



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 McMutry, Patricia
Wisdom*

Wednesday, October 2, 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/84651776050>

Meeting ID: 846 5177 6050 Dial: 1-929-205-6099

Call to Order

Mayor Albert Thurman called the meeting to order at 5:05 pm. Council Members Dawkins, Green, McMutry and Wisdom were present on site. Council Member Lust was present via Zoom. Also present on site were City Attorney Julie Livingston, City Manager Pam Conner and City Clerk Kelly Axt.

Staff in attendance: Lane Cadwell (Zoom), Phyllis Calloway, Jon Gargis, Tina Garver (Zoom), Shaun Myers (Zoom), Tamara Newkirt, Nicholas Poole, Travis Sims (Zoom), Henry Smith (Zoom) and Wayne Wright.

Mayor's Comments

Mayor Thurman shared that he attended the National Night Out and praised the Police Department on their presence; and that he attended the South Cobb Business Association Luncheon.

Work Session Matters

[RPT 24-080](#)

Trilogy Annual Update. Hill Road and Trillium Drive Projects, per conditions of PZ 22-018 + PZ 22-012, respectively.

Tina Garver, Community Development Director, discussed that Trilogy is required to provide an annual update and will do so at the 10/16 Work Session; that they are on

their way to obtain the LDP (land disturbance permit) for the Hill Road property; and the storm water conditions.

[RPT 24-081](#) Report - Municipal Complex update

Kelly Axt, Administrative Services Director, discussed the changes orders to comply with audio visual (AV) and information technology (IT) requirements.

Michael Upshaw, of Above the Cloud Media, added that technology changes every 5-8 years which why the City would need to carry warranty with these new installations.

Jim Moore, of VC3, stated that the life cycle is typically 5 years when vendors will stop supporting their devices.

Pam Conner, City Manager, provided an update on the Georgia Power relocation cost and delay change order. Mrs. Conner also recommended the move and relocation schedule of Staff and furniture.

[RPT 24-082](#) Report - reversal of property redemption discussion

Pam Conner, City Manager, discussed the previous owner's request to redeem the Palomino property from the Tax Sale to build a home for a family member.

[RPT 24-083](#) Report - Special Event Thurman Springs Park

Pam Conner, City Manager, discussed that an organization reached out to the City to hold an informational event to teach the public about voting and the allowance of food trucks with road closures at Thurman Springs Park.

[RES0 24-107](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AND STAFF TO ISSUE WORK ORDERS TO PERFORM CERTAIN STORMWATER REPAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 107 Stormwater Work Orders](#)
[Stormwater repairs work order approval memo for WS 10-2-2024](#)

Wayne Wright, ARPA Program Manager, discussed that there have been twelve projects that need immediate attention with five of them ready to award. Mr. Wright provided his recommendations for four trenchless repairs and one pipe replacement.

[RES0 24-132](#) 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.

Attachments: [RESOLUTION 2024 - 132 STWP and CIE transmittal](#)

Tina Garver, Community Development Director, discussed the requirement of the short term program to update to collect the impact fees. This is an annual requirement.

[RES0 24-133](#) A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE ANNUAL COMMUNITY RATING SYSTEM RECERTIFICATION FORM, INCLUDING A PROGRESS REPORT FOR THE HAZARD MITIGATION PLAN IMPLEMENTATION; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 133 Community Rating System Progress Report](#)

Tina Garver, Community Development Director, discussed the program for flood insurance premium reduction for the homeowners.

[RES0 24-134](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND STAFF TO SIGN A FINAL PLAT FOR WESTMONT PRESERVE PHASE II ON DUGGER DRIVE SUBMITTED BY MERITAGE HOMES OF GEORGIA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 134 Westmont Final Plat WESTMONT PRESERVE FINAL PLAT - PHASE 2 Redacted](#)

Tina Garver, Community Development Director, discussed the additional allowance of lots; and the interior portion of the development.

[RES0 24-135](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH REFLECTIONS OF TRINITY IN THE AMOUNT OF \$67,862 TO PERFORM FOOD DISTRIBUTION SERVICES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 135 Reflections Grocery at Tapp RFP 24-008 School Food Distribution Reflections proposal 9-17-2024](#)

Wayne Wright, ARPA Program Manager, discussed that GoodR renewal contract submittal was too high without the City soliciting bids; the City issued RFPs (Request For Proposals); and recommends Reflections of Trinity as the sole bid at \$67,862 for 1.5 years.

