

City of Powder Springs

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

Meeting Minutes - Final Council Work Session

Wednesday, July 12, 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/89027288173 Meeting ID: 890 2728 8173 Dial: 1-929-205-6099

Call to Order

Mayor Pro Tem Lust called the meeting to order at 5:00 pm. Mayor Al Thurman was absent. All Council Members were present on site. Also present on site were City Attorney Julie Livingston, and City Clerk Kelly Axt. City Manager Pam Conner was absent.

Staff in attendance: Lane Cadwell, Dwayne Eberhart (Zoom), Tina Garver, Shaun Myers (Zoom), Erick Meyer, Tamara Newkirt, Chris Pike (Zoom), Travis Sims (Zoom), Anthony Stallings, Bill Tanks, Marsellas Williams (Zoom).

Mayor's Comments

Mayor Thurman was absent.

Work Session Matters

Executive Director Bill Tanks served in Mrs. Conner's absence.

Report - Investments Update and Moody's Rating

Attachments: PS FY23 Investments Recap

2023 Powder Springs (City of) (GA) Rating Change (Moody's Upgrade to

<u>Aa1)</u>

PS FY23 Investments Recap

Chris Pike, Chief Financial Officer, provided a presentation of the fiscal year 2023 investments earnings of \$1,007,609.19 and bond rating that went from AA1 to AA2.

No discussion was held.

RPT 23-063 Report - Financial Update

Attachments: Budget vs. Actual 04-30-2023

Budget vs. Actual 05-31-2023

Cash Balance (GL) 04-30-2023

Cash Balance (GL) 05-31-2023

Future Capital Projects Cash Reconciliation

Travis Sims, Finance Director, discussed the budget to actual report and cash balances as of April 30, 2023.

No discussion was held.

RPT 23-064 Report - ARPA Update

Report 23-064 has been postponed to August 16, 2023.

RPT 23-065 Report - Seafood Festival After Action Report

Bill Tanks, Public Services, Equity and Inclusion Agency Executive Director, discussed the successes and areas of improvement of the recent festival.

No discussion was held.

RESO 23-136 A RESOLUTION ACCEPTING AND AUTHORIZING THE MAYOR TO

EXECUTE AN AGREEMENT WITH INNOVATIVE BUILDING MAINTENANCE FOR JANITORIAL SERVICES AT CITY FACILITIES FOR

AN ANNUAL AMOUNT OF \$50,552; PROVIDING FOR AN EFFECTIVE

DATE; AND FOR OTHER PURPOSES.

<u>Attachments:</u> RESOLUTION 2023 - 136 Janitorial Services Innovative Bldg

Summary[^]J Janitorial Services

Dwayne Eberhart, Public Works Director, discussed the janitorial services recommendation of Innovative Building Maintenance. Mr. Eberhart added that there were competitive bids through RFP.

No discussion was held.

RESO 23-137 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CERTAIN

MEMORANDUM OF UNDERSTANDING WITH THE SOUTH COBB ARTS ALLIANCE FOR THE IMPLEMENTATION OF THE GRANT FUNDS AWARDED TO THE CITY OF POWDER SPRINGS BY THE AMERICAN ASSOCIATION OF RETIRED PEOPLE RELATING TO AN ART

PLACEMAKING PROJECT; PROVIDING FOR AN EFFECTIVE DATE; AND

FOR OTHER PURPOSES.

Attachments: Bicycle Art Powder Springs MOU with SCAA

DUAL-PLATE-BB-MLKJ-SAMPLE (003)

RESOLUTION 2023 - 137 SCAA MOU for art project

Marsellas Williams, Economic Development Director, discussed the partnership with South Cobb Arts Alliance to find and manage an artist for the bike art installation project as part of the Placemaking Program.

No discussion was held.

RESO 23-138 A RESOLUTION DECLARING AS SURPLUS AND AUTHORIZING

DISPOSITION OF POLICE DEPARTMENT VEHICLES; PROVIDING AN

EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: RESOLUTION 2023 - 138 Surplus of PD Vehicles

20230714 100822

20230714 100807

20230714 100828

20230714 100841

20230714 100908

20230714 100915

Lane Cadwell, Police Chief, discussed the surplusing of unusable police vehicles.

No discussion was held.

RESO 23-139 A RESOLUTION ACCEPTING AND APPROVING THE PURCHASE OF A

SCOUT VIDEO COLLECTION UNIT FROM MIOVISION TECHNOLOGIES INCORPORATED FOR AN AMOUNT OF \$4,116.00 FOR TRAFFIC DATA COLLECTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER

PURPOSES.

Attachments: Miovision 06202023 Redacted

2023 Miovision RESO

Eric Meyer, Development & Infrastructure Agency Executive Director, discussed the use of new technologies to collect traffic counts of motor vehicles, pedestrians and bievelos

bicycles.

No discussion was held.

RESO 23-141 A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND

COUNCIL TO EXECUTE AN AGREEMENT WITH WATT COMMERCIAL SWEEPING, INC. TO CONDUCT SWEEPING ON VARIOUS STREETS IN

THE CITY IN THE AMOUNT OF \$61,500.00

Attachments: Estimate 1448 Redacted

RESOLUTION 2023 - 141 Watt Commercial Sweeping renewal

Dwayne Eberhart, Public Works Director, discussed the recommendation for monthly street sweeping by Watt Commercial Sweeping.

No discussion was held.

RESO 23-142 A RESOLUTION ACCEPTING AND AUTHORIZING THE MAYOR TO

EXECUTE AN AGREEMENT WITH PESTMASTER FOR MONTHLY PEST CONTROL SERVICES AT CITY FACILITIES FOR AN ANNUAL COST OF \$5,946; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER

PURPOSES.

Attachments: RESOLUTION 2023 - Pestmaster Pest Control Services

Cost Tabulation^J Pest control

Dwayne Eberhart, Public Works Director, discussed the recommendation of Pest Master for monthly pest control services. Mr. Eberhart added that there were competitive bids.

No discussion was held.

RESO 23-143 A RESOLUTION DECLARING AS SURPLUS AND AUTHORIZING THE

DISPOSITION AND SALE OF CERTAIN MUNICIPAL PROPERTY

LOCATED AT 3862 MISTY BLEAU DRIVE; AUTHORIZING THE MAYOR

TO EXECUTE A SURPLUS OF QUIT CLAIM DEED AND OTHER

CONVEYANCE OR PROPERTY DOCUMENTS REQUIRED TO

EFFECTUATE SAME; PROVIDING FOR AN EFFECTIVE DATE; AND FOR

OTHER PURPOSES

Attachments: RESOLUTION 2023 - Surplus and Quitclaim 4862 Misty Bleau

3862 Misty Bleau

3862 Tax map

Bill Tanks, Public Services, Equity and Inclusion Agency Executive Director, discussed the use of the delinquent property and using it for affordable housing.

Julie Livingston, City Attorney, added that the City brought the property at a tax sale but it is still in the right of redemption period for the previous owner.

No discussion was held.

RESO 23-144 A RESOLUTION APPROVING UPDATES TO PAY RANGES BASED UPON

THE FY23 MARKET REVIEW OF PAY FOR CITY POSITIONS; PROVIDING

FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: RESOLUTION 2023 - PAY AND CLASSIFCATION table adjustments

Pay Grade Table

PD Salary Table updated July 2023

Bill Tanks, Public Services, Equity and Inclusion Agency Executive Director, discussed moving employees salaries to meet market pay ranges.

No discussion was held.

RES0 23-145 A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO

> EXECUTE AN AGREEMENT WITH THE GEORGIA MUNICIPAL ASSOCIATION TO CONDUCT THE MANAGER AND SUPERVISOR DEVELOPMENT TRAINING PROGRAM FOR AN AMOUNT NOT TO EXCEED \$30,000; PROVIDING FOR AN EFFECTIVE DATE; AND FOR

OTHER PURPOSES.

Attachments: RESOLUTION 2023 - GMA manager supervisor development training

Bill Tanks, Public Services, Equity and Inclusion Agency Executive Director, discussed training and leadership of department heads and supervisors.

No discussion was held.

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE ORD 23 -007

RELATING TO PERMITTED USES IN RESIDENTIAL AREAS FOR THOSE

IN NEED OF CERTAIN SUPPORTIVE, STRUCTURED LIVING

CONDITIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR

OTHER PURPOSES.

1st reading June 20 2023 2nd reading July 17 2023

Attachments: ORDINANCE 2023 - 007 UDC Amendments

Exhibit A

Recovery residences UDC definitions permitted uses

Recovery residences UDC specific use provisions

Recovery residences Other Cobb Cities summary

Georgia Council for Recovery expects more legislation concerning sober

living housing Georgia Public Broadcasting

Recovery Residences (Halfway Houses) Georgia Attorney General's

Consumer Protection Division

Eric Meyer, Development & Infrastructure Agency Executive Director, discussed the definitions for permitted uses and special use provisions of recovery homes.

