



# 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, March 15, 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/86127633318>  
Meeting ID: 861 2763 3318 Dial: 1-929-205-6099**

### Call to Order

The Mayor called the meeting to order at 5:00 pm. All Council Members were present on site. Council Member Dawkins arrived at 6:00PM. Also present on site were City Attorney Julie Livingston, City Manager Pam Conner, and City Clerk Kelly Axt.

Staff in attendance: Bill Tanks, Lane Cadwell, Travis Landrum, Dwayne Eberhart, Tamara Newkirt, Travis Sims, and Tina Garver.

### Mayor's Comments

The Mayor requested City Manager Pam Conner to come up with a plan to improve communication and directives for Keep Powder Springs Beautiful.

### Work Session Matters

[RPT 23-030](#) Report - Administrative Services | City Clerk Update

Attachments: [Adm Services and City Clerk Council Departmental Council Report 031523.pdf](#)

Kelly Axt, Administrative Services Director and City Clerk, reported on the 2022 open record requests processed, public meetings and town halls streaming online presence, the re-launch of Legistar software and training, preserving old minutes books into an electronic format, standard operations procedures, procurement process, information technology, and provided goals for 2023.

The Council body asked if the open records application made the process easier; are there plans for additional access with the business directory on the City application;

and are there more open record requests. Mrs. Axt replied that yes the records request application has been invaluable; the City application will have to be continually be enhanced; open records are very consistent with ebbs and flows.

[RPT 23-031](#) Report - Relay for Life Luminaria Event Request

Attachments: [Relay for Life Luminaria Event Request Redacted](#)  
[Relay for Life Luminaria Event Request \(2\)](#)  
[2023 RFL Luminaria Event Plan](#)

Travis Landrum, Parks and Recreation Director, discussed the request by Powder Springs First United Methodist Church to have luminaries in honor or memory of someone who has battled cancer or a caregiver along Marietta Street between the Church down to Murray Avenue April 1st from 8pm-10pm.

The Mayor asked if this is the first time for this event. City Manager Pam Conner answered that no this not the first time for this event.

[RES0 23-064](#) A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY IDENTIFIED AS COBB COUNTY TAX PARCEL #19087500610; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO TAKE THE STEPS NECESSARY TO ACQUIRE SAID PROPERTY; AUTHORIZING THE MAYOR TO EXECUTE DEEDS OR OTHER DOCUMENTS NEEDED TO COMPLETE SAID ACQUISITION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2023-064](#)

Pam Conner, City Manager, discussed obtaining the parcel of land at the corner of the cemetery on Old Lost Mountain Road and Jackson Way for control and use of limited parking. Mrs. Conner also mentioned that the City is close to acquiring the parcel of land.

Julie Livingston, City Attorney, added that property owner has accepted the appraised value of the land and has been sent the documents for her execution and return back to the City in a timely manner to gain control.

No discussion was held.

[RES0 23-065](#) A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY IDENTIFIED AS COBB COUNTY TAX PARCEL #19087600040; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO TAKE THE STEPS NECESSARY TO ACQUIRE SAID PROPERTY; AUTHORIZING THE MAYOR TO EXECUTE DEEDS OR OTHER DOCUMENTS NEEDED TO

COMPLETE SAID ACQUISITION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [Executed RESO 2023-065](#)

Pam Conner, City Manager, stated that the Primitive Baptist Church will be assessed for additional public purpose once the City has control. There will be recommendations in the next fiscal year.

Julie Livingston, City Attorney, added that the church property may have to do a condemnation because of the absence of the deed records and the last known heirs have been made aware.

The Council body asked for an explain of the definition use of condemnation in this particular case. Mrs. Livingston answered that there are title problems and have identified about 15 heirs and they were not aware that they might have an interest in the property and the last known deed is from the 1800s. Mrs. Conner added that it is a legal term of eminent domain and not a finding of that is not being condemned for lack of use or habitable.

[RESO 23-066](#) A RESOLUTION RENEWING THE ISSUANCE OF A SPECIAL EVENTS PERMIT TO THE SOUTH COBB ARTS ALLIANCE FOR USE OF THE FORD CENTER RECEPTION HALL BETWEEN NOVEMBER 30 AND DECEMBER 5, 2023 FROM 9AM TO 7PM DAILY TO CONDUCT ITS 2023 CHRISTMAS HOUSE ARTS AND CRAFTS SHOW; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [Executed RESO 2023-066](#)

[Ford Center MOU 2023 for Christmas House Redacted](#)

Travis Landrum, Parks and Recreation Director, discussed the utilization of the Ford Reception Center for the South Cobb Arts Alliance annual Christmas program November 30th-December 5th from 9am-7pm each day.

No discussion was held.

