



City of Powder Springs

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

Meeting Minutes - Final Council Work Session

Wednesday, November 30, 2022

5:00 PM

Senior Center
4181 Atlanta Street, Building 3
Powder Springs, GA 30127

Location Information:

CHANGE: Senior Center - Building 3, 4181 Atlanta St., Powder Springs, GA 30127

**Join Zoom Meeting - <https://us06web.zoom.us/j/84442691454>
Meeting ID: 844 4269 1454 Dial: 1-929-205-6099**

Call to Order

The Mayor called the meeting to order at 5:00 pm. Council members Bordelon, Dawkins, Green and Lust were present on site and Council Member Wisdom via Zoom. Also present were City Attorney Julie Livingston via Zoom, City Manager Pam Conner and City Clerk Kelly Axt both were in person.

Staff in attendance: Bill Tanks, Eric Meyer, Lane Cadwell, Travis Landrum, Dwayne Eberhart, Tamara Newkirt, Marsellas Williams, Shaun Myers, Travis Sims, Tracie Jackson and Tina Garver.

Mayor's Comments

Mayor Thurman shared that he did a photo shoot and interview with Georgia Trend magazine that will be featured in their January issue. The Mayor will be attending the Ritz Carlton Lake Oconee in Greensboro Georgia with the Trustee Board from the 8th-9th. Mr. Thurman mentioned that he has been nominated for a Diamond Award.

Work Session Matters

Police Department Chief Lane Cadwell led the meeting.

[RPT 22-128](#) Report - Public Works report and action plan for the intersection of Shipp Road and Florence Road

Attachments: [Florence Rd at Shipp Rd - 2022 Review Summary](#)
[FlorenceShipp CouncilWS 11292022](#)

Development and Infrastructure Agency Executive Director Eric Meyer, presented the recommendations of improvements in signage, stripping and vegetation trimming from Cobb Department of Transportation. The Traffic Operations Manager explained in the November 16th meeting that the Shipp Road and Florence Road intersection didn't warrant a traffic signal per GDOT.

The Mayor and Council body stated that the recommendations look good and asked how long would the whole process take; Mr. Meyer replied that signs typically take within 2-3 weeks, and that they may try to piggy back the pavement markings on the SPLOST LMIG contract.

[RPT 22-129](#) Report - Charter Schools Presentation

Nandi Edouard, Lead School Founder of the Simple Vue Academy, provided a presentation of the racial equity in schools, community based needs of educational support, proposals on strategic partnerships and summer camp programs.

The Council body asked what grades would the charter school educate; are there any entry requirements; what is the projected time table to open the school and cost to students; and what is the potential location. Ms. Edouard replied grades 6th thru 12th; no requirements and the school will be open to all; this is a tuition free school and the projected timeline to open is 2025; and the location is in Cobb County.

Kolt Bloxson, Founding Principal of Miles Ahead Charter School, provided a presentation on the charter school, student growth expectations, academic achievement goals.

The Mayor and Council body asked what is the timeline on getting started; how does the program improve student milestones; what is the ratio of students to teachers; is the school required to participate in the same testing as the county schools; when does the school open; and where is the school located. Ms. Bloxson replied that they are currently starting now recruiting families; their program is designed to allot for four times a week on reading for 2.5 hours a day and mathematics 100 minutes a day; the state maximum is 1 to 26 but Miles Academy has a 2 teacher model; yes, the school has to meet the same plus additional testing requirements; the school opens August 1, 2023; and the school is located in Powder Springs on Macland Road.

[RPT 22-130](#) Report - Update of moratorium steps

Pam Conner, City Manager, discussed receiving requests to consider exceptions to the approved moratorium. Mrs. Conner added that the City should review the existing residential inventory already built or in the approval process, see what the build out would look like if developed according to the comprehensive plan, review impact fees and what is the growth impact on city services.

The Mayor and Council body shared that the moratorium is only for six months and to allow due diligence of reviewing the comprehensive plan. The elected officials stated that there would not be any exceptions until the data has been completed and not to encourage meetings until after the City has a plan of direction after full analysis.

