



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, September 11, 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/88094798444>

Meeting ID: 880 9479 8444 Dial: 1-929-205-6099

Call to Order

Mayor Albert Thurman called the meeting to order at 5:00 pm. All Council Members present on site. Council Member Dawkins arrived at 6:05pm. Also present on site were City Attorney Julie Livingston, City Manager Pam Conner and City Clerk Kelly Axt.

Staff in attendance: Brian Allen (Zoom), Lane Cadwell (Zoom), Phyllis Calloway, Dwayne Eberhart (Zoom), Jon Gargis, Tina Garver (Zoom), Sam Heaton, Travis Landrum (Zoom), Shaun Myers (Zoom), Tamara Newkirt, and Travis Sims (Zoom).

Mayor's Comments

Work Session Matters

[RES0 24-122](#)

A RESOLUTION AUTHORIZING THE TEMPORARY USE AND CLOSURE OF THURMAN SPRINGS PARK AND SURROUNDING ROADS ON OCTOBER 26, 2024 FROM 9AM TO 4PM TO ACCOMMODATE A TEMPORARY EVENT HOSTED BY LINKEDUP CHURCH; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 122 Temp Event Permit Blocktoberfest](#)
[Blocktober Fest App Redacted](#)
[Blocktober Fest Permit Request Redacted](#)

Presented by Parks and Rec Director Travis Landrum - event date October 26.

[RES0 24-125](#) A RESOLUTION AUTHORIZING THE CLOSURE OF NEW MACLAND ROAD, AND AFFECTED SIDE STREETS, FROM MACEDONIA ROAD TO THE CITY’S NORTHERN BOUNDARY LIMITS TO ACCOMMODATE THE MCEACHERN HIGH SCHOOL HOMECOMING PARADE ON OCTOBER 2, 2024; AUTHORIZING NECESSARY TRAFFIC CONTROL BY THE POLICE AND PUBLIC WORKS DEPARTMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 125 McEachern Parade](#)
[Parade Permit.pdfMcEachernOctober 2, 2024 Redacted](#)
[map of parade routeOctober2-2024](#)

Travis Landrum, Parks and Recreation Director, discussed the request to allow a Homecoming Parade for McEachern High School October 2nd from 5:00pm - 6:30pm. Cobb County and Powder Springs will provide assistance.

[RPT 24-069](#) Report - Design Standards

Attachments: [24034 Powder Springs Design Guidelines REPORT 240723 100%Document low-res](#)

Allison Sinyard, of TSW, provided a presentation of developer architectural design guidelines.

[RPT 24-070](#) Report - Approval of Work Orders for storm water repairs

Presented by Wayne Wright - provided an overview of the final stages of getting work orders issued with an explanation the City is confirming best pricing. He stated the authorizing action should be before Mayor and Council in October.

[RPT 24-077](#) Report - Private Streets. Nature Walk proposes a controlled access gated subdivision at Story Road.

Attachments: [Entrance Wall Plan - NATUREWALK - 8-28-24 Redacted](#)
[Naturewalk Response Letter](#)
[Sec. 8 68. Private streets.](#)
[Sec. 15 75. Additional specifications for final plats involving private streets.](#)
[Sec. 15 76. Purchaser s acknowledgement for lot served by private street.](#)

Kevin Moore, Attorney, discussed a proposal for a gated entrance for the new development David Pearson community on Story Road. Mr. Moore detailed David

Pearson successful implementation of similar gated communities and stated they provide seed money to the HOA for future maintenance needs.

[RPT 24-078](#) Report - Building Permit fees (in compliance with newly adopted state law).

Attachments: [Complex and long duration projects fee schedule](#)
[Powder Springs Fee Comparison](#)

Community Development Director Tina Garver presented this matter. She stated there was a state legislative change relating to how building fee are to be calculated by square footage. This action will be needed to bring the City into compliance with July 1st implementation.

[RES0 24-123](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GOODWIN MILLS & CAWOOD TO COMPLETE THE 5-YEAR UPDATE TO THE STORMWATER MANAGEMENT PLAN FOR A SUM OF \$24,570; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 123 Stomwater Mgmt Plan Update](#)
[SWMP Approval Memo 09162024](#)

Community Development Director Tina Garver presented this matter. Ms. Garver provided an overview including compliance, requirements and scope. She stated the plan covers the entire city,

[RES0 24-126](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE ATLANTA REGIONAL COMMISSION TO PARTICIPATE IN AND ACCEPT FUNDS THROUGH THE LIVABLE CENTERS INITIATIVE PROGRAM TO PREPARE A NEW AND UPDATED LCI PLAN; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 126 ARC LCI PLAN](#)
[Contract Forms](#)
[Subgrantee Boilerplate](#)
[Powder Springs Attachment A and B DRAFT](#)

Community Development Director Tina Garver presented this matter. Ms. Garver provided an overview of the scope, timeline and funding/match for the city's LCI Study grant from ARC.