[RESO 23-067](#) A RESOLUTION ACCEPTING THE PROPOSAL OF DAF CONCRETE FOR THE REPAIR OF CERTAIN SIDEWALKS, CURBING AND CATCH BASINS FOR THE SUM OF \$55,730; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR SUCH SERVICES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Attachments:** [DOC030223-03022023093331 Redacted](#)

[Executed RESO 2023-067](#)

Dwayne Eberhart, Public Works Director, discussed the sidewalk, curb, and catch basin repairs on Macedonia Road, Fred Brady Bridge, and Brownsville Road. Mr.

Eberhart mentioned that there were three bidders and recommended DAF Concrete.

The Council body asked if Richard D. Sailors Parkway catch basins are included. Mr. Eberhart replied that it does not. City Manager Pam Conner added that Richard D. Sailors Parkway will be a separate item for a later date using ARPA funds and is more involved with the catch basins.

[RESO 23-068](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE LICENSE AGREEMENT WITH JUSTICEONE SOFTWARE FOR AN AMOUNT OF \$8.00 PER CODE VIOLATION OR A MINIMUM MONTHLY AMOUNT OF \$1,450.00 TO ISSUE, TRACK AND PROCESS COURT CITATIONS AND TO CREATE COURT DOCKETS WITHIN THE MUNICIPAL COURT SYSTEM; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [JusticeONE license agreement Redacted](#)  
[Executed RESO 2023-068](#)

Pam Conner, City Manager, discussed the license agreement for a cloud based software for Municipal Courts that updates the existing Courtware Solution. Mrs. Conner mentioned that the agreement charge is \$8.00 per violation or with a minimum of \$1450 monthly fee.

No discussion was held.

[RESO 23-069](#) A RESOLUTION DECLARING AS SURPLUS FIVE HUNDRED SANITATION CARTS, FURNACE AND WATER HEATER AND AIR CONDITIONING UNIT AND AUTHORIZING THEIR SALE OR DISPOSAL; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Furnace](#)  
[Garbage Carts](#)  
[Executed RESO 2023-069](#)

Dwayne Eberhart, Public Works Director, discussed the surplus of 500 sanitation carts, furnace and water heater unit.

No discussion was held.

[RESO 23-070](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED AND RESTATED GALLERIA CONVENTION FUNDING AGREEMENT AND GALLERIA OPERATING AGREEMENT BETWEEN THE CITY OF POWDER SPRINGS AND THE COBB-MARIETTA COLISEUM AND EXHIBIT HALL AUTHORITY; PROVIDING FOR AN

EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESO 2023-070 EXH A Redline - 685208747 v2 - 685717224 v1 powder springs fund](#)  
[RESO 2023-070 EXH B Redline - 685210320 v2 - 685717263 v1 powder springs oper](#)  
[RE Thank you Redacted](#)  
[CMCEHA HMT Funding Operating Agreement City of Powder Springs with video v2.pptx](#)  
[Executed RESO 2023-070](#)

Michele Swann, General Manager of the Cobb-Marietta Coliseum and Exhibit Hall Authority, provided a video presentation to discuss the extension of another 30 year agreement.

Rob Turner, Director of Finance of the Cobb-Marietta Coliseum and Exhibit Hall Authority, provided a presentation overview of the functions, history and purpose of the Authority. Mr. Turner added that the Authority is in need of a funding source to issue bonds to renovate and update their facilities; and discussed the current funding agreement. The proposed funding agreements would remain the same, adding the sharing in an annual Excess Tax payment, and the sharing in the R & E Fund Cap distributions on a 30 year term.

The Council body asked what is entailed in the \$150 million development at Cobb Galleria. Ms. Swann replied that there are planned restoration of parking on site and redevelopment of the specialty shops.

[RES0 23-071](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH COBB & DOUGLAS PUBLIC HEALTH RELATING TO GRANT FUNDING ASSISTANCE FOR A BEHAVIORAL HEALTH FIRST RESPONDER PROGRAM; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESO 2023-071 EXH A City of Powder Springs CHIP Partnership Grant Redacted](#)  
[Executed RESO 2023-071](#)  
[Cobb Fire Redacted](#)  
[Cobb Police Redacted](#)  
[COPS PS](#)  
[Highland Rivers](#)

Pam Conner, City Manager, discussed the Memorandum of Understanding with Cobb and Douglas Public Health and the application for grant funding to utilize with ARPA funds for mental health call response.

Bill Tanks, Public Services, Equity and Inclusion Agency Executive Director, added that the City has been pursuing a relationship with Cobb County for adequate

resources to respond to mental health crisis.

The Council body asked if there is an assigned person to Powder Springs; will the officers go out and observe how to handle mental health; and how will the officer determine when the call is a mental health case. Mr. Tanks replied that they are limited on how many units can be setup and don't necessary have the people yet; the officers are mainly for the safety of the lead counselor; and it's a matter of training, recognizing and historical data of 911 calls.

[RES0 23-072](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A RENEWAL AGREEMENT WITH CIVIC FORWARD STRATEGIES FOR CERTAIN LOBBYING SERVICES IN THE AMOUNT OF \$12,000; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [Executed RESO 2023-072](#)

Pam Conner, City Manager, discussed the renewal agreement with Keck and Wood for their lobbying efforts with General Assembly and GDOT for curb cuts along 278.

No discussion was held.

[RES0 23-073](#) A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT BROWNSVILLE ROAD FOR THE SUM OF \$10,600; AUTHORIZING THE CITY ATTORNEY AND CITY MANAGER TO TAKE THE STEPS NECESSARY TO PURCHASE AND USE SAID PROPERTY; AUTHORIZING THE MAYOR TO EXECUTE DEEDS OR OTHER DOCUMENTS NEEDED TO COMPLETE SAID PURCHASE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [Executed RESO 2023-073](#)

Wayne McGary, of Croy Engineering, discussed the acceptance of the City's counteroffer of \$10,600 for the church parcel on Brownsville Road.

The Mayor and Council body asked what particular property on Brownsville Road; and where is the money coming from. City Manager Pam Conner replied that this is the property in front of Linked Up Church for the transportation improvements; and this is SPLOST funded project.

[RES0 23-074](#) A RESOLUTION AUTHORIZING THE SURPLUS AND DISPOSAL OF TWO PRISONER CAGES, TWO LAPTOP STANDS AND ONE RADAR UNIT WHICH ARE NO LONGER NEEDED BY THE CITY OF POWDER SPRINGS POLICE DEPARTMENT AND TRANSFER SAME TO THE CITY OF ARAGON POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [Prisoner cages](#)  
[Laptop stands](#)  
[Executed RESO 2023-074](#)

Lane Cadwell, Chief of Police, discussed the surplusing of items to be donated to Aragon Police Department.

No discussion was held.

[RESO 23-075](#) A RESOLUTION ACCEPTING AND APPROVING THE PURCHASE OF A BALER FROM MARATHON EQUIPMENT FOR AN AMOUNT OF \$21,888.45 FOR RECYCLING DROP OFF OPERATIONS LOCATED AT THE CITY PUBLIC WORKS FACILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [Marathon Baler 03032023 Redacted](#)  
[Executed RESO 2023-075](#)

Dwayne Eberhart, Public Works Director, discussed the purchase of a baler for the recycling center.

The Council body asked what is a baler. City Manager Pam Conner replied that a baler is the machine that compresses the items into bundles.

[RESO 23-076](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH STRATEGIC MATERIALS, INC. TO HAUL AND PURCHASE SEPARATED RECYCLED MATERIALS FROM THE CITY RECYCLING CENTER; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [Executed RESO 2023-076](#)

Pam Conner, City Manager, discussed the collection and hauling of recyclable materials

No discussion was held.

[RESO 23-077](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH WEST ROCK TO HAUL AND PURCHASE SEPARATED RECYCLED MATERIALS FROM THE CITY RECYCLING CENTER; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [Executed RESO 2023-077](#)

Pam Conner, City Manager, discussed the collection and hauling of recyclable materials

No discussion was held.

[RES0 23-078](#) A RESOLUTION APPROVING AND AUTHORIZING THE RENEWAL OF THE FLOCK CAMERA SYSTEM FOR AN ADDITIONAL FIVE YEAR TERM IN THE AMOUNT OF \$25,000 AND THE PURCHASE AND INSTALLATION OF TWO ADDITIONAL FLOCK CAMERAS FOR THE AMOUNT OF \$5,000 FOR USE BY PUBLIC SAFETY; AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT TO EFFECTUATE SAME; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [Executed RESO 2023-078](#)

Lane Cadwell, Chief of Police, discussed adding two flock cameras and renewing the agreement for five one year term at the original price.

The Council body asked where will the two additional cameras be placed. Chief Cadwell replied that they had not determined a location yet.

[RES0 23-079](#) A RESOLUTION APPROVING AND AUTHORIZING AND APPROVING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF A 2023 CHEVROLET SILVERADO 1500 FOR AN AMOUNT OF \$47,413.10 FROM JOHN THORNTON CHEVROLET FOR THE SANITATION OPERATIONS IN RIGHT OF WAY CLEANUP; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [Executed RESO 2023-079](#)

Dwayne Eberhart, Public Works Director, discussed the purchase of a right-of-way work truck from John Thornton Chevrolet.

The Council body asked what will happen to the existing truck. Mr. Eberhart replied that the truck will stay in rotation for other purposes.

[RES0 23-080](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH CROFT AND ASSOCIATES AS THE ARCHITECT AND ENGINEER FOR THE NEW MUNICIPAL BUILDING AND PARKING DECK FOR ADDITIONAL ARCHITECTURAL SERVICES RELATED TO VALUE ENGINEERING ON SAID PROJECT IN THE AMOUNT OF \$8,500; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [Executed RESO 2023-080](#)

Pam Conner, City Manager, discussed the amendment of the Croft and Associates



contract for the municipal complex to update for identified value engineering.

No discussion was held.

[RES0 23-081](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH COBB COUNTY FOR THE PERMITTING, USE AND OPERATION OF A GREASE TRAP INSTALLED BY THE CITY OF POWDER SPRINGS ON BROAD STREET; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [Executed RESO 2023-081](#)

Pam Conner, City Manager, discussed the grease trap on Broad Street the City installed and the agreement with the County is to maintain and pump the grease trap for the next three years.

The Council body asked what is the cost; what does the grease trap support; and if another restaurant happens to go into the Boyd building will they have access to this grease trap. Mrs. Conner replied that they determined that the annual cost would be around \$6,000; the grease trap supports the SGC Chicken and Seafood restaurant and the Skint Chestnut Brewery as a shared building; and no they would not, the County does not allow the sharing of multiple businesses sharing the same grease trap.

[PZ 23--005](#) West Oak Trace Phase 2  
Final Plat

*Attachments:* [Executed PZ 23-005](#)  
[WEST OAK TRACE PHASE 2 FINAL PLAT Redacted](#)

Tina Garver, Community Development Director, discussed the final plat of phase two of West Oak Trace by Traton Homes of single family homes. Mrs. Garver added that the development was presented and approved for single family, but Staff learned that this project is being used as a full rental community.

Kevin Moore, Attorney on behalf of Traton Homes, stated that in the beginning of the development after Council approval, Traton was approached by Haven Realty Capital to buy all of the developed homes. Mr. Moore mentioned that Traton Homes has entered into an agreement with Haven Realty to develop the homes as previously proposed and Haven would buy all the homes at full price with enhanced interior finishes.

The Mayor and Council body asked why has the community changed to a full rental community; are there any other developments close by of this type; will there be an association governing this community; is there a point where the homes can be sold; what interior maintenance will be done by the landlord; will work force credit be incorporated into this development; what is the status of the commercial dedication;

will this community be taxed as commercial now; and what are the rental terms. Clif Poston, of Traton Homes, replied that it was an economic decision to move to a rental community; Mr. Moore stated that he would have to check for any other similar communities; there will be a set a covenants governing the subdivision as a whole and a third party management company; anything typical of a landlord maintenance upkeep such as appliances and does not exclude exterior; yes, they are looking into work force credit; that is correct and the commercial is being done as per the final plat; this community will be taxed at the full value to the owner; and the rental terms are a minimum of 12 months

The elected body shared their disappointment as partners and expressed that this was not what they had expected in this development. Mr. Poston answered that they are delivering the exact same product to the community; and that they had followed the plans that were laid out and it didn't occur that this was something Traton needed to do.

[ORD 23](#)  
[-003](#)

AN ORDINANCE TO AMEND THE BUDGET FOR FISCAL YEAR 2023 TO ALLOCATE RECEIPTS AND EXPENDITURES FOR VARIOUS DEPARTMENTAL AND CAPITAL BUDGETS; TO REPEAL CONFLICTING ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Proposed Budget Amendment 3-20-23 and 4-03-23](#)  
[ORDINANCE 2023 - 003 Budget Amendment](#)

Travis Sims, Finance Director, discussed the moving of \$23,411 out of the contingencies fund to contract labor fund to help fund the residential moratorium studies.

No discussion was held.

### **Dinner Recess at 6:30pm**

**A motion was made by Council Member - Ward 2 Dawkins, seconded by Mayor Pro Tem - Ward 1 Lust, that this Dinner Recess 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

### **Dinner Concluded at 7:00pm**

**A motion was made by Council Member - Ward 3 Green, seconded by Council Member - At Large Post 1 Bordelon, that this Dinner Conclusion at 7:00PM 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 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 2 Dawkins, that this Executive Session called 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 concluded from the purpose of Real Estate, Litigation and Personnel Matters.**

**A motion was made by Council Member - Ward 3 Green, seconded by Council Member - Ward 2 Dawkins, that this Dinner Conclusion at 7:00PM 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**

City Manager Pam Conner made no comments.

Council Member Dawkins made no comments.

Council Member Green made no comments.

Council Member Lust made no comments.

Council Member Bordelon made no comments.

Council Member Wisdom shared her notes from the Keep Powder Springs Beautiful meeting.

**Recess to Next Scheduled City Council Meeting**

**A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 1 Bordelon, that this Recess to March 20, 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