[RES0 24-136](#) A RESOLUTION ACCEPTING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE GEORGIA DEPARTMENT OF NATURAL RESOURCES RELATING TO LAND WATER CONSERVATION FUNDING ASSISTANCE FOR THE CITY OF POWDER SPRINGS PARK

PROJECT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 136 PS Park LWCF grant](#)
[13-01091 City of Powder Springs State Agreement Redacted](#)
[2023 GenProvisions](#)

Pam Conner, City Manager, discussed that the City was selected to receive the Land Water Conservation Fund grant to help offset some of the cost of the Powder Springs Park project.

[RESO 24-137](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO SETTLE A DISAGREEMENT BETWEEN THE CITY AND A PROPERTY OWNER REGARDING USE OF PROPERTY UNDER THE FAIR HOUSING ACT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 137 HUD Conciliation Agreement](#)

Julie Livingston, City Attorney, discussed the Dogwood sober living agreement; shared that the agreement follows the HUD (Housing and Urban Development) guidance; and outlines the City's responsive requirements.

[RESO 24-138](#) A RESOLUTION AUTHORIZING AND ACCEPTING CERTAIN DOCUMENTS PREPARED BY THE GEORGIA MUNICIPAL EMPLOYEE BENEFIT SYSTEM TO RE-ADOPT THE DEFINED BENEFIT RETIREMENT PLAN USING THE MOST RECENT IRS-APPROVED DOCUMENT TEMPLATES AND AS AN ORDINANCE PURSUANT TO OCGA 47-5-40; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 138 GMEBS restatement](#)
[RESO 2024-138 EXH A](#)
[Georgia Amendment 1 to DB Basic Plan Document](#)
[Georgia GMEBS DB Pre-Approved Basic Plan Document for Third 6-Year Cycle \(Final\) Redacted](#)
[Georgia Opinion Letter Defined Benefit Plan Third Cycle \(2020 Cumulative List\) \(4877-9792-2173.v1\) \(002\) Redacted](#)
[GMEBS-R; City of Powder Springs - 2023-2025 Defined Benefit Retirement Plan Restatement](#)
[Powder Springs AA 9 12 2024](#)
[Powder Springs AA 9 12 2024 Redacted](#)
[Powder Springs Addendum 9 12 2024](#)
[Powder Springs CM 9-12-2024 Redacted](#)

Josh Colley, discussed the defined benefit plans, current state of plan, provided specifics with the current plan and plan updates.

[RES0 24-139](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION TO RECEIVE FUNDING ASSISTANCE FOR A PICKLEBALL AND BASKETBALL FACILITY THROUGH THE GEORGIA DEPARTMENT OF NATURAL RESOURCES 2024-2025 LAND AND WATER CONSERVATION FUND GRANT PROGRAM; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 139 Grant for Pickleball BBall LWCF](#)

Pam Conner, City Manager, discussed that the City will submit grant applications to the Land Water Conservation Fund for pickleball and basketball projects to help lessen the use of SPLOST (Special Purpose Local Option Tax); and the implementation of an outdoor conservation park plan.

[RES0 24-140](#) A RESOLUTION APPROVING THE FULL GRANT AWARD AND ENGINEERING COSTS FOR THE OLD LOST MOUNTAIN TRAIL PROJECT AND THE AUSTELL POWDER SPRINGS ROAD ROUNDABOUT PROJECT; LIMITING THE NOTICE TO PROCEED FOR SPECIFIED TASKS FOR EACH PROJECT TO CERTAIN NOTIFICATION REQUIREMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 140 APS and OLM projects](#)

Pam Connor, City Manager, discussed the updating of a previously approved resolution to reflect the award amount that GDOT (Georgia Department of Transportation) will provide.

[RES0 24-141](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ITS AUDIO-VISUAL CONSULTANT ABOVE THE CLOUD TO UPDATE AND EXPAND THE VISIT POWDER SPRINGS VIDEO COLLECTION RELATING TO MARKETING AD CITY OPERATIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 141 community outreach](#)

Pam Conner, City Manager, discussed marketing videos produced by Above the Cloud Media as public relations for the City.

[RES0 24-142](#) A RESOLUTION APPROVING CERTAIN DESIGN STANDARDS RELATING TO DEVELOPMENT WITHIN THE CITY OF POWDER SPRINGS; AUTHORIZING THEIR APPLICATION IN THE CURRENT DEVELOPMENT PROCESS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 142 Design Standards approval](#)

[RESO 2024-142 EXH A](#)

[24034 Powder Springs Design](#)

[Guidelines REPORT 240723 100%Document low-res](#)

Tina Garver, Community Development Director, discussed the adoption of site design and building material styles recommended for new development by TSW.

