAT AND SPRINT 5K ON MAY 27, 2024 FROM 5AM TO 11AM; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Fitness LLC Temporary Event - 5K Redacted Hop Sweat and Sprint The Powder Springs Beer 5K Route \(002\) RESOLUTION 2024 - 003 Hop Sweat and Spring 5K temporary event RESO 2024 -003 EXH A](#)

Travis Landrum, Parks and Recreation Director, introduced the application to allow a hop, sweat and sprint beer 5k in partnership with the downtown brewery May 27, 2024 from 5am-10:30am with around 100 participants.

The Council body asked will there be a gathering after the 5k; and will there be any road closures. Roshawn Brown, applicant, responded that following the 5k the participants will gather at the brewery; and Mr. Landrum answered that the Police department provided feedback of an alternate route.

[RPT 24-003](#) Report presented by Travis S. - annual financial report

Travis Sims, Finance Director, provided a preliminary review of the annual financial

report.

The Council body asked how much of the interest get invested into the capital projects fund. Pam Conner, City Manager, answered that the interests are reinvested.

[RPT 24-004](#) Report presented by Pam C. - Update on the Old Boyd Building

Brian and Andrea Davis, representatives of 33 Degrees North Development Group, provided an update on the progress of the 4469 Marietta Street building exterior.

There was dialogue regarding the painting of the building, roof changes and window updates.

[RES0 24-008](#) A RESOLUTION RE-APPOINTING LORETTA SMITH, RA BARR, RAJA ANTONE AND MARCEL KENNEDY TO THE DEVELOPMENT AUTHORITY OF POWDER SPRINGS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 008 Board and Commission appointments](#)

[DAPS Board Members 2024](#)

[Oath for DAPS Loretta Smith 081727.doc](#)

[Oath for DAPS Ra Barr 081727.doc](#)

[Oath for DAPS Marcel Kennedy 081727.doc](#)

[Oath for DAPS Raja Antone 081727.doc](#)

Marsellas Williams, Economic Development Director, discussed the interviews of four current board members on their re-appointments to the Development Authority of Powder Springs (DAPS) for a four year term.

No discussion was held.

[RES0 24-004](#) A RESOLUTION APPROVING AND AUTHORIZING THE PAYMENT OF BEAUTIFICATION ENHANCEMENT GRANTS TOTALING \$20,925 TO BUSINESS-BASED ORGANIZATIONS MEETING PROGRAM REQUIREMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 004 Beautification Grants](#)

Marsellas Williams, Economic Development Director, discussed the process of awarding the local businesses the Business Beautification Grant. Mr. Williams stated that there were six applications received and made recommendations of the grants.

No discussion was held.

[RES0 24-005](#) A RESOLUTION DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF MUNICIPAL COURT GALLERY CHAIRS LOCATED IN STORAGE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 005 Mun Court Chair Surplus](#)

Kelly Axt, Administrative Services Director, discussed the surplus of gently used municipal court chairs.

The Mayor asked how does the chairs get priced. Mrs. Axt replied that the City uses Gov Deals by setting the parameters of pricing.

[RES0 24-006](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH VC3 TO REDUCE SERVICE PRICING AND TO EXTEND THE CONTRACT FOR A THREE-YEAR TERM ENDING MARCH 1, 2027; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 006 VC3 CONTRACT AMENDMENT](#)

Jim Moore, VC3 Sr. Strategic Advisor, discussed the re-negotiation of an extension to the contract that includes a 15% discount to the current rates.

Pam Conner, City Manager, added that the current contract runs to the end of March 2025 and the City was seeking some reductions. Mrs. Conner stated should the contract be approved the contract would run to the end March of 2027.

Kelly Axt, Administrative Director, shared that there will be on one change to the contract as it relates to the purchase of equipment.

No discussion was held.