No discussion was held.

ORD 23 -008 ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE RELATING TO PERMITTED USES, ZONING PROCEDURES, AND

STANDARDS RELATING TO DESIGN AND DEVELOPMENT; TO PROVIDE

FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading July 17, 2023; 2nd reading August 21, 2023

Attachments:

ORDINANCE 2023 - 008 UDC Amendments

Summary of Revisions

Exhibit Article 1

Exhibit Article 2

Exhibit Article 4

Exhibit Article 6

Exhibit Article 13

Exhibit Article 17 and 18

Exhibit Article 21

Eric Meyer, Development & Infrastructure Agency Executive Director, discussed various United Development Codes proposed changes.

Tina Garver, Community Development Director, discussed the reducing of town house lot sizes per the recommendation of consultant TSW.

Rob Hosack, of BH3, provided an update on Georgia's Zoning Procedures Act and requirements.

The Council body asked why would the City want to reduce the town home lot sizes; and has other communities had issues with CBD facilities. Mrs. Garver replied that the lot would only be the town house itself so the owner would not have to maintain the landscape right in front of their property; and she was not aware of any issues with CBD facilities.

ORD 23 -009 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES RELATING TO THE ALCOHOL BEVERAGE ORDINANCE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading July 17, 2023; 2nd reading August 21, 2023

Attachments: ORDINANCE 2023 - 009 Code of Ordinance Amendments

Tina Garver, Community Development Director, stated that Staff is not ready to move forward with alcohol revisions and requested to table the first reading to August 21, 2023.

No discussion was held.

ORD 23 -010

AN ORDINANCE BY THE CITY OF POWDER SPRINGS, GEORGIA, RELATING TO A REQUEST TO DEANNEX PROPERTY FROM THE CITY OF POWDER SPRINGS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading July 17 2023. 2nd reading and Public Hearing August 21 2023.

Attachments: De-annex. application. Story Rd Redacted

Vicinity Map

Legal Description. Northern Tract - 2.50 acres

Legal Description. Southern Tract - 1.25 acres

ORDINANCE 2023 - 010 DEANNEX STORY ROAD

Shaun Myer, Planning and Zoning Manager, discussed the petition of the property owners to de-annex from city limits after being annexed in 2022.

No discussion was held.

Dinner Recess was called at 6:22pm

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member -Ward 3 Green, that this Dinner Recess be called at 6:22pm be approved. The motion carried by the following vote:

Yes: 5 - Henry Lust, Doris Dawkins, Dwayne Green, Patrick Bordelon, and Patricia Wisdom

Absent: 1 - Al Thurman

Dinner Recess was concluded at 6:52pm

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - At Large Post 1 Bordelon, that this Dinner Recess conclude at 6:52pm be approved. Council Member Wisdom had not returned from Dinner Recess in time to vote. The motion carried by the following vote:

Yes: 4 - Henry Lust, Doris Dawkins, Dwayne Green, and Patrick Bordelon

Absent: 2 - Al Thurman, and Patricia Wisdom

ORD 23 -011

AN ORDINANCE AMENDING, UPDATING AND ADOPTING THE CITY OF POWDER SPRINGS ZONING MAP; INDICATING, RATIFYING AND AFFIRMING ALL ZONING CHANGES THAT HAVE BEEN APPROVED SINCE THE LAST UPDATE TO THE OFFICIAL ZONING MAP; REPEALING CONFLICTING RESOLUTIONS AND MAPS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading 7/17/23 2nd Reading 8/21/23

Attachments: ORDINANCE 2023 - 011 ZONING MAP

Zoning Map 07122023

Tina Garver, Community Development Director, discussed the adoption the City map to reflect the recent annexations and rezoning actions to date.

No discussion was held.

AL-23-001 Alcohol License

5780 CH James Pkwy Ste 110 1738 Restaurant and Bar LLC Sulaiman Adewojo and Bolaji Lawal

Attachments: AL 23-001. Motion for Approval. 07172023

2023 alcohol app S ADEWOJO Redacted

ANDEWOJO - RASS Certificate

2023 alcohol app B LAWAL Redacted

LAWAL- RASS Certificate

Survey Redacted

Tina Garver, Community Development Director, introduced the application for an alcohol license to pour beer, wine and beverages. Mrs. Garver added that the applicants have complied with the distance requirements and has attended training.

