



City of Powder Springs

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

Meeting Minutes - Final Council Work Session

Wednesday, September 27, 2023

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/83210107781>
Meeting ID: 832 1010 7781 Dial: 1-929-205-6099**

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

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, Dwayne Eberhart, Tina Garver (Zoom), Travis Landrum (Zoom), Eric Meyer (Zoom), Shaun Myers (Zoom), Rosalyn Nealy, Tamara Newkirt, Travis Sims (Zoom), and Marsellas Williams (Zoom).

Mayor's Comments

Mayor Al Thurman made comments.

Work Session Matters

The meeting was led by Kelly Axt, City Clerk/Administrative Services Director.

[RPT 23-083](#) Presented by Rosalyn N. - Report-Human Resources

Attachments: [HR Council MT Rpt 10 2023](#)
[Benefits Brochure -- Elected Officials](#)

Rosalyn Nealy, Human Resources Director, provided updates on training, staffing, wellness and safety webinars, policies and procedures compliance, and insurance and benefits.

The Council body asked how many open positions are available; and what is the new federal mandate. Ms. Nealy answered that there are positions available in finance and the police departments; and the new federal mandate is for nursing mothers and the requirement is that employers have to supply a safe designated space.

[RPT 23-081](#)

Presented by Dwayne E. - Report - Railroad Quiet Zone

Dwayne Eberhart, Public Works Director, introduced Elizabeth Hudd of the Federal Railroad Administration.

Elizabeth Hudd, of the Federal Railroad Administration, provided a presentation of the railroad quiet zone diagnostics conducted July 18th 2023 at Angham Road, Finch Road and Huddleston Drive and provided recommendations.

Kelly Axt, City Clerk/Administrative Services Director, asked if only Angham Road is done will the trains still sound their horns at Finch Road; and if the City wanted a quiet zone all the way into town will all three crossings be treated. Ms. Hudd replied no and if the City establishes a quiet zone all three crossings will be apart of a quiet zone; and the City could do all three but Finch Road to Huddleston Drive will qualify with treatment at one or two crossings.

The Council body asked if there were anything to be done to Huddleston to make it a quiet zone; and what is the determined cost of all three quiet zones. Ms. Hudd answered if the City treat Angham and Finch the City is covered so Huddleson will not need to be treated; and the cost has not been determined but the City would have research the cost of the material.

[RPT 23-080](#)

Presented by Eric M. - Report - Road Condition Assessment

Eric Meyer, Development & Infrastructure Agency Executive Director, provided a presentation on pavement condition assessments, the comparisons of roadway conditions, pavement condition ratings and various budget levels.

The Mayor and Council body asked are there alternatives to milling and overlay. Mr. Meyer replied milling and overlay is the tried and true method.

[RPT 23-082](#)

Presented by Eric M. - Report - Silver Springs Way speed hump

Eric Meyer, Development & Infrastructure Agency Executive Director, presented an overview of the speed study collected as of June 2023 which did not support the installation of speed humps at this time and the speed hump policy.

The Council body shared that the residents are concerned with the speeding. The Mayor and Council body directed Staff to conduct another study for verification of initial data for future discussion.

[RPT 23-084](#) Presented by Pam C. - Report - Development & Infrastructure Agency

Eric Meyer, Development & Infrastructure Agency Executive Director, provided a presentation on intersection bottleneck and crash studies.

The Mayor and Council body asked if a development comes into any of the noted areas, would that change the approach and timeline to addressing these issues; and if the City can't widen certain roads what is the strategy to address traffic issues. Mr. Meyer answered yes each development has there own estimated traffic counts that would be generated whether it would be residential or commercial. City Manager Pam Conner added that the Croy Engineer has been asked to review those major travel corridors and provide recommendation plans for assessing growth impact; and Mr. Meyer stated that typically and cost effective is intersection improvements to address traffic issues.

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

Attachments: [Public Works Updates](#)

Dwayne Eberhart, Public Works Director, provided updates on the sanitation garbage collection, recycling, training and staffing, street maintenance and lighting, and new equipment.

The Council body asked for a dollar amount for the recycling center in terms of recycling; and what is the response of the residences to the recycling center. Development & Infrastructure Agency Executive Director Eric Meyer stated that the department does not have a dollar amount but does have tickets in terms of tonnage; and Mr. Eberhart answered that the response has been relatively good of the recycling center with Sunday usage increasing.

[RES0 23-182](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH C&M TREE SERVICE FOR AN AMOUNT OF \$25,000 TO REMOVE AND TRIM TREES LOCATED IN THE PUBLIC RIGHT OF WAY ON RICHARD D. SAILORS PARKWAY AND LEWIS ROAD; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Tree Trimming Redacted](#)
[RESOLUTION 2023 - 152 CM Tree Service](#)

Dwayne Eberhart, Public Works Director, discussed receiving two bids for tree trimming on Lewis Road and Richard D. Sailors Pkwy and tree removal on Powder Springs Road. Mr. Eberhart added that the recommendation was to award the contract to C&M Tree Service at a cost of \$25,000.

The Mayor and Council body asked how far does the contractors cut back the trees; and will there be actual tree removal. Mr. Eberhart replied that the Staff typically direct contractors to cut back to the edge of the trees; and trees will be removed as needed.