[ORD 24](#)
[-016](#) Ordinance - Outdoor Burning
1st Reading - 9/16/24 2nd Reading and Public Hearing - 10/7/24

Pam Conner, City Manager, discussed that Cobb County regulates outside burning, and that the City was requested to update the City ordinance to match the County's ordinance. It further allows for compliance/code enforcement issues to heard in the

City's Municipal Court.

[ORD 24-012](#)

AN ORDINANCE TO ANNEX CERTAIN PROPERTY FROM THE UNINCORPORATED AREAS OF COBB COUNTY TO THE CORPORATE LIMITS OF THE CITY OF POWDER SPRINGS; REPEALING CONFLICTING ORDINANCES; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

First Reading: 05/20/2024. Second Reading: 06/03/2024

- Attachments:** [ORDINANCE 2024 - 012 Annexation Ordinance Elliott Road](#)
[Annexation Application - 5500 Elliott Road - 04-23-2024 Redacted](#)
[Legal Description](#)
[Site Map Location](#)
[Site Plan - 04-22-2024 Redacted](#)
[Survey - 04-03-2024 Redacted](#)
[Cobb County Notice of Non-Objection 5500 Elliott Rd](#)

Kevin Moore, Attorney, is requesting to table the matter to the October 7, 2024 meeting. Mr. Moore stated Traton is planning to also develop across the street and is working to bring a comprehensive action for both matters.

Related Actions: ORD 24-012 & PZ 24-014

[PZ 24-014](#)

Rezoning Request for a 29.6-acre tract, to rezone from R-30 (county) to PUD-R (city). The property is located at 5500 Elliott Road within land lots 598, 599, 660, 661, of the 19th district, 2nd section, Cobb County Georgia. PIN: 19066000060.

- Attachments:** [Updated Site Plan. 05152024 Redacted](#)
[24-117 - Trip Generation Memo - Elliot Road Res Dev, City of Powder Springs, GA](#)
[PZ24-014. site plan, TSW mark-up, floodplain impact, renderings.](#)
[Signed PZ 24-014 Motion to Table to 09-16-24](#)
[Tabled Motion to July 15th PZ 24-014](#)
[List of Requested Variances](#)
[Rezoning Application - 5500 Elliott Road - 04-23-2024 Redacted](#)
[Site Map Location](#)
[Site Plan - 04-22-2024 Redacted](#)
[Survey - 04-03-2024 Redacted](#)
[Cobb County Notice of Non-Objection 5500 Elliott Rd Redacted](#)

Kevin Moore, Attorney, is requesting to table the matter to the October 7, 2024 meeting. Mr. Moore stated Traton is planning to also develop across the street and is working to bring a comprehensive action for both matters.

Related Actions: ORD 24-012 & PZ 24-014

[PZ 24-013](#) Variance request to UDC 8-92(e) to allow a privacy fence to encroach into the drainage easement. The property is located at 4444 Quilter Street, within land lot 680 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19068000490.

Attachments: [Signed Motion to Table to 09-16-24](#)
[Tabled Motion to July 5th PZ 24-013](#)
[Variance App. 4444 Quilter Redacted](#)

Linh Le, variance applicant, requested a continuance to October 7, 2024 to determine an amount of time and money it would cost to remove the fence.

[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: [Signed PZ 24-017 Motion to Table to 08-19-24](#)
[PZ24-017. Motion to Approve. 08192024](#)
[Letter to the Council. 08.20.2024](#)
[Prepared Statement. Serious Tree Service](#)
[Revised Site Plan. 7-9-24](#)
[Phase I ESA Report - Serious Tree Services - 07.25.2024](#)
[Sound Check + Dust Supression 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](#)

PZ 24-017 has been tabled to October 7, 2024.

[PZ 24-020](#) Rezoning Request for a 18.22-acre tract, to rezone from R-30 to PUD-R. The property is located at 5535 + 5551 Powder Springs Dallas Road within land lots 734, 735, 746 of the 19th district, 2nd section, Cobb County Georgia. PIN: 19073400030, 19074600050.

- Attachments: [Revised Site Plan. 09.09.2024](#)
[Traffic Assessment. 5535 Powder Springs Dallas Residential](#)
[Signed PZ 24-020 Motion to Table to 09-16-24](#)
[2024.08.22 - Zoning Plan w highlighted variances](#)
[State Waters Findings Report](#)
[Elevations](#)
[Rezoning Application. 5535, 5551 Powder Springs Dallas Road Redacted](#)
[LEGAL DESCRIPTION](#)

Kevin Moore, Attorney on behalf of the applicant, discussed that they have conducted a community meeting for review of the project. Mr. Moore and Mr. Coon provided an overview of the plans to address floodplain issues.

Dan Coon, Project Engineer, discussed the 26 town homes and 24 detached single-family homes.

Related: PZ 24-020 & PZ 24-021

[PZ 24-021](#) Floodplain Variance for a 18.22-acre tract, to rezone from R-30 to PUD-R. The property is located at 5535 + 5551 Powder Springs Dallas Road within land lots 734, 735, 746 of the 19th district, 2nd section, Cobb County Georgia. PIN: 19073400030, 19074600050.

- Attachments: [2024.09.09 - Zoning Plan with Fence](#)
[2024.08.07 - SF and TH mix w Decel](#)
[2024.08.22 - Zoning Plan w highlighted variances](#)
[State Waters Findings Report](#)
[2024.06.01 - Floodplain Variance Request - Both Parcels Redacted](#)
[Barrom signed flood plain variance doc 5551 PS Dallas Redacted](#)
[BLOSSER_BRADSHAWn Flood plain variance doc 5535 PS Dallas Redacted](#)
[Signed PZ 24-021 Motion to Table to 09-16-24](#)

Kevin Moore, Attorney on behalf of the applicant, discussed that they have conducted a community meeting for review of the project. Mr. Moore and Mr. Coon provided an overview of the plans to address floodplain issues.

Dan Coon, Project Engineer, discussed the 26 town homes and 24 detached single-family homes.

Related: PZ 24-020 & PZ 24-021

[PZ 24-027](#) Variance Request. To vary table 2-2 minimum dimensional requirements for accessory structures greater than 144-sf; to allow impervious coverage greater than

the maximum allowed 50%. The property is located at 3654 Hopkins Court, within land lots of the 19th district, 2nd section, Cobb County Georgia. PIN: 19079400710
TO BE TABLED TO OCTOBER

Attachments: [PZ 24-027. Motion to Table. 09162024](#)
[3654 HOPKINS CT SW Redacted](#)
[PZ24-027. Presentation](#)

To be tabled to October , 2024 City Council Meeting - Community Development
Director Tina Garver

[PZ 24-028](#) Variance Request. To vary table 2-4 minimum dimensional requirements for a lot split. The property is located at 3180 Florence Road, within land lot 675 of the 19th district, 2nd section, Cobb County Georgia. PIN: 19067500020

Attachments: [PZ 24-028. Motion to Approve. 09162024](#)
[Royre Variance Request 7-18-24 Redacted](#)
[Site plan](#)
[PZ24-028. Presentation](#)

Roy Sparks, variance applicant, discussed the proposal to split one large parcel into two separate parcels.

[PZ 24-030](#) Variance Request. To modify the conditions of Variance Approval PZ24-022, for Intentional Church, to allow congregation in office/broadcasting suite 155; to allow window sign greater than 20% coverage; and to allow the use of suite 150. 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
TO BE TABLED TO OCTOBER

Attachments: [PZ 24-030. Motion to Table. 09162024](#)
[4110 AUSTELL POWDER SPRINGS RD STE 155 REV](#)
[Modification of variance conditions.](#)
[Window Sign](#)

PZ 24-030 requested to table to October 7, 2024.

[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. 09162024](#)
[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 that the developer wants

to develop commercial and the issued relating to existing traffic/curb cut on Brownsville Road. The request is to table PZ 24-031 to October 7, 2024.

[RPT 24-076](#) Report - code enforcement update

Phyllis Calloway, Interim Agency Director, reported on the latest code - observation only - violations, un-permitted events, and citizen complaints of the food truck park.

Mayor and Council clarified Code Enforcement to cite violations/enforce compliance, as needed.

[RES0 24-128](#) A RESOLUTION DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF FURNITURE, FIXTURES AND EQUIPMENT REMOVED FROM THE OLD CITY HALL, COMMUNITY DEVELOPMENT AND MUNICIPAL COURT FACILITIES AND CURRENTLY LOCATED IN STORAGE, INCLUDING THROUGH AUCTION, YARD SALE, SAME-DAY-REMOVAL OR SIMILAR MEANS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Attachments: [RESOLUTION 2024 - 128 SURPLUS](#)

Kelly Axt, Administrative Services Director, discussed the proposal for a yard sale, auction or removal of the used furniture in storage from the old City Hall, Community Development and Municipal Court offices.

[RES0 24-124](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH AMERICAN TOWERS, INC. PERTAINING TO REAL PROPERTY AND CELL TOWER LOCATED ON POWDER SPRINGS DALLAS ROAD; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 124 Cell Tower](#)
[RESO 2024-124 EXH A](#)

City Manager Conner provide a review of the proposed agreement for the expansion of the Cell Tower on Powder Springs Dallas Road.

[RES0 24-127](#) A RESOLUTION DIRECTING AND CONFIRMING CERTAIN EQUAL ACCESS BY UNINCORPORATED AREA RESIDENTS TO CITY OWNED PARKS FACILITIES, RECREATION PROGRAMS, LIBRARIES AND SENIOR SERVICE FACILITIES; APPROVING AN EXTENSION OF THE CITY'S AGREEMENT WITH THE COMMUNICATIONS TEAM; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 127 SDS equalization and communications](#)

Pam Conner, City Manager, discussed that Cobb County requested that County residents are not treated differently with respect to park rentals; and to keep the

current communications team in place.

[RPT 24-068](#)

Report - Correction to Resolution - Powder Springs Austell Roundabout

Pam Conner, City Manager, discussed the correction of the previously approved resolution of the fixed fee to \$22,878.

[RPT 24-072](#)

Report - Proclamations - Four

9/1 Building & Code Staff Day

9/14-9/18 Finance & Accounting Appreciation Week

9/17 IT Professionals Day

9/26 Human Resource Professional Day*

Pam Conner, City Manager, discussed the four proclamations to be introduced at the Council Meeting Monday September 16, 2024.

[RPT 24-073](#)

Report - Grant on railroad elimination

Pam Conner, City Manger, discussed that Cobb County DOT, Georgia Department of Transportation and Norfolk Southern support the closing of three railroad crossings: Huddleston, Angham and Finch Roads or safety concerns. All parties would contribute to the coat of the project.

[RPT 24-074](#)

Report - Property Redemption - Purchaser Request to Vacate

Pam Conner, City Manager, discussed that the previous property owner is proposing to buy back the Mistymorn property sold at the tax auction. This matter may be considered at the next City Council meeting at the direction of Mayor and Council.

[RPT 24-075](#)

Report - Marketing - Video Updates

Pam Conner, City Manger, discussed that Above the Cloud Media will be doing an updated "Welcome to Powder Springs" tourism video.

[RPT 24-079](#)

Report - Buck Court

City Manager Conner provide an overview of an older variance regarding to the development of up to four parcels on Buck Court.

Dinner Recess at 6:48pm

A motion was made by Council Member - At Large Post 1 McMutry, seconded by Mayor Pro Tem - Ward 1 Lust, that this Dinner Recess at 6:48pm 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 7:19pm

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - At Large Post 1 McMutry, that this Dinner Recess conclude at 7:19pm be approved. The motion

carried by the following vote:

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

Executive Session was called for the purpose of Real Estate, Litigation and Personnel Matters

A motion was made by Council Member - Ward 3 Green, seconded by Mayor Pro Tem - Ward 1 Lust, that this Executive Session for Personnel, Real Estate and Litigation matters at 6:04 PM was approved. The motion carried by the following vote:

Yes: 4 - Henry Lust, Dwayne Green, Dwight McMutry, and Patricia Wisdom

Absent: 1 - Doris Dawkins

Executive Session was concluded from the purpose of Real Estate, Litigation and Personnel Matters

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 1 McMutry, that this Executive Session conclude at 6:48 PM 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, Dwight McMutry, and Patricia Wisdom

City Manager and Council Reports

City Manager Pam Conner shared that Interim Agency Director Sam Heaton would be leaving the City for family obligations as of 9/15. She also requested a count/guest name for Council for Quality Growth

Council Member Dawkins - no report

Council Member Green - no report

Council Member Lust - Thanked everyone online and staff ; Wished Mr. Heaton the best.

Council Member McMutry - reminded everyone to remember 911

Council Member Wisdom - Thanked everyone online and staff ; wished all a pleasant rest of the week; reminded everyone ab out the Brown Bag lunch series on Thursday

Recess to Next Scheduled City Council Meeting

A motion was made by Council Member - Ward 2 Dawkins, seconded by Mayor Pro Tem - Ward 1 Lust, that this Recess to Monday September 16, 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