



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, July 18, 2022

7:00 PM

Patricia C. Vaughn Cultural Arts Center & VIA
ZOOM

Onsite at Patricia Vaughn Cultural Arts Center - 4181 Atlanta Street

Pre-Meeting Discussion at 6:30PM

Join Zoom Meeting - <https://us06web.zoom.us/j/89131739938>

Meeting ID: 891 3173 9938 Dial: 1-929-205-6099

1. Call to Order

Mayor Pro Tem Lust called the meeting to order at 7:00pm. Mayor Thurman was away on vacation but attended via Zoom. Council Members Bordelon, Dawkins, Green, and Wisdom attended on site. Also present onsite was City Manager Pam Conner. City Attorney Richard Calhoun and City Clerk Kelly Axt both attended via Zoom.

Staff member in attendance: Bill Tanks

Present 5 - 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

Absent 1 - Mayor Al Thurman

2. Invocation and Pledge of Allegiance

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

3. Approval of Minutes

Council Agenda Minutes 06/21/2022

Special Called Council Agenda 07/11/2022 at 12:00PM

Special Called Council Agenda 07/11/2022 at 6:30PM

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post Wisdom, that Council Agenda Minutes 06/21/2022, Special Called Council Agenda 07/11/2022 at 12:00PM and Special Called Council Agenda 07/11/2022 at 6:30PM 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

No report provided.

5. Public Reports | Presentations

No reports nor presentations were made.

6. Citizens Comments

No citizen comments were made.

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.

7. City Attorney

A. Consent Agenda

[RES0 22-093](#) A RESOLUTION ACCEPTING AND APPROVING EARLY TERMINATION OF THE AGREEMENT BETWEEN THE CITY OF POWDER SPRINGS AND WASTE INDUSTRIES FOR THE COLLECTION, TRANSPORTATION AND DISPOSAL OF HOUSEHOLD RECYCLABLE MATERIALS; APPROVING AND AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH A. GOLDSMITH RESOURCES, LLC FOR THE PURPOSES OF ESTABLISHING A RECYCLING DROP OFF CENTER AT THE CITY PUBLIC WORKS FACILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-094](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE A RENEWAL AGREEMENT WITH ROBIN ROBERTS PROMOTIONS LLC TO PRODUCE THE 3rd ANNUAL BRINGING THE SEA TO THE SPRINGS SEAFOOD FESTIVAL FROM MAY

12 TO MAY 14, 2023; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-095](#) A RESOLUTION APPROVING AND AUTHORIZING THE USE OF PUBLIC PROPERTY FROM AUGUST 26 THROUGH AUGUST 28 FOR THE PURPOSE OF ACCOMMODATING A TEMPORARY OUTREACH EVENT HOSTED BY CALVARY CHRISTIAN MINISTRIES; AUTHORIZING THE TEMPORARY CLOSURE OF HOPKINS ROAD AND HOPKINS COURT IF DETERMINED NECESSARY BY THE POLICE DEPARTMENT TO MANAGE TRAFFIC CONTROL; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-096](#) A RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF ROADS AND PUBLIC SPACES IN OR ADJACENT TO THURMAN SPRINGS PARK TO FACILITATE THE BACK-TO-SCHOOL-BASH AT THURMAN SPRINGS PARK ON JULY 30, 2022 FROM 10AM TO 3PM; APPROVING A CITY BOOTH AT SAID EVENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-097](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE AN AGREEMENT WITH RID PROPERTY SERVICES TO REMOVE JUNIPER FROM THE MEDIANS LOCATED ON RICHARD D. SAILORS PARKWAY, APPLY PRE-EMERGENT WEED CONTROL AND INSTALL PINESTRAW FOR AN AMOUNT OF \$9,000; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-098](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH COBB COUNTY FOR FLEET MAINTENANCE SERVICES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-099](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE THE 20th AMENDMENT TO THE PROGRAM MANAGEMENT AGREEMENT WITH CROY ENGINEERING, LLC FOR DESIGN AND ENGINEERING SERVICES RELATING TO THE ROUNDABOUT IMPROVEMENTS AT FLORENCE ROAD AND POWDER SPRINGS DALLAS ROAD UNDER THE 2016 SPECIAL PURPOSE LOCAL

OPTION SALES TAX PROGRAM FOR AN AMOUNT OF \$211,805; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-100](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE THE 19TH AMENDMENT TO THE PROGRAM MANAGEMENT AGREEMENT WITH CROY ENGINEERING, LLC FOR DESIGN AND ENGINEERING SERVICES RELATING TO THE INTERSECTION IMPROVEMENTS AT NEW MACLAND AND MACEDONIA ROADS UNDER THE 2016 SPECIAL PURPOSE LOCAL OPTION SALES TAX PROGRAM FOR AN AMOUNT OF \$73,320; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. .