[RPT 22-131](#) Report - GDOT Safety project at Finch Road

Pam Conner, City Manager, discussed that Norfolk Southern and GDOT are working on a safety project of adding bollards near Finch Road railroad crossing to prevent vehicles from passing the arms. Mrs. Conner stated that they are looking for a letter of support and acknowledgement of maintenance responsibility.

Mayor and the Council body asked how effective are these bollards and wanted to see a picture. Mrs. Conner replied that the bollards are very sturdy, immovable and hard to go around with damage. Development & Infrastructure Agency Executive Director Eric Meyer provided a rendering of proposed bollards.

[RPT 22-132](#) Report - STEM Certification at McEachern - Proclamation

Pam Conner, City Manager, stated that the proclamation is to acknowledge and recognize McEachern High School's STEM Certification.

No discussion was held.

[RPT 22-133](#) Report - Municipal Court Update

Tracie Jackson, Chief Court Clerk, provided an update on the completion of courts, citations and the fine conversion program.

The Mayor asked how does the fine conversion program works. Mrs. Jackson replied that the individuals report to John Brown for assignments of need throughout the City and Mr. Brown keeps track of their progress throughout their work day.

[RPT 22-134](#) Report - Leave accrual balances – longevity retention tool

Pam Conner, City Manager, shared some recommendations from the Employee Engagement Committee such as proposed cost of living adjustments, upgrading the vacation maximum, 401A contributions and a wellness program as retention options.

The Mayor and Council body stated that investments into the employees are benefits to the City.

[PR 22-012](#) ARPA Update

Wayne Wright, ARPA Program Manager, presented updates on the accomplishments on food insecurity programs with Reflections of Trinity and GoodR, education tutoring efforts, small business relief, storm water assessments, civic engagement tools and 2023 Capital Improvement projects.

No discussion was held.

[ORD 22-033](#) Proposed Text Amendment

Attachments: [ORD 22-033. Exhibit](#)

Shaun Myers, Planning and Zoning Manager, discussed the recommendation of a text amendment allowing existing single family in CRC versus rezoning parcels.

The Council body asked if the City implements the text amendment would there be a need to rezone; and what would be the ripple effect of the text amendment. City Manager Pam Conner answered that is correct the City would advertise the amendment first reading on Monday for public notice; and Staff hasn't discussed at length if any effects, but they are addressing applicant's plans in a way not to create issues throughout the City.

Related item PZ 22-033.

[RES0 22-181](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR A COMPREHENSIVE CLOUD BASED ACCOUNTING SYSTEM FOR AN AMOUNT OF \$137,850 AND FOR IMPLEMENTATION TRAINING FOR AN AMOUNT UP TO \$12,150 FOR A TOTAL OF \$150,000; AUTHORIZING ANNUAL OPERATING SOFTWARE FEE OF \$55,136; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Tyler Proposal](#)
[RESOLUTION 2022 - 181 Tyler Technologies financial software](#)
[RFP 22-010 \(Rebid\)- Accounting Enterprise Resource Planning \(ERP\) Software \(PDF\)](#)
[Powder Springs GA SaaS 112222 \(004\).pdf Redacted](#)

Travis Sims, Finance Director, discussed the RFP process for financial software service and reviewed demonstrations of finalist. Mr. Sims recommends Tyler Technologies contract.

Blake Reynolds of Tyler Technologies, added that the software is complete from all the financials, up to the minute budget balances, and very responsive to the citizens.

Pam Conner, City Manager, added that the bid came in less than the budgeted amount but recommends approval at the full budget amount in the event additional training is necessary.

Mayor and Council body asked what contract obligations does the City have to Edmunds moving forward; what is the cost of the contract; what type of training is provided with the purchase of this software; and does Tyler provide the mapping for

the existing date in the system. Mr. Sims replied that the City is on a year to year contract with Edmunds, as we move forward with Tyler we would be able to end the contract with Edmunds; the cost of the contract is just under \$140,000; Mr. Reynolds answered that comprehensive training hours are listed in the details but will only bill for actual hours used; Tyler has converted from Edmunds numerous times and yes we can convert from Edmunds.