[RES0 23-183](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH S.H. CREEL CONTRACTING TO PAINT THE INTERIOR OF THE FORD CENTER RECEPTION HALL FOR AN AMOUNT OF \$15,655; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HARDY PAINTING CONTRACTORS, LLC TO PAINT THE FRONT PORCH OF THE SEVEN SPRINGS MUSEUM FOR AN AMOUNT OF \$7,000 PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 183 Painting](#)

Dwayne Eberhart, Public Works Director, discussed the painting of the inside of the Ford Reception Center and repainting of the Museum at the Bodiford House porch. Mr. Eberhart added that the recommendation is to award the contract to S.H. Creel at the higher cost because the other bidder did not provide a full bid as requested.

The Council body asked will the wall paper be removed. The Administrative Services Director Kelly Axt answered that the contractor will not remove the wallpaper but will skim over the wallpaper and then paint.

The museum paint quote was being confirmed to include the porch floor.

[RES0 23-184](#) A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE PARO STRATEGIES FOR CERTAIN PROFESSIONAL SERVICES RELATED TO GRANT OPPORTUNITIES FOR AN AMOUNT NOT TO EXCEED \$15,000; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 184 Paro Strategies](#)

Pam Conner, City Manager, introduced the presenters that will present a proposal to review the City's Strategic Plan for Capital Projects and needs. Mrs. Conner added that the company will do an assessment of the community and the types of foundational dollars or grant dollars available to assist in implementing capital projects.

Ryan West, of PARO Strategies, discussed that his company works with municipalities by looking at the various interests of the stakeholders, reviewing data, identify their needs and matching the funds to the municipalities.

Rupa DeLoach, economist, stated that they would look at what the City is presenting and create a strategy that aligns with the vision and plan of the City.

The Mayor and Council body asked would they look at a portion of the City or downtown; would they find grants to cover certain budgeted capital expenses; and are there any parameters around these possible grants. Mrs. Conner replied that they would look at the entire strategic plan to include areas identified for commercial development; these grants could be a supplement to capital expenses; and Mr. West answered that there are parameters around grants.

[PZ 23--024](#)

Special Use Request, to allow a Recovery Residence / Halfway House, per Table 2-1. The property is located at 3240 Dogwood Drive, within land lot 756 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19075600580.

Attachments: [PZ 23-024. Motion to Table. 10022023](#)

[Special Use Application Redacted](#)

[Tyler Howey's prepared statements](#)

Shaun Myers, Planning and Zoning Manager, introduced the special use application for a halfway house and abuse recovery home. Mr. Myers added that Staff and Planning and Zoning Commission recommend tabling the public hearing to November 6, 2023 due to the use of the home is not clear based on recent approved special use changes.

Tyler Howey, Special Use Applicant, read his prepared statement explaining the special use request and cited Fair Housing Act of 1988 as well as various case laws. Mr. Howey's prepared statements are attached to the PZ 23-024 minutes and attachments.

The Mayor, Council body and Mr. Howey discussed the mission and goals of the program, ages of the pending residents and sleeping arrangements within the home.

City Attorney Julie Livingston informed Mayor and Council that the Federal Fair Housing Act does require that the City treat people in recovery as disabled and within a family unit, however the residents are still required to meet normal requirements of a family. Mrs. Livingston added that the City's code does require 390 square feet per adult living in a house and would to this family unit, restrict the number of cars in a driveway. The City Attorney stated that the City is complying with the Federal Fair Housing Act.

[PZ 23--023](#)

Special Use request to allow front yard fences, per UDC Table 4-1. The property is located at 44287 Demesne Way, within land lot 727 of the 19th District, 2nd Section, and Cobb County, Georgia. PIN: 19072700550.

- Attachments: [PZ 23-023. Motion to DENY. 10022023](#)
[PZ 23-023. Motion to APPROVE. 10022023](#)
[Special Use Application Redacted](#)
[Exhibits. PZ 23-023 Redacted](#)

Shaun Myers, Planning and Zoning Manager, introduced the special use application to allow a front facing fence on 4428 Demesne Way. Mr. Myers added that Staff and Planning and Zoning Commission recommend denial because the yard is considered to be a front yard and the fence encroaches into the buffer. Mr. Myers also pointed out that the HOA via email informed Ms. Fashola was to contact local municipalities before construction of the fence.

Nekia Fashola, special use applicant, stated that she wasn't aware of the code violation and acknowledged that she received the email from HOA but assumed she was approved to construct the fence. Ms. Fashola is asking to keep the fence for her family's safety.

City Manager Pam Conner added that under the city ordinance any property that is backed up to road is considered a front yard, thus making a property having more than one front yard.

Dinner Recess at 6:45pm

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 2 Wisdom, that this Dinner Recess at 6:45 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 7:15PM

A motion was made by Council Member - Ward 2 Dawkins, seconded by Mayor Pro Tem - Ward 1 Lust, that this Dinner Recess conclude at 7:15PM 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 - At Large Post 2 Wisdom, 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 Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that this Executive Session conclude 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

City Manager and Council Reports

Council Member Lust made comments.

Recess to Next Scheduled City Council Meeting

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