[RES0 24-143](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH STARS AND STRIPES AS THE VENUE FOR THE WINTER EMPLOYEE APPRECIATION EVENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 143 Employee Appreciation Event venue](#)

Pam Conner, City Manager, discussed the contract to hold the December 12, 2024 Employee Appreciation Luncheon at Stars and Stripes in Dallas GA.

[PZ 24-017](#) Rezoning Request of a 17.7-acre tract, and rezone from NRC (county) to LI (city). The property was previously annexed via GA General Assembly HB 1500. The property is located at 3969 & 3989 Flint Hill RD within land lot 911, of the 19th district, 2nd section, Cobb County Georgia. PINs: 19091100020, 19091100060

Attachments: [PZ24-017. Motion to TABLE. 10072024](#)

[PZ 24-147 Tabled to Oct 7](#)

[Signed PZ 24-017 Motion to Table to 08-19-24](#)

[Letter to the Council. 08.20.2024](#)

[Prepared Statement. Serious Tree Service Redacted](#)

[Revised Site Plan. 7-9-24](#)

[Phase I ESA Report - Serious Tree Services - 07.25.2024](#)

[Sound Check + Dust Suppression System schematic](#)

[Tabled Motion to July 15th PZ 24-017](#)

[HB 1500. Annexation](#)

[Rezoning. 3969 + 3989 Flint Hill Rd Redacted](#)

[Site Plan. 3969 + 3989 Flint Hill Rd Redacted](#)

Shaun Myers, Planning and Zoning Manager, discussed the rezoning request to LI (light industrial) and the proposal to upgrade their onsite tree service.

Joel Larkin, of Sams Larkin & Huff LLP, provided documents to address the zoning districts, surrounding commercial uses, manufacturing information of the proposed equipment, and measurements of distance of the concerned citizens to the equipment placement.

[PZ 24-027](#) Variance Request. To vary UDC Table 2-2 minimum dimensional requirements for

accessory structures greater than 144-sf. The property is located at 3654 Hopkins Court, within land lots of the 19th district, 2nd section, Cobb County Georgia. PIN: 19079400710

Attachments: [PZ 24-027. Motion to DENY. 10072024](#)

[PZ 24-027 Tabled to Oct 7](#)

[3654 HOPKINS CT SW Redacted](#)

Shaun Myers, Planning and Zoning Manager, discussed the variance application to allow a two story accessory storage built without a permit to remain.

Staff and Planning and Zoning Commission recommend denial of the application.

Florencia Borja, variance applicant, requested to allow the shed to remain as is.

[PZ 24-029](#)

Rezoning Request to rezone an approximate 4.9-Acre Tract from R-20 to PUD-R. The property is located at 3720 and 3716 Powder Springs Rd, within land lots 833 and 870, 19th District, 2nd Section, Cobb County, Georgia. PINs: 19087000010, 19087000150.

Attachments: [PZ 24-029. Motion to Table. 10072024](#)

[2024-8-12 NELSON - POWDER SPRINGS](#)

[Zoning Appl Pkg-Mike Nelson-3716 & 3720 Powder Springs Road Redacted](#)

Shaun Myers, Planning and Zoning Manager, discussed the rezoning request to be tabled to allow the completion of a traffic study.

[PZ 24-030](#)

Change in variance conditions of PZ24-022 to allow congregation in office/broadcasting suite 155; to vary 20% maximum allowed window sign coverage; to allow additional suite 180. The property is located at 4110 Austell Powder Springs Road Suites 130 and 155, within land lots 946, 19th District, 2nd Section, Cobb County, Georgia. PIN: 19094600260

Attachments: [PZ24-030. Motion to Approve. 10072024](#)

[Modified Door Sign. Submitted 10.02.2024](#)

[PZ 24-030 Tabled to Oct 7](#)

[4110 AUSTELL POWDER SPRINGS RD STE 155 REV](#)

[Modification of variance conditions Redacted](#)

[Window Sign Redacted](#)

[Owner's Authorization](#)

Shaun Myers, Planning and Zoning Manager, discussed the variance application for a third additional space and approval of the church signage.

Staff recommend denial of the additional space and recommend approval of the signage proposal.