Dinner Recess at 6:37pm

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 1 Bordelon, that this Dinner Recess at 6:37PM be approved. The motion carried by the following vote:

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

Dinner Concluded at 7:07PM

A motion was made by Council Member - At Large Post 1 Bordelon, seconded by Council Member - Ward 3 Green, that this Dinner Conclusion at 7:07PM be approved. The motion carried by the following vote:

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

[RES0 22-182](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE APPLICATION DOCUMENTS FOR FUNDING ASSISTANCE THROUGH THE STATE OF GEORGIA’S LOCAL MAINTENANCE AND IMPROVEMENT GRANT (LMIG) PROGRAM FOR THE RESURFACING OF CERTAIN ROADS; AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE CERTAIN PROJECT CLOSEOUT DOCUMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Copy of 2023 LMIG Estimate](#)
[RESOLUTION 2022 - 182 LMIG 2023 PROJECT APPLICATION](#)

Dwayne Eberhart, Public Works Director, provided the list of the street resurfacing projects. Mr. Eberhart stated that Evelyn Drive, Old Austell Powder Springs Road and Mustang Drive resurfacing is an estimate of 1.3 miles.

The Mayor and Council body asked if the City completed a road rating system and if this is based off the rating; and are these the only three roads. City Manager Pam Conner replied yes they are based on the existing rating system; yes these are the only three roads because of expenses, nature of work and mileage associated.

[RES0 22-183](#) A RESOLUTION APPROVING AND AUTHORIZING AND APPROVING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF A 2024 CHEVROLET 3500 LCF GAS (BEAVERTAIL) FOR AN AMOUNT OF \$69,925 UNDER A STATE CONTRACT WITH HARDY CHEVROLET; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [LCF3500 Landscaper.pdf Redacted](#)
[RESOLUTION 2022 - 183 Beavertail](#)

Dwayne Eberhart, Public Works Director, discussed the purchase of the landscape style truck used to deliver the sanitation carts. Mr. Eberhart added that the delivery of the truck will take about 14 months.

The Mayor and Council body asked where is the vehicle coming from; and is the new truck replacing an existing truck. Mr. Eberhart replied that the vehicle is coming from Hardy Chevrolet; and the City will keep the current one in service to help in other services and to expedite cart deliveries.

[RES0 22-184](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH KECK AND WOOD FOR CERTAIN PROFESSIONAL ENGINEERING SERVICES RELATED TO CURB CUTS ON CH JAMES PARKWAY/US 278 FOR AN AMOUNT OF \$13,350; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2022 - 184 Keck and Wood for ICE and traffic report](#)
[SR 6 at Oglesby Connector Road -- ICE Analysis Proposal \(2022-10-3\)](#)

Tina Garver, Community Development Director, discussed continuing to work with Keck and Wood to perform the next steps for Oglesby Road connector. Mrs. Garver added that GDOT requested additional information and Keck and Wood would perform a full GDOT analysis and traffic engineering report.

No discussion was held.

[RES0 22-185](#) A RESOLUTION ACCEPTING AND APPROVING THE PROPOSAL SUBMITTED BY THE MACALLAN GROUP AS THE CONSTRUCTION CONTRACTOR FOR THE NEW MUNICIPAL BUILDING; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE MACALLAN GROUP TO BEGIN THE PROCESS TO DEVELOP A GUARANTEED MAXIMUM PRICE CONTRACT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2022 - 185 The Macallan Group](#)
[Recommendation for Preferred Contractor-Powder Springs](#)

Pam Conner, City Manager, reported that a full report will be available at the Special Called Work Session on Friday December 2nd recommending an approval of a proposal to move forward with the new City Hall building.

The Council body asked if this is the development proposal; about the design; and

asked for an updated estimated timeline. Mrs. Conner replied yes this is the development proposal; reminded Council of the solicitation of proposals based on the designs that they reviewed in January with additional requests in regards to the cost proposals; and they anticipate somewhere during the summer of 2024 to occupy the new facility.