Sulaiman Adewojo, representative of 1738 Restaurant and Bar LLC, stated that they are requesting to serve alcohol with their food in an relaxing atmosphere.

The Council body asked when did the restaurant open; how has business been so far; has the servers completed training; and what is the occupancy size. Mr. Adewojo replied that they opened May 5, 2023; business has been slow and that customers would like to eat and drink; once the license is approved employees will complete the necessary training with the City and County; and the seating capacity is 24.

PZ 23--007 Special Use Request to allow storage of business inventory within a portion of a

residential accessory structure and to conduct sports and academic lessons. The property is located at 3152 Brooks Lane, within land lot 725 of the 19th District, 2nd

Section, Cobb County, Georgia.

Attachments: Executed Motion PZ 23-007 to table to 05-01-2023

notarized application Redacted

Tabled PZ 23-007 to June 5, 2023

Signed PZ 23-007 Tabled to July 17th

Tina Garver, Community Development Director, stated that the applicant is requesting

to table the public hearing to March 4, 2024 to allow time to relocate the storage accessory structure due to flood plain and other issues on the site.

Planning and Zoning Commission did table their hearing to February 2024.

No discussion was held.

PZ 23--011

Variance Request to UDC Article 1 sections related to lot splits and road frontage requirements, and Table 2-4 related to minimum lot dimensional requirements. The property is located at 4073 Fambrough Drive, within land lot 733 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19073300050.

Attachments: PZ 23-011. Motion for Approval. 07172023

Bldg 300 Variance Request App Redacted

Survey. Proposed lot split Redacted

Tina Garver, Community Development Director, introduced the variance application to subdivide one parcel into two separate parcel to sell to the current tenant.

Greg Richardson, of SR and GR Holdings LLC, stated he is the business owner at the property. Mr. Richardson is requesting to sell a portion of the parcel to help maintain his business.

The Council body asked what is the nature of the business that the tenant is involved in; and has the applicant read the six conditions. Mr. Richardson replied the business sells ammo and guns; and yes they have read the conditions and is in the process of completing them.

PZ 23--012

Variance Request. To vary distance from certain locations, per code of ordinances Sec. 3-120, for Alcohol License distance separation requirements, for beer and wine package sales. The property is located at 3824 Powder Springs Road (Family Dollar), within land lot 871 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19087100090

Attachments: PZ 23-012. Motion for Approval. 07172023

ABC30151VarianceApplicationPacket Redacted

Tina Garver, Community Development Director, introduced the variance application from distance requirement to sell alcohol.

Staff recommends approval of the application.

Tommy Jackson, representative of Family Dollar Stores of Georgia, stated that they will ultimately seek an alcohol license to sell beer and wine. Mr. Jackson added that they have training in other stores on state and local laws and that Family Dollar has a no tolerance policy in selling alcohol and tobacco.

No discussion was held.

PZ 23--013

Flood Protection Variance. Variance Request to UDC Section 10-11, related development in the floodplain. The property is located at 4815 Innovative Way, within land lot 1126 of the 19th District, 2nd Section, Cobb County, Georgia. PINs: 19109600010 and 19112600010.

Attachments: PZ 23-013. Motion for Approval. 07172023

20 West Transport - Variance Application Redacted

220702 - 20 WEST - SUBMITTAL SET (2023.02.09) (1) Redacted

Stormwater Management Plan (2023.02.06) Redacted

Tina Garver, Community Development Director, introduced the variance application to allow a development in the floodplain. Mrs. Garver added that his property was annexed into the City along with the logistics center in 2021.

Staff recommends approval of the application.

Michael Forlaw, Engineer on behalf of the applicant, stated that per the condition they have to obtain a Land Disturbance Permit which means coming into storm water compliance. Mr. Forlaw is requesting to perform work in the flood plain and agrees to the staff conditions.

No discussion was held.

PZ 23--014

Variance Request to UDC Table 2-2 related to minimum setback requirements for accessory structures. The property is located at 3220 Caley Mill Drive, within land lot 720 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19072000710.

Attachments:

PZ 23-014. Motion to Table. 07172023

Variance Application. 3220 Caley Mill Dr Redacted

Existing conditions

Tina Garver, Community Development Director, stated that the application was tabled by the Planning and Zoning Commission and is requesting to table the public hearing to August 21, 2023.

No discussion was held.