Anthony Guidry, variance applicant, discussed his request to temporarily hold children worship in the third space until the current renovation project is complete.

[PZ 24-031](#) Rezoning Request. To modify the conditions of Rezoning Approval PZ21-014, for Selig Enterprises (Heartwood Apartments). The property is located at 4493 Brownsville Road within Land Lots 1025,1026, 1027, 1047, 19th District, 2nd Section, and Cobb County, Georgia.

Attachments: [PZ 24-031. Motion to Table. 10072024](#)

[PZ 24-031 Tabled to Oct 7](#)

[4391 Brownsville Rd - Proposed Outparcels Site Plan 08-20-24](#)

[4391 Brownsville Rd - Proposed Restaurants Site Plan 08-20-24](#)

Tina Garver, Community Development Director, discussed the request of the developer to change site plan and additional curb cuts; and shared Staff concerns for traffic and drive-thru location.

Adam McDowell, of Selig, shared that Selig would like to market the parcel for commercial use with and access off Brownsville Road. He stated Selig will need to have curb cuts on Brownsville Road to attract possible occupants to the site(s). He further stated that Selig is willing to conduct a traffic study and provide the report to the City.

[PZ 24-032](#) Variance Request. To vary table 2-2 minimum setback requirements for accessory structures greater than 144-sf; to allow impervious lot coverage greater than 35%. The property is located at 3403 Redwood Forest LN SW within land lots 821 of the 19th district, 2nd section, Cobb County Georgia. PIN: 19082100460

Attachments: [PZ24-032. Motion to Approve. 10072024](#)

[Variance Application. 3403 Redwood Forest Ln Redacted](#)

[Gazebo Images](#)

[Survey](#)

Shaun Myers, Planning and Zoning Manager, discussed the variance application to allow an already built gazebo and shed without a permit.

Staff recommends approval of the variance application.

Louis Roberts, variance applicant, requests to keep the gazebo and shed as built and shared that he did replant trees in the undeveloped HOA common land.

[ORD 24
-016](#)

Ordinance - Outdoor Burning

1st Reading - 9/16/24 2nd Reading and Public Hearing - 10/7/24

Pam Conner, City Manager, discussed the request by Cobb County Fire the enforcement of outdoor burning provisions placed in City Court by code enforcement officers.

[2024 -072](#)

Proclamation - Public Safety Appreciation

Attachments: [Public Safety Appreciation Week 2024](#)

Pam Conner, City Manager, discussed the proclamation to recognize Public Safety Appreciation week.

[2024 -066](#)

Proclamation - Building and Code Staff Appreciation

Pam Conner, City Manager, discussed the proclamation recognizing Building and Code Staff Appreciation Day.

Dinner Recess at 6:28pm

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that this Dinner Recess at 6:28pm be approved. The motion carried by the following vote:

Yes: 5 - Henry Lust, Doris Dawkins, Dwayne Green, Dwight McMutry, and Patricia Wisdom

Dinner Recess concluded at 6:58pm

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - Ward 2 Dawkins, that this Dinner Recess conclusion at 6:58pm be approved. The motion carried by the following vote:

Yes: 5 - Henry Lust, Doris Dawkins, Dwayne Green, Dwight McMutry, and Patricia Wisdom

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

No executive session was held.

City Manager and Council Reports

City Manager Pam Conner provided a report for a possible resolution at a later date for the Broad Street name change; provided updates for the Public Safety luncheon hosted by the Cobb Chamber; topping off ceremony hosted by McCallum November 1st from 11:30am-1:30pm at the site of the new Municipal Complex; Military Day at Cobb Galleria November 7th 11am-1pm; Volunteer Banquet and the Employee Appreciation Luncheon both on December 12th; Citywide refresher on retirement benefits and financial services; and safety training with Staff and with the public.

Council Member Wisdom welcomed everyone that joined the meeting in person as well as online.

Council Member McMutry thanked everyone for attending the meeting; and shared that he will be attending the McEachern High School Homecoming Parade.

Council Member Lust thanked everyone for attending the meeting in person and online.

Council Member Green shared his peace and blessings.

Council Member Dawkins shared that she attended the Georgia Municipal Association luncheon for the 3rd District earlier in the day.

Recess to Next Scheduled City Council Meeting

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 2 Wisdom, that this Recess to Monday October 7, 2024 at 6:30pm be approved. The motion carried by the following vote:

Yes: 5 - Henry Lust, Doris Dawkins, Dwayne Green, Dwight McMutry, and Patricia Wisdom