approved

[RES0 22-101](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE AGREEMENTS WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION AND THE ATLANTA REGIONAL COMMISSION NECESSARY TO PARTICPATE IN THE FEDERAL AID PROGRAM FOR THE DESIGN AND ENGINEERING OF THE SILVER COMET TRAIL CONNECTOR LOCATED BETWEEN THE SILVER COMET TRAIL AT OLD LOST MOUNTAIN AND THURMAN SPRINGS PARK BY WAY OF JACKSON WAY EXTENSION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-102](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH COBB COUNTY RELATING TO THE UPGRADE, FUNDING, OPERATION AND MAINTENANCE OF TRAFFIC SIGNALS AT CERTAIN LOCATIONS WITHIN THE CITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-103](#) A RESOLUTION AMENDING RESOLUTION 2013-23 TO INCLUDE CERTAIN AREA WITHIN PUBLIC RIGHT OF WAY; EXPRESSLY DISCLAIMING THE ACCEPTANCE OF OTHER ITEMS; APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE AN AGREEMENT WITH ARDITO CONSTRUCTION COMPANY TO REPAIR CERTAIN RIGHT OF WAY LOCATED WITHIN THE SILVER SPRING RESIDENTIAL DEVELOPMENT FOR AN AMOUNT OF \$23,362.50;PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-104](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH TAYLOR ENGLISH TO CONDUCT PLAN REVIEW AND ZONING ASSISTANCE FOR THE CITY'S COMMUNITY DEVELOPMENT DEPARTMENT FOR A MONTHLY FEE OF \$2400; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-105](#) A RESOLUTION APPROVING AND AUTHORIZING THE PLANNING AND ZONING COMMISSION TO AMEND ITS BYLAWS AND CALENDAR TO ESTABLISH A 7:00PM START TIME FOR ITS REGULAR PUBLIC MEETING; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-106](#) A RESOLUTION AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE A LICENSE AGREEMENT WITH THE HOMEOWNERS OF THE WOODBRIDGE SUBDIVISION FOR THE REPLACEMENT OF A SUBDIVISION ENTRANCE SIGN ON RIGHT OF WAY AT THE INTERSECTION OF WOODCREST DRIVE AND BROWNSVILLE ROAD; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-107](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE THE 5TH AMENDMENT TO THE ENGINEERING SERVICES AGREEMENT WITH CROY ENGINEERING, LLC IN THE AMOUNT OF \$38,345.00 TO PERFORM SURVEY AND ENGINEERING DESIGN SERVICES FOR STORMWATER REPAIRS AT CERTAIN LOCATIONS WITHIN THE CITY OF POWDER SPRINGS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

approved

[RES0 22-109](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE AN AGREEMENT WITH NATURCHEM, INC. DBA OPTERRA SOLUTIONS, TO MOW, CLEAR AND MAINTAIN CERTAIN DETENTION PONDS FOLLOWING COLLECTION OF FUNDS FROM OWNERS OF PROPERTIES WITHIN AFFECTED SUBDIVISIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-110](#) A RESOLUTION APPROVING UPDATES TO PAY RANGES BASED UPON THE FY23 COST OF LIVING ADJUSTMENT PROVIDED TO CURRENT EMPLOYEES; UPDATING THE CLASSIFICATION ASSIGNMENT TABLE TO INCLUDE RECREATION & FACILITIES MAINTENANCE SUPERVISOR; DEPUTY PUBLIC WORKS DIRECTOR, NPDES FIELD TECHNICIAN AND ADMINISTRATIVE SERVICES DIRECTOR; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-111](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH COBB COUNTY RELATING TO CERTAIN SPECIAL PURPOSE LOCAL OPTION SALES TAX PROJECTS JOINTLY FUNDED BY THE CITY OF POWDER SPRINGS AND COBB COUNTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-112](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE AN AMENDMENT TO THE FRAMEWORK AGREEMENT WITH COBB COUNTY RELATING TO THE TRANSPORTATION IMPROVEMENTS AT POWDER SPRINGS ROAD, FLINT HILL ROAD, AND PINEGROVE ROAD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

[RES0 22-113](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR OR MAYOR PRO TEM TO EXECUTE AN AGREEMENT WITH CENTER FOR TESTING AND ENGINEERING TO COMPLETE CERTAIN ASSESSMENT AND REPAIRS AT THE FUEL PUMPS LOCATED AT THE CITY OF POWDER SPRINGS PUBLIC WORKS FACILITY FOR AN AMOUNT NOT TO EXCEED \$13,000; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

approved

Approval of the Consent Agenda

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post Bordelon, to approve the Consent Agenda as read 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

[AL-22-003](#)

Alcohol License Hearing
Suga's Cheese Shoppe & Cafe, LLC, Stacey West
4456 Marietta Street, #110
Beer and Wine Pouring

Stacey West, owner of Suga's Cheese Shoppe & Cafe, application is requesting to serve beer, wine and champagne in the cafe. Ms. West stated that she is working with a bartending school on an employee training program.