[RES0 24-002](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND CITY STAFF TO EXECUTE CERTAIN DOCUMENTS CONFIRMING COMPLIANCE WITH STATE REQUIREMENTS NEEDED TO TRANSFER THE CURRENT CONDITIONAL LOCAL ADMINISTERED PROJECT (LAP) CERTIFICATION TO FULL LAP CERTIFICATION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Conditional to full approval confirmation - MR Final 11-27-23](#)

[RESOLUTION 2024 - 002 GDOT agreement LAP](#)

[RESO 2024-002 GDOT Letter](#)

Tina Garver, Community Development Director, discussed the program to manage

the City's federally funded transportation projects. Mrs. Garver added that Georgia Department of Transportation (GDOT) recommends that the City switch from a conditional approval to a full Local Administered Project (LAP) approval with less oversight from GDOT.

No discussion was held.

[ORD 24-001](#)

Annexation Petition - To annex a 4.332 acre tract, and rezone from GC (county) to NRC (city). The property is located within land lot 866, 19th district, 2nd section, Cobb County Georgia. PIN: 19086600040.

1st Reading: 01/16/2024. 2nd Reading: 02/05/2024

- Attachments:** [Annexation Application Redacted](#)
[Alcohol Distance Separation Survey Redacted](#)
[Site Plan 2023 Redacted](#)
[Vicinity Map Redacted](#)
[Exhibit A. LEGAL DESCRIPTION. Redacted](#)
[ORD 24-001](#)

Tina Garver, Community Development Director, discussed receiving an annexation application for an undeveloped property on Powder Springs Road.

The Mayor and Council asked will the owner build on the land; and is the applicant buying the parcel. Mrs. Garver stated that the owner has interest to build a package store; and yes the applicant is under contract to buy the parcel.

[AL-24-001](#)

Alcohol License. Morounfolu Awotona for Cellar Bold & Distillery at 3180 Florence Rd Suites 105 & 106, Powder Springs, GA 30127 for distillery and farm winery license.

- Attachments:** [AL24-001. Motion to Approve. 01162024](#)
[Alcohol License Application CELLAR BOLD AND DISTILLERY Redacted](#)
[Zoning Analysis. AL 24-001](#)

Tina Garver, Community Development Director, introduced the application to for a farm winery on the property.

Mr. Tona Awotona, alcohol license applicant, discussed the bee farming for distillery and winery.

The Council body asked will the bees onsite. Mr. Awotona replied that they only harvest the bees on the property.

[PZ 23--026](#)

Variance Request. To vary section 4-235 to allow accessory use of parking lot, and Table 2-4 to allow an accessory building to be located within the required minimum

side and rear setbacks. The property is located at 3982 Austell Powder Springs Road, within land lot 905 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19090500190.

- Attachments: [PZ23-026. Motion to approve. 01162024](#)
- [Variance Request Redacted](#)
- [Site plan, floor plan, shed exterior.](#)

Shaun Myers, Planning and Zoning Manager, introduced the variance application for a minimum setback in the parking lot of the Food Truck Park that is close to the property line.

[PZ 23--027](#)

Special Use Request. To allow a VR Gaming room within an accessory structure at the Food Truck Park; To add the use to the conditions of approval of PZ23-018, July 17, 2023. The property is located at 3982 Austell Powder Springs Road, within land lot 905 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19090500190.

- Attachments: [PZ23-027. Motion to approve. 01162024](#)
- [Special Use Request Redacted](#)
- [Site plan, floor plan, shed exterior.](#)

Shaun Myers, Planning and Zoning Manager, introduced the special use application for a virtual game room within an accessory structure at the Food Truck Park.

Dylon Holmes, of Total Rage LLC, discussed his business as social engagement.

The Mayor asked if there are any safety concerns; and how is supervision managed. Mr. Holmes stated that he has personal protective equipment to wipe down headsets after each use; and the room is booked in advanced and geared to 16 to 18 year olds.

[PZ 23--028](#)

Special Use Request. To allow front yard fences, per UDC Table 4-1. The property is located at 3886 Sharon Drive SW, within land lot 871 of the 19th District, 2nd Section, and Cobb County, Georgia. PIN: 19087100320.

- Attachments: [PZ23-028. Motion to Table. 01162024](#)
- [Special use and Variance Apps Redacted](#)
- [Survey and Existing Conditions](#)
- [Code Violation Redacted](#)
- [Exhibits. Sharon Drive](#)

Shaun Myers, Planning and Zoning Manager, discussed the special use application being tabled to February 5, 2024.

No discussion was held.

[PZ 23--031](#) Variance Request - To vary Sec. 4-135 (g) to allow a gate within 25-feet of the right-of-way. The property is located at 3886 Sharon Drive SW, within land lot 871 of the 19th District, 2nd Section, and Cobb County, Georgia. PIN: 19087100320.

Attachments: [PZ23-031. Motion to Table. 01162024](#)
[Variance request. 3886 Sharon Drive Redacted](#)
[Exhibits. Sharon Drive](#)

Shaun Myers, Planning and Zoning Manager, discussed the variance application being tabled to February 5, 2024.

No discussion was held.

[PZ 24--001](#) Appeal of an Administrative Decision. Related to the Community Development Department's building permit number 22PDR-00065. The property is located at 3292 Creek Trace E, within land lot 746 of the 19th District, 2nd Section, and Cobb County, Georgia. PIN: 19074600150.

Attachments: [PZ24-001. Motion to Deny. 01162024](#)
[PZ24-001. Motion to Approve. 01162024](#)
[Application for Appeal Redacted](#)
[Community Development Final Inspection Report](#)
[Estimate provided by owner Redacted](#)
[Original Permit Application Redacted](#)

Tina Garver, Community Development Director, introduced the appeal of administered decision because the certificate of occupancy was held due to the house being constructed different from the zoning approval.

Gary Travis, applicant, stated that he wasn't aware that the City had to do a site review at the end of construction, and disagrees that the front facade doesn't conform with the neighborhood homeowners association.

The Mayor asked Mr. Travis if he was presented with the original plans that were presented to zoning. Mr. Travis responded that he saw the plans, but there are elevations changes done onsite and admitted that it didn't match the original plans.

[PZ 24--004](#) Final Plat - Adler Springs.

Attachments: [PZ24-004. Motion to Approve. 01162024](#)
[ADLER SPRINGS - FINAL PLAT Redacted](#)

Tina Garver, Community Development Director, discussed the final plat for the subdivision on Powder Springs Dallas Road. Mrs. Garver added the Land Disturbance Permit that was issued had a reduction in town homes and single family homes.

The Council body as if there were amenities. Mrs. Garver answered that the amenities includes a pavilion, dedicated green space, and a connection to the Silver Comet Trail.

Dinner Recessed at 6:34PM

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that this Dinner Recess at 6:34PM be approved. The motion carried by the following vote:

Yes: 4 - Henry Lust, Doris Dawkins, Dwayne Green, and Patricia Wisdom

Absent: 1 - Dwight McMutry

Dinner Concluded at 7:02PM

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that this Dinner conclude at 7:02PM be approved. The motion carried by the following vote:

Yes: 4 - Henry Lust, Doris Dawkins, Dwayne Green, and Patricia Wisdom

Absent: 1 - Dwight McMutry

Executive Session, if called for the purpose of Real Estate, Litigation or Personnel Matters

No executive session was held.

City Manager and Council Reports

Council Member Wisdom shared a report of the Georgia Municipal Associations discussion relating to Cobb County and upcoming legislation. Ms. Wisdom also welcomed everyone for attending the meeting online.

Council Membr Lust thanked everyone for joining the meeting online; shared that the attended the 10th Anniversary of the Linked Up Church; and provided some information on the work force housing credit.

Council Member Green gave his peace and blessings to everyone; and looks forward to working with Planning and Zoning for the month.

Council Member Dawkins wished everyone a good evening.

City Clerk Kelly Axt thanked the Mayor and Council body on her reappointment as City Clerk.

Recess to Next Scheduled City Council Meeting

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - Ward 2 Dawkins, that this Recess to Tuesday January 16, 2024 at 6:30PM be approved. The motion carried by the following vote:

Yes: 4 - Henry Lust, Doris Dawkins, Dwayne Green, and Patricia Wisdom

Absent: 1 - Dwight McMutry