



City of Powder Springs

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

Meeting Agenda

City Council

Mayor

Albert Thurman

Council Members:

Henry Lust, Doris Dawkins, Dwayne Green, Dwight McMutry,

Patricia Wisdom

Tuesday, January 16, 2024

7:00 PM

Patricia C. Vaughn Cultural Arts Center
4181 Atlanta Street | Building 1
Powder Springs, GA 30127

Due to Martin Luther King Holiday

Onsite at Patricia Vaughn Cultural Arts Center - 4181 Atlanta Street

Join Zoom Meeting - <https://us06web.zoom.us/j/88912999495>

Meeting ID: 889 1299 9495 Dial: 1-929-205-6099

1. Call to Order

2. Invocation and Pledge of Allegiance

3. Approval of Minutes

[2024 -007](#) City Council Work Session Minutes 01/02/2024 at 5PM

[2024 -008](#) City Council Agenda Minutes 01/02/2024 at 7PM

[2024 -009](#) City Council Work Session Minutes 01/10/2024

4. Mayor's Comments

5. Citizens Comments

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 between 6:40 and 7:00 PM to register to speak.

6. Oath of Office

Police Department - Officer Conrad Wells
Development Authority of Powder Springs Re-Appointees - **After the reading
and vote of the Consent Agenda**

7. Public Reports | Presentations

Mauldin & Jenkins, Fiscal Year 2023 Overview

8. City Attorney

A. Consent Agenda

[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](#)

[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](#)

[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](#)

[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](#)

[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.24003 Marietta St](#)

[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](#)

[RES0 24-009](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH 44 BLUE PRODUCTIONS, LLC TO FILM AN INTERVIEW OF THE POLICE CHIEF INSIDE POLICE HEADQUARTERS; AUTHORIZING THE POLICE CHIEF TO EXECUTE A CERTAIN RELEASE; AUTHORIZING THE ISSUANCE OF A FILM PERMIT RELATING TO THE INTERVIEW; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 009 Film location agreement release and permit](#)

B. Regular Agenda | Public Hearing

[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](#)

[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.](#)

[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.](#)

[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](#)

The recommended motion is to table PZ 23-028 to February 5, 2024.

[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](#)

The recommended motion is to table PZ 23-031 to February 5, 2024.

[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](#)

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

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

[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](#)

9. City Manager and City Council Reports

10. Executive Session, if called for purposes of Real Estate, Litigation or Personnel Matters

11. Adjournment

Following adjournment of Council Meetings, the Mayor and various Council Members often remain at the City Council meeting location podium to sign ordinances, resolutions and contracts, greet and speak with citizens, and discuss current events. To the extent this activity may be considered a meeting under the Georgia Open Meetings Law, the public is hereby notified thereof, and invited to attend.

For more information regarding any of actions included on this agenda, please visit www.cityofpowdersprings.org | Agendas & Minutes and select applicable meeting date. Clicking on the blue link will open all detail related to the action. Please note additional supporting information for the City Council Agenda may still be added up through the day of the City Council Meeting.

ADA Statement - Accessibility to meetings: If you need the City to provide special accommodations in order to participate in the above meeting, please call Tamara Newkirk, Deputy City Clerk, at 770-943-1666, ext.303 or tnewkirk@cityofpowdersprings.org at least 48 hours before that meeting.