



City of Powder Springs

City of Powder Springs
4426 Marietta Street
Powder Springs, GA 30127
www.cityofpowdersprings.org

Meeting Minutes - Final

City Council

Mayor

Albert Thurman

Council Members:

Henry Lust, Doris Dawkins, Dwayne Green, Patrick Bordelon, Patricia Wisdom

Monday, September 18, 2023

7:00 PM

Patricia C. Vaughn Cultural Arts Center
4181 Atlanta Street, Building 1
Powder Springs, GA 30127

Onsite at Patricia Vaughn Cultural Arts Center - 4181 Atlanta Street

Pre-Meeting Discussion at 6:30PM

Join Zoom Meeting - <https://us06web.zoom.us/j/82201705836>

Meeting ID: 822 0170 5836 Dial: 1-929-205-6099

1. Call to Order

Mayor Al Thurman called the meeting to order at 7:00 pm. All Council Members were present on site. Also present on site were City Attorney Richard Calhoun, City Manager Pam Conner, and City Clerk Kelly Axt.

Staff in attendance: Velda Babiak, Lane Cadwell, Dee Chappell (Zoom), Michelle Coursey, Tina Garver (Zoom), Julia Kilgore, Travis Landrum, Glenda Lehner, Eric Meyer, Shaun Myers (Zoom), Rosalyn Nealy (Zoom), Tamara Newkirt, Vangie Rodenbeck, Travis Sims, Henry Smith (Zoom), Bill Tanks, Marterrio Turner, Devon Wallace, and Leroy Young.

Present 6 - Mayor Al Thurman, Mayor Pro Tem - Ward 1 Henry Lust, Council Member - Ward 2 Doris Dawkins, Council Member - Ward 3 Dwayne Green, Council Member - At Large Post 1 Patrick Bordelon, and Council Member - At Large Post 2 Patricia Wisdom

2. Invocation and Pledge of Allegiance

Invocation was led by Council Member Green and the Pledge of Allegiance was led by Council Member Dawkins.

3. Approval of Minutes

[2023 -065](#) City Council Agenda Minutes 08/21/2023

Attachments: [City Council Agenda Minutes 21-Aug-2023](#)

A motion was made by Council Member - At Large Post 2 Wisdom, seconded by Council

**Member - Ward 2 Dawkins, that City Council Agenda Minutes 08/21/2023 be approved.
The motion carried by the following vote:**

Yes: 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

[2023 -064](#) City Council Work Session Minutes 09/13/2023

Attachments: [City Council Work Session Minutes 13-Sept-2023](#)

A motion was made by Council Member - At Large Post 2 Wisdom, seconded by Council Member - Ward 2 Dawkins, that City Council Work Session Minutes 09/13/2023 be approved. The motion carried by the following vote:

Yes: 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

4. Mayor's Comments

Mayor Al Thurman recognized former Mayor Patricia Vaughn in the audience. Mr. Thurman added that he was one of the speakers at the Reflections of Trinity celebration and recognized Laurie Wong for 20 years of service and sacrifice. He attended the service at First Baptist Church and met with new Senior Pastor Dr. Chip Dean.

5. Citizens Comments

Cindy Smith, Country Walk Subdivision Homeowners Association President, spoke in regards to the maintenance responsibilities of the 4861 Saddle Run and 4811 Country Walk Estate detention ponds. Ms. Smith's prepared statements are attached to these minutes in Resolution 23-176.

Registration to speak at any City Council meeting, per City Charter, is the day of the meeting only beginning 20 minutes prior to the start of the meeting (6:40 - 7:00 PM). The first twelve registering to speak will be given five (5) minutes to address Mayor and Council with their comments. You can register by signing up in person at the Cultural Arts Center located at 4181 Atlanta Street - location of the on site meeting or by emailing kaxt@cityofpowdersprings.org between 6:40 and 7:00 PM to register to speak.

6. Public Reports | Presentations

Presentation - Proclamation - Prostate Cancer Awareness

Mayor Thurman read and presented the Prostate Cancer Awareness Proclamation to Mr. David Moffett who has been cancer free for three years and an advocate.

Presentation - Finance & Accounting

Council Member Bordelon read and presented the Finance and Accounting Proclamation to the Finance Department Staff.