[RES0 22-186](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH S.H. CREEL CONTRACTING, LLC FOR CERTAIN STORMWATER REPAIRS IN THE AMOUNT OF \$481,601.94; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Attachments: [Award Letter 11-29-22](#)

[RESOLUTION 2022 - 186 Stormwater repair ARPA projects](#)

Chad Kastner of Croy Engineering discussed receiving two bids, from East Coast Grading and S.H. Creel on storm water repairs. Mr. Kastner is recommending S.H. Creel at a cost of \$481,601.94.

No discussion was held.

[PZ 22--022](#) Rezoning Request: C.H. James Parkway. To consider a request to rezone from MXU to PUD-R. The property located at C.H. James Parkway, Florence Road and Carrington Drive within Land Lot 732 of the 19th District, 2nd Section, Cobb County, Georgia.

Attachments: [Carrington Park - Elevations](#)

[Carrington Park - Floor Plans](#)

[Letter from the property owner to PZ Commission and Council. PZ 22 002.](#)

[8.10.2022 Redacted](#)

[Rezoning Request Application and Statement of Intent Redacted](#)

[Deferral Request for C.H. James Redacted](#)

[Second Deferral Request for C.H. James Redacted](#)

[Signed Motion to table to 08-15-2022](#)

[Signed Motion to table to 09-19-2022](#)

[Carrington Park - Site Plan 8.12.2022](#)

[PZ 22 - 022. DRAFT MOTION 09192022](#)

[Executed Motion to Table to 12-05-2022](#)

Josh Mahoney, Attorney for the applicant, stated that they are continuing to work with the Carrington community on the agreement and is not sure if the agreement will be ready before the next hearing. Mr. Mahoney added that he will let Staff know where the discussions are in finalizing the agreement.

Pam Conner, City Manager, added that by Monday they will have more information and at some point a recommendation of a decision instead of continuing to table the

application if there's no resolution.

No discussion was held.

[PZ 22--033](#) Rezoning Request. To rezone from CRC to R-15. The property is located at 4033 Louise Street, within land lot 905 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19090500250.

Attachments: [PZ 22-033. Motion to Table to Jan 3 2023.](#)

[Rezoning Application Redacted](#)

Shaun Myers, Planning and Zoning Manager, discussed the rezoning application being denied by Staff because the proposed zoning district is not supported by the future land use map designation. Staff provided an alternative text amendment would allow existing single family structures in CRC versus rezoning the parcel.

Tina Garver, Community Development Director, added that this parcel has been used as commercial over the years and that the future land use map does show this area as commercial corridor.

Related item RPT 22-136.

[PZ 22--034](#) Rezoning Request. To rezone an approx 80 Acre Tract from R-20, NRC, LRO in the County to Conditional MXU in the City – within Land Lots 717, 718, 764 and 765, 19th District, 2nd Section, Cobb County, Georgia. PINs: 19079000010, 19071700130 (portion), 19076500020, 19071800040, 19071700140, and 19069000020.

Attachments: [PZ 22-034. Motion to table to February 6 2023](#)

[Rezoning + Annexation Applications. Notice of Intent. Application attachments Redacted](#)
[Primary Exhibits. Barrett Pkwy Annexation Redacted](#)

Shaun Myers, Planning and Zoning Manager, stated that the applicant has submitted a request to table until after the January Planning and Zoning hearing.

Related item ORD 22-032.

No discussion was held.

[PZ 22--037](#) Design Review - West Oak Trace -Final Plat, Hill Road LL 898, 953

Attachments: [PZ 22-037. Draft motion. 12052022](#)

[Application Redacted](#)

[Final Plat Redacted](#)

Tina Garver, Community Development Director, discussed the final plat of the first phase of the development. Mrs. Garver added that the overall development is 20 acres and 116 units, just under 13 acres and 71 units with single family lots.

No discussion was held.