PZ 23--015

Special Use Request, per article 2, to construct an Accessory Dwelling Unit and detached garage. The property is located at 3665 Forest Hill Rd, within land lot 832 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19083200100.

Attachments: PZ 23-015. Motion to Table. 07172023

Special Use Application. 3665 Forest Hill Rd Redacted

Plans. 3665 Forest Hill Rd

Survey
Site Plan
Elevations

Tina Garver, Community Development Director, is requesting that the application be tabled the public hearing on August 21, 2023.

No discussion was held.

PZ 23--017 Variance Request, to section 4-10, to construct an Accessory Dwelling Unit and

detached garage. The property is located at 3665 Forest Hill Rd, within land lot 832 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19083200100.

Attachments: PZ 23-017. Motion to Table. 07172023

PZ23-017. Variance Application. Redacted

Tina Garver, Community Development Director, is requesting that the application be tabled the public hearing on August 21, 2023.

No discussion was held.

PZ 23--018 Special Use Request to modify the conditions of approval of PZ 23-006 for a food

truck park. The property is located at 3980 & 3982 Austell Powder Springs Road, within land lot 905 of the 19th District, 2nd Section, Cobb County, Georgia.

Attachments: Draft motion

Special Use Application 06062023 Redacted

Site Plan

Conditions of Approval PZ23-006. April 3, 2023.

Applicants' proposed conditions, updated site plan, proposed storage container Redacted

Eric Meyer, Development & Infrastructure Agency Executive Director, discussed the special use application request to changes in the stipulations approved in PZ 23-006.

Eugene Idlett, special use applicant, discussed his proposed condition adjustments that were approved under PZ 23-006.

The Council body asked what is the status of the container onsite; and does the conditions prohibit customers from bringing in their own alcohol onto the premises for consumption. Mr. Idlett replied that the State, County or Local does not have any guidelines for a modified trailer. Mr. Myers added that the container is intended for a commercial use and requires approval with a commercial building permit. Community

Development Director Tina Garver mentioned that she spoke with Department of Community Affairs (DCA) and a representative confirmed that they do govern industrial buildings; a container built on site is subject to building requirements with the City, Zoning and site plan regulations; if the container was modified off site it does fall under the industrialized building code and requires some DCA review and approval. Mrs. Garver stated that the current conditions does prohibit the consumption of alcohol for sell or brought onsite.

City Attorney Julie Livingston added that the current special use application that was previously approved had a condition stating that here will be no sell of alcohol on premises, and there's not a provision to allow citizens to bring their own alcohol onto commercial property for their own consumption..

PZ 23--021

Design Review. 5592 Powder Springs Dallas Road. To reduce separation planted buffer, per stipulation #2 of PZ21-049.

Attachments: PZ 23-021. Motion for Approval. 07172023

Pages from Silver Comet 7.12.23

Signed motion. PZ 21-049. See stipulation #2

Tina Garver, Community Development Director, discussed the subdivision developer request to reduce the landscaped buffer from 85 feet to 50 feet.

No discussion was held.

Executive Session was called for the purpose of Personnel Matters

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member -Ward 3 Green, that this Executive Session be called for the purpose of Personnel be approved. The motion carried by the following vote:

Yes: 5 - Henry Lust, Doris Dawkins, Dwayne Green, Patrick Bordelon, and Patricia Wisdom

Absent: 1 - Al Thurman

Executive Session was concluded for the purpose of Personnel Matters

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member -Ward 3 Green, that this conclusion of the Executive Session for the purpose of Personnel be approved. The motion carried by the following vote:

Yes: 5 - Henry Lust, Doris Dawkins, Dwayne Green, Patrick Bordelon, and Patricia Wisdom

Absent: 1 - Al Thurman

City Manager and Council Reports

Council Member Dawkins made no comments.

Council Member Green made no comments.

Council Member Bordelon thanked everyone for attending the meeting in person as well as online.

Council Member Wisdom thanked everyone for attending the meeting in person as well as online. Ms. Wisdom attended the Powder Springs Task Force meeting as they discussed their back to school bash event; attended the 4P meeting; and met with Cobb County Stakeholders to discuss curb cuts on 278.

Mayor Pro Tem Lust shared that he attended an event hosted by Circles Cobb and their mission to tackle poverty.

Recess to Next Scheduled City Council Meeting

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - Ward 2 Dawkins, that this Recess to Monday July 12, 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

Absent: 1 - Al Thurman