Presentation - IT Professionals

Council Member Lust read and presented the National Information Technology Day Proclamation to the IT Department Staff.

Presentation - Human Resources

Council Member Dawkins read and presented the Human Resource Professional Day Proclamation to the Human Resource Staff.

Presentation - Public Works

Eric Meyer, Development & Infrastructure Agency Executive Director, discussed using the Cobb Works Program to allow sanitation staff to utilize their services for Commercial Drivers License (CDL) Training Programs.

Leroy Young, Sanitation Supervisor, recognized the completion and achievements of Devon Wallace, Marterrio Turner and Andrew Giddeons.

Council Member Wisdom presented the Certificate of Achievement to those staff members.

Presentation - Parks & Recreation

Travis Landrum, Parks and Recreation Director, discussed receiving the nomination for Agency of the Year by the Georgia Recreation and Park Association (GRPA) with an award at the annual conference banquet.

Pam Conner, City Manager, recognized Deputy City Clerk Tamara Newkirt for her completion of the Georgia City Clerk Certification Program conducted through the Carl Vinson Institute in partnership with UGA Continuing Education.

7. City Attorney

A. Consent Agenda

Two options for Resolution 23-176 were available for the City Council's consideration. City Attorney Calhoun read into the record option two which excludes Country Walk from detention repairs at this time.

[RES0
23-140](#)

A RESOLUTION APPROVING AND AUTHORIZING THE PROPOSAL FROM BUILDING INSPECTION SERVICES TO CONDUCT AN ASSESSMENT OF CITY FACILITIES FOR AN AMOUNT OF \$16,500; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 140 City facility assessment](#)

[Executed RESO 2023-140](#)

approved

[RES0
23-156](#)

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RENEWAL AGREEMENT WITH WHAT'S POPPIN' GOURMET POPCORN AND SWEET TREATS TO PROVIDE CERTAIN CONCESSION SERVICES AT THE SILVER COMET TRAIL LINEAR PARK PAVILION;

PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Resolution 2023-156 Concession Agreement Renewal](#)
[Whats Poppin 2023 Contract Proposal - Revised](#)
[Executed RESO 2023-156](#)

approved

[RESO](#)
[23-166](#)

A RESOLUTION AUTHORIZING THE SURPLUS AND DISPOSAL OF EXPIRED VESTS NO LONGER USED BY THE CITY OF POWDER SPRINGS POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [20230817_134410](#)
[RESOLUTION 2023 - 166 Vest Surplus](#)
[Executed RESO 2023-166](#)

approved

[RESO](#)
[23-167](#)

A RESOLUTION AUTHORIZING THE PURCHASE OF POLICE VEHICLES; AUTHORIZING AND APPROVING THE MAYOR TO EXECUTE AGREEMENTS TO PURCHASE, OUTFIT AND MARK SIX FORD EXPLORERS FOR AN AMOUNT OF \$61,171.14 EACH; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [2023 Ford Explorer vehicle quote](#)
[2023 Ford Explorer outfitting quote Redacted](#)
[RESOLUTION 2023 - 167 Ford Explorers](#)
[PO# 24 00299 2 Units Invoice 300932 300931 Vin PGA33744](#)
[PGA33864 Redacted](#)
[Executed RESO 2023-167](#)

approved

[RESO](#)
[23-168](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PEAK PAVEMENT MARKING, LLC TO RE-STRIPE THE CENTERLINE, CROSSWALKS, TURN ARROWS AND STOP BARS ON SILVER SPRINGS WAY AND SILVER SPRINGS BOULEVARD FOR AN AMOUNT OF \$8,400; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [STRIPING Redacted](#)
[RESOLUTION 2023 - 168 Restriping Silver Springs](#)
[Executed RESO 2023-168](#)

approved

[RESO](#)
[23-170](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO RENEW THE AGILITY DISASTER

RECOVERY SERVICES MEMBERSHIP FOR A MONTHLY AMOUNT OF \$1121.18; TO UPGRADE THE MEMBERSHIP; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [City of Powder Springs -Enhanced Bandwidth 350Mbps-AR-39480-29-Aug-2023-13-18-5](#)
[RESOLUTION 2023 - 170 Agility renewal and upgrade](#)
[Executed RESO 2023-170](#)
[Agility Contract 5G RESO 23-170.pdf](#)

approved

[RESO
23-171](#)