[ORD 22](#)
[-019](#)

AN ORDINANCE TO INCREASE THE COMPENSATION PAID TO THE MAYOR AND COUNCIL MEMBERS OF THE MUNICIPAL GOVERNING AUTHORITY OF THE CITY OF POWDER SPRINGS; TO ESTABLISH AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

1st Reading - 11/07/22 2nd Reading - 12/5/22

Attachments: [ORDINANCE 2022 - 019 Elected official compensation](#)

Pam Conner, City Manager, stated that the ordinance will increase the compensation of elected officials by \$3,000 to take effect January 2024.

No discussion was held.

[ORD 22](#)
[-032](#)

Ordinance - To annex into the City of Powder Springs and Rezone a 45.3 Acre Tract from R-20, NRC, LRO in the County to Conditional MXU in the City – within Land Lots 717, 718, 764 and 765, 19th District, 2nd Section, Cobb County, Georgia. PINs: 19079000010, 19071700130, 19076500020, 19071800040, and 19071700140.

First reading: November 21, 2022. Second Reading: December 5, 2022.

TABLED TO: First reading: December 5, 2022 Second Reading: January 3, 2023

MOTION TO TABLED ACTION 12/5/22:

First reading: January 17, 2023 Second Reading: February 6, 2023

Attachments: [Appl Pkgs FINAL for Efiling-SCP Acquisitions, LLC Redacted](#)

[Executed Motion to Table to 12-05-2022](#)

[Primary Exhibits. Baret Pkwy Annexation Redacted](#)

Shaun Myers, Planning and Zoning Manager, stated that they have made attempts to contact the applicant in PZ 22-034 to see what they would like to do as far as the

dates going forward.

Pam Conner, City Manager, added that Staff will recommend tabling the annexation for first reading to the second meeting in January and a decision in second reading in February.

Related to item PZ 22-034.

No discussion was held.

[PR 22-008](#) Public Presentation for STEM

Attachments: [Proclamation STEM](#)

Lane Cadwell, Chief of Police, stated that a presentation will be presented on Monday recognizing STEM Certifications.

No discussion was held.

[PR 22-009](#) Public Presentation - CAFR Award

Attachments: [5 - Certificate](#)
[6 - Press Release](#)
[AFRA, Finance Department](#)

Lane Cadwell, Chief of Police, stated that a presentation of CAFR will be presented to the Finance Department.

[PR 22-010](#) Public Presentation - Police Department

Lane Cadwell, Chief of Police, stated that the Police Department will present some recognitions.

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

No Executive Session was held.

City Manager and Council Reports

Pam Conner, City Manager, discussed a complaint's email sent to the elected officials regarding Park Place and Douglas Assets.

Paul Hardy, Safe Built Building Inspector, described his inspection of the complainant's structure and mainly focused on the floors. The complainant's home inspector reviewed a moderate slope to the floors and recommended an evaluation of floors. After reviewing the inspector and construction engineering reports, to include a site visit by Mr. Hardy, he reported that there is a section of the floor in the front of

the home that does have a moderate slope to the floors; however, no indication of structural defects noticed throughout the home nor from the structural engineers report.

Julie Livingston, City Attorney, added that the issues discussed are outside of what the normal inspections are and that there was no negligence in the City's inspection. Ms. Livingston stated that the City's inspections are for the general public and not of a specific purchaser. The City would only get involved if there's a code enforcement or safety issue. In light of the complainant's changes to the property that may or may not have affected the warranty, this is a civil issue between the complainant and the builder.

Mrs. Conner also reminded everyone that the Christmas parade is on Friday December 2nd. She mentioned the CMA on the 13th, Volunteer Banquet on the 14th and Employee Appreciation on the 15th.

Council Member Dawkins shared that she was happy to see everyone.

Council Member Bordelon made no comments.

Mayor Pro Tem Lust shared that the Powder Springs Business Group is having their annual holiday mixer tomorrow night from 6pm-8pm at the Event Station.

Council Member Green made no comments.

Council Member Wisdom discussed that she working with Keep Powder Springs Beautiful and improving the program.

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 December 5, 2022 be approved. The motion carried by the following vote:

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