No speakers for or against AL 22-003.

A motion was made by Council Member - At Large Post Bordelon, seconded by Council Member - Ward 3 Green, that this Alcohol License 22-003 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 22-013](#)

AN ORDINANCE TO AMEND THE BUDGET FOR FISCAL YEAR 2022 TO ALLOCATE RECEIPTS AND EXPENDITURES FOR VARIOUS DEPARTMENTAL BUDGETS; TO REPEAL CONFLICTING ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading June 21, 2022 2nd reading July 18, 2022

Pam Conner, City Manager, discussed the transfer of funds from various department budgets to cover some shortages in other budgets.

A motion was made by Council Member - At Large Post Bordelon, seconded by Council Member - Ward 2 Dawkins, that Ordinance 22-013 be amended. 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 22-012](#)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES RELATING TO ECONOMIC DEVELOPMENT INCENTIVES; ESTABLISHING TARGETED BUSINESSES THAT COULD BENEFIT FROM ECONOMIC DEVELOPMENT INCENTIVES; ESTABLISHING ANNEXATION INCENTIVES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st Reading 6-21-22 2nd Reading 7-18-22

Marsellas Williams, Economic Development Director, provided an overview of

changes to ordinances based on following the County's economic ordinances; defining target businesses, and the removal of water system and development fees.

Rob Hosack, Taylor English consultant, provided some highlights to annexation incentives such as differentiating between residential and non-residential properties, specifying between developed or existing properties versus underdeveloped properties and incentivizing for non-residential, existing and undeveloped properties. Mr. Hosack also mentioned that there were opportunities to further incentivize annexation of residential and non-residential that are considered islands for emergency response challenges.

A motion was made by Council Member - At Large Post Wisdom, seconded by Council Member - Ward 3 Green, that this Ordinance 22-012 be amended. 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 22-016](#)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES RELATING TO THE POWDER SPRINGS ALCOHOLIC BEVERAGE ORDINANCES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st Reading - July 18,2022 2nd Reading - August 15, 2022

Tina Garver, Community Development Director, provided proposed changes to be consistent with State Law. Mrs. Garver provided highlights such as; proposing changing annual approvals to licenses; temporary approvals to permits; defining a private club to be in line with State requirements; updating the hours of operation to be consistent with Sunday sales provision; adding language to Sunday sales provisions to be consistent with State law; reviewing wording for special event facilities and variance language.

This Ordinance ORD 22 -016 was a first reading only. No action was taken..

[PZ 22--003](#)

Rezoning Request: Lewis / Oglesby Road. To consider rezoning from CRC to PUD-R, the property located at 4596 Lewis Road and 4401 Oglesby Road (portion) and C.H. James parkway, within the 19th District, 2nd Section, Land Lots 1049 and 1050, Cobb County, Georgia.

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post Wisdom, that this Rezoning PZ 22-003 be tabled to the City Council, due back on 8/15/2022 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

[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.

**A motion was made by Council Member - Ward 3 Green, seconded by Council Member - Ward 2 Dawkins, that this Rezoning PZ 22-022 be tabled to the City Council, due back on 8/15/2022
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

[PZ 22--023](#) Variance Request: 4045 Lindley Circle. To vary Section 4-110 of the UDC related to distance separation requirements for group day care facilities.

Adam Rozen, Attorney for applicant Malamov Community and Human Services, provided an overview of the application to request a variance of distance to allow a group day care facility.

No speakers for or against the application.

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that this Variance PZ 22-023 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

8. City Manager and City Council Reports

Pam Conner, City Manager, shared that the City Clerk is temporarily absent and asked that everyone keep her in your thoughts and prayers.

Council Member Green made no remarks nor reports.

Council Member Dawkins thanked everyone for attending in person as well as virtually.

Council Member Bordelon thanked everyone for attending in person and virtually. Mr. Bordelon also extended his thoughts and prayers to Kelly Axt as she is recovering.

Council Member Wisdom welcomed participants on Zoom as well as in person. Ms. Wisdom also shared what she learned at the GMA Conference regarding annexation.

Council Member Lust thanked everyone for attending in person and virtually. Mr. Lust extended his thoughts and prayers to Kelly Axt and expressed that he looks

forward to her return. He also stated that he hoped that Mayor is having a joyous time on vacation; and thanked the Council for their support as he chaired the meeting in place of the Mayor.

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

There was no Executive Session held.

10. Adjournment

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post Bordelon, 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