A RESOLUTION ACCEPTING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH INNOVATIVE BUILDING MAINTENANCE FOR JANITORIAL SERVICES ES FOR AN ADDITIONAL AMOUNT OF \$6,160; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 171 Additional janitorial services at linear park](#)
[Executed RESO 2023-171](#)

approved

[RESO
23-172](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH S.H. CREEL TO REPLACE FENCING IN THE LINEAR PARK FOR AN AMOUNT OF \$4,750; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [LINEAR PARK FENCE Redacted](#)
[RESOLUTION 2023 - 172 Linear Park fence replacement](#)
[Executed RESO 2023-172](#)

approved

[RESO
23-173](#)

A RESOLUTION APPROVING CERTAIN ENCROACHMENT IN THE RIGHT OF WAY; AUTHORIZING THE MAYOR TO EXECUTE AN ENCROACHMENT AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Sign rendering and location Redacted](#)
[RESOLUTION 2023 - 173 Encroachment Agreement Happy Valley](#)
[Executed RESO 2023-173](#)

approved

[RESO
23-176](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A RENEWAL AGREEMENT WITH OPTERRA SOLUTIONS, TO MOW, CLEAR AND MAINTAIN CERTAIN DETENTION PONDS FOLLOWING COLLECTION OF FUNDS FROM OWNERS OF

PROPERTIES WITHIN AFFECTED SUBDIVISIONS; TO AMEND SAID AGREEMENT TO INCLUDE CERTAIN ADDITIONAL DETENTION PONDS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 176 Opterra detention ponds](#)
[Resolution 2023-176 Option 2](#)
[Estimate 339512-4 Redacted](#)
[Estimate 314049-2 Redacted](#)
[Estimate 314048-2 Redacted](#)
[Estimate 314049 Redacted](#)
[Estimate 314048 Redacted](#)
[Executed RESO 2023-176](#)
[Jones - Country Walk Statement 091823 at Council Meeting](#)

approved

[RESO
23-178](#)

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 4, 2023; AUTHORIZING NECESSARY TRAFFIC CONTROL BY THE POLICE AND PUBLIC WORKS DEPARTMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Parade application - McEachern Redacted](#)
[Map of parade route](#)
[RESOLUTION 2023 - 178 McEachern Homecoming Parade](#)
[Executed RESO 2023-178](#)

approved

[RESO
23-179](#)

A RESOLUTION APPROVING AND AUTHORIZING A TEMPORARY EVENT PERMIT FOR THE TEMPORARY CLOSURE AND USE OF BROAD STREET ON OCTOBER 7, 2023 FROM 10AM TO 10PM FOR THE PURPOSE OF ACCOMMODATING AN EVENT TO CELEBRATE OKTOBERFEST; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 179 Oktoberfest](#)
[Executed RESO 2023-179](#)

approved

[RESO
23-180](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH TERRACON TO TAKE ALL STEPS NEEDED TO ANALYZE, REMOVE, REPORT AND CLOSE

UNDERGROUND STORAGE TANKS LOCATED AT THE MUNICIPAL COURT PROPERTY ON PINEVIEW DRIVE FOR AN AMOUNT UP TO \$59,620.00; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2023 - 180 UST](#)
[City of Powder Springs UST Closure Services Redacted](#)
[Executed RESO 2023-180](#)

approved

Approval of the Consent Agenda

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, to approve the Consent Agenda as read and annotated by the City Attorney Richard Calhoun. The motion carried by the following vote:

Yes: 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

B. Regular Agenda | Public Hearing

[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 (Motion to Table on 07/17/2023); 2nd reading August 21, 2023

Tabled 1st reading to August 21, 2023; 2nd reading September 18, 2023 (Motion to Table on 09/18/2023)

Attachments: [ORDINANCE 2023 - 009 Code of Ordinance Amendments](#)
[Exhibit A](#)
[Draft Entertainment District Map](#)

A motion was made by Council Member - At Large Post 1 Bordelon, seconded by Mayor Pro Tem - Ward 1 Lust, that Ordinance ORD 23 -009 be tabled to the City Council, on 10/16/2023. The motion carried by the following vote:

Yes: 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

[ORD 23](#) [-013](#)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES REGARDING HEALTH SPAS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading August 21, 2023; 2nd reading September 18, 2023

Attachments: [ORDINANCE 2023 - 013 Code of Ordinances Health Spas](#)
[Chapter 12 HEALTH SPA](#)
[Executed ORD 2023-013](#)

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - Ward 2 Dawkins, that Ordinance ORD 23 -013 be approved. The motion carried by the following vote:

- Yes:** 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

ORD 23
-014

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE RELATING TO LAND DEVELOPMENT REQUIREMENTS FOR ROADS, STREETLIGHTS, AND GENERAL PROVISIONS FOR RESIDENTIAL DEVELOPMENTS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading August 21, 2023; 2nd reading September 18, 2023

Attachments: [Exhibits](#)
[ORDINANCE 2023 - 014 UDC Amendments land use](#)
[Executed ORD 2023-014](#)

Tina Garver, Community Development Director, provided an overview of the street light standards, that the builder is responsible for the payment of the street lights until all the homes are built at which time the builder is to request that the City take over the street light payments, guarantees road work for entries into subdivisions, sets a maximum rental amount for new subdivisions, allows package stores within the NRC district, clarifies that home occupations are allow in the central business district in the mixed-use category, and outlines the requirements for gas stations located within the CRC zoning district.

The Mayor and Council body expressed their concern about setting a standard in street lights with developers during construction; and asked would the street light standards apply to existing subdivisions. Mrs. Garver replied that the lights in the existing subdivisions would remain as they are. Mrs. Garver added that the Staff remains in communication with the engineers of Cobb EMC and has relayed the comments of Mayor and Council to their engineer.

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 1 Bordelon, that Ordinance ORD 23 -014 be approved. The motion carried by the following vote:

- Yes:** 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

ORD 23
-015

AN ORDINANCE TO AMEND THE BUDGET FOR FISCAL YEAR 2023 TO ALLOCATE RECEIPTS AND EXPENDITURES RELATING TO BUILDING

PERMITS; TO AMEND THE BUDGET FOR FISCAL YEAR 2024 TO ALLOCATE RECEIPTS AND EXPENDITURES RELATING TO ART GRANT FUNDS; TO REPEAL CONFLICTING ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [ORDINANCE 2023 - 015 Budget Amendment](#)
[Proposed Budget Amendment 9-18-23 and 10-02-23](#)

Ordinance ORD 23 -015 had no action taken and was a first reading only.

8. City Manager and City Council Reports

City Manager Pam Conner reminded everyone of the last Sounds of the Springs Concert Series September 23rd; the ongoing Brown Bag Concert Series every Thursday from 12pm-1pm; and the Job Fair Wednesday September 20th at the Ford Reception Hall.

Council Member Green discussed attending New Hope Missionary Baptist Church this past Sunday; and reminded everyone to get out and vote during this upcoming election.

Council Member Dawkins congratulated the recipients of the Proclamations this evening; and thanked those that attended the meeting in person and online.

Council Member Lust thanked those persons who attended the meeting in person and online; congratulated all those persons that received the evenings Proclamations; and mentioned that on Wednesday he will be attending the 2024 Cobb Hospitality Industry Outlook at the Atlanta Marriott Northwest at Galleria.

Council Member Bordelon thanked everyone for attending in person and online; and congratulated all the Staff on a terrific job that they are doing.

Council Member Wisdom thanked all those persons that came to the Council meeting in person and online; congratulated all the recipients of the awards and proclamations that were presented; and attended to the 25th anniversary celebration for Reflections of Trinity.

City Clerk Kelly Axt expressed her appreciation for the Deputy City Clerk Tamara Newkirt's hard work and dedication for completing her Clerk's Certification.

9. Executive Session, if called for purposes of Real Estate, Litigation or Personnel Matters

No Executive Session was held.

10. Adjournment

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member

- At Large Post 2 Wisdom, that this Adjournment be approved. The motion carried by the following vote:

Yes: 5 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom