



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, March 6, 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/89758326350>

Meeting ID: 897 5832 6350 Dial: 1-929-205-6099

1. Call to Order

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

Staff in attendance: Lane Cadwell, Tina Garver, Travis Landrum, Eric Meyer, Shaun Myers, Tamara Newkirt, Travis Sims, and Bill Tanks.

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 Mayor Thurman and the Pledge of Allegiance was led by Council Member Bordelon.

3. Approval of Minutes

[2023 -017](#) Council Agenda Minutes 02/20/2023

Attachments: [Council Agenda Minutes 20-Feb-2023](#)

A motion was made by Council Member - At Large Post 2 Wisdom, seconded by Council Member - Ward 3 Green, that Council Agenda Minutes 02/20/2023 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 -018](#) Council Work Session Minutes 03/01/2023

Attachments: [Council Work Session Minutes 01-Mar-2023](#)

A motion was made by Council Member - At Large Post 2 Wisdom, seconded by Council Member - Ward 3 Green, that Council Work Session Minutes 03/01/2023 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 Thurman thanked Mayor Pro Tem Lust for standing in on his behalf at the McEarchern's Young Men's Conference last Saturday; thanked Council for coming out Sunday afternoon to meet with all the Boards for feedback and understanding of the direction of the City.

5. 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.

6. Public Reports | Presentations

No reports or presentations were made.

7. City Attorney

A. Consent Agenda

[RES0
23-049](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH RCS PRODUCTIONS FOR PROFESSIONAL SERVICES TO BE PERFORMED FOR AND AT THE SUMMER CONCERT SERIES AND THE INDEPENDENCE DAY CELEBRATION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [July 4 Artist Contract 2023 Redacted](#)
[Summer Concert Contract 2023 Redacted](#)
[Executed RESO 2023-049](#)

approved

[RESO
23-050](#)

A RESOLUTION UPDATING THE CITY OF POWDER SPRINGS FEE SCHEDULE TO INCLUDE NEW FEES FOR RENTAL OF POWDER SPRINGS PARK PAVILIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [PS Park Pavilion\(s\) Fee Proposal](#)
[RESOLUTION 2023 - 050 Fee Schedule](#)
[Executed RESO 2023-050](#)

approved

[RESO
23-051](#)

A RESOLUTION APPROVING AND AUTHORIZING THE PURCHASE OF SOFTWARE TO FACILITATE THE REVIEW OF ELECTRONIC PLANS FOR AN ANNUAL COST OF \$1200; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [City of Powder Springs GA_Q-93767 Redacted](#)
[Executed RESO 2023-051](#)

approved

[RESO
23-052](#)

A RESOLUTION APPROVING AND AUTHORIZING THE PURCHASE OF LADEFICHE SOFTWARE FOR THE COMMUNITY DEVELOPMENT DEPARTMENT TO FACILITATE THE ELECTRONIC SEARCH AND RETRIEVAL OF HISTORICAL PERMIT DATA, ZONING FILES, AND BUSINESS LICENSE DATA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Laserfiche Installation Quote Redacted](#)
[Laserfiche Annual Maintenance Redacted](#)
[Executed RESO 2023-052](#)

approved

[RESO
23-053](#)

A RESOLUTION UPDATING THE CLASSIFICATION ASSIGNMENT TABLE FOLLOWING THE COST-OF-LIVING ADJUSTMENT PREVIOUSLY APPROVED; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESO 23- 053 EXH A Pay & Classification Assignments updated with cola info](#)
[Executed RESO 2023-053](#)

approved

[RES0
23-054](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH RAYMOND JAMES FOR A FEE OF \$3500 TO PREPARE AND FILE ANNUAL CONTINUING DISCLOSURE REQUIREMENTS RELATING TO MUNICIPAL BONDS AND RELATED REPORTS AS REQUIRED BY THE SECURITY AND EXCHANGE COMMISSION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Powder Springs \(City of\) - Designated Dissemination Agent Agreement - Series 2021AB - V2 Redacted Executed RESO 2023-054](#)

approved

[RES0
23-055](#)

A RESOLUTION AUTHORIZING THE CITY TO TAKE PART IN A NEW PROPOSED NATIONAL OPIOID SETTLEMENT AND AUTHORIZING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTATION TO EFFECTUATE SAME; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Action Required Teva Allergan CVS Walgreen Redacted Executed RESO 2023-055](#)

approved

[RES0
23-056](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE ANNUAL SUBRECIPIENT AGREEMENT WITH THE COBB COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM OFFICE FOR THE USE OF CDBG FUNDS FOR PUBLIC FACILITIES AND INFRASTRUCTURE IMPROVEMENTS FOR PROGRAM YEAR 2023; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2023-056](#)

approved

[RES0
23-057](#)

A RESOLUTION APPOINTING COBB COUNTY TO PERFORM ALL DUTIES AS SUPERINTENDENT OF ELECTIONS PURSUANT TO O.C.G.A. 21-2-45; AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR THE CONDUCT OF CITY ELECTIONS FOR A COST OF \$48,145.57; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Estimate Powder Springs.pdf](#)
[Powder Springs General Election November 7 2023.docx](#)
[Executed RESO 2023-057](#)

approved

[RES0
23-058](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH WASTE PRO OF GEORGIA, INC. TO HAUL AND PURCHASE RECYCLABLE MATERIALS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2023-058](#)

approved

[RES0
23-059](#)

A RESOLUTION APPROVING AND AUTHORIZING AND APPROVING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF HOPPERS FOR THE RECYCLING DROP-OFF CENTER FOR AN AMOUNT OF \$38,989.84 UNDER A SOURCEWELL CONTRACT DISTRIBUTOR, GRAINGER; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RCtr Hoppers Grainger 02222023 Redacted](#)
[Executed RESO 2023-059](#)

approved

[RES0
23-060](#)

A RESOLUTION APPROVING AND AUTHORIZING AND APPROVING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF A FORKLIFT FOR THE RECYCLING DROP-OFF CENTER FOR AN AMOUNT OF \$43,176.00 UNDER A SOURCEWELL CONTRACT DISTRIBUTOR, THOMPSON LIFT TRUCK COMPANY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Thompson Forklift 02232023 Redacted](#)
[Executed RESO 2023-060](#)

approved

[RES0
23-061](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH MAXAIR MECHANICAL TO MAINTAIN CITY HVAC UNITS AND OTHER MECHANICAL SYSTEMS FOR AN AMOUNT OF \$18,540.00; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [MAXAIR HVAC contract 2023 Redacted](#)
[Executed RESO 2023-061](#)

approved

[RES0
23-062](#)

A RESOLUTION CONDITIONALLY APPROVING THE TEMPORARY CLOSURE AND USE OF A PORTION OF THE MUNICIPAL PARKING FRONTING MARIETTA STREET FOR TEMPORARY SPECIAL EVENTS

ON THE FIRST AND THIRD THURSDAY OF EACH MONTH BETWEEN APRIL 2023 AND OCTOBER 2023 DURING THE HOURS OF 4:00PM and 9:00PM TO ACCOMMODATE THE DOWNTOWN MARKET CONDUCTED BY THE DOWNTOWN BUSINESSES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [City Application - The Market Redacted](#)
[The Market Dates](#)
[Parking Lot Layout Market](#)
[Executed RESO 2023-062](#)

approved

**[RESO
23-063](#)**

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE GEORGIA EMERGENCY MANAGEMENT AGENCY AND HOMELAND SECURITY AGENCY FOR GRANT SUPPORT TO SUPPLY EQUIPMENT NEEDS FOR POLICE DEPARTMENT OPERATIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [GEMA MOU Redacted](#)
[Executed RESO 2023-063](#)

approved

Approval of the Consent Agenda

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 2 Wisdom, to approve the Consent Agenda as read by the City Attorney Julie Livingston. 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 22
-032](#)**

Ordinance - To annex into the City of Powder Springs and Rezone an approx. 56 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.

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: [Ordinance 22 032 Draft](#)
[Exhibit A Ordinance 22_032](#)
[Exhibit A Ordinance 22_032](#)
[Primary Exhibits. Barett Pkwy Annexation Redacted](#)
[Vicinity Map. Barett Pkwy Annexation](#)
[Appl Pkgs FINAL for Efilng-SCP Acquisitions, LLC Redacted](#)
[Executed Motion to Table to 12-05-2022](#)
[Executed Motion ORD 22-032 to Table to 01-17-2023](#)

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that Ordinance 22-032 be tabled to the City Council, due back on 4/3/2023. 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

PZ 22--034 Rezoning Request. To rezone an approx 56 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.

Attachments: Revised Site Plan. 03212023
 Revised Stipulations Letter. 03012023.
 Site plan comparison. Previous vs Current
 Site Plan and Elevation Exhibits. Barrett Pkwy Annexation
 Vicinity Map. Barett Pkwy Annexation
 Stipulations Letter 01-04-2023 Redacted
 Trip Generation Memo - 01-12-2023 Redacted
 Unit size and price ranges Redacted
 Rezoning + Annexation Applications. Notice of Intent. Application attachments Redacted
 Executed PZ 2022-034 Motion to Table to February 6, 2023.
 PZ 22-034 Executed Motion to table to Feb 6, 2023

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - At Large Post 1 Bordelon, that this Rezoning PZ 22-034 be tabled to the City Council, due back on 4/3/2023. 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

PZ 23--004 Variance Request to Table 2-2 of UDC to reduce the minimum rear setback from 35-feet to 15-feet, for a 360-sf accessory structure. The property is located at 4234 Pinetree Drive, within land lot 800 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19080000370.

Attachments: [Shed renderings.](#)
[Shed under construction](#)
[Interior of tool shed.](#)
[4234 Pinetree Drive. Variance Application Redacted](#)
[Executed PZ 2023-004](#)

Leo along with Jorge Flores, applicants, discussed their application for a variance to allow an already constructed shed to remain in place that sits 15 feet from the rear property line. Leo added that when they began their construction of the shed, they were not aware of the permit requirements.

Shaun Myers, Planning and Zoning Manager, stated that Staff and Planning and Zoning Commission recommended approval and read the conditions.

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that Variance PZ 23-004 be approved with the following conditions:

- 1. Applicant to properly permit the accessory structure, to include design review approval.**
- 2. No water service or connection to be extended to the structure.**
- 3. No habitable space to be provided within the structure.**
- 4. No business inventory of any type to be stored within the structure, personal use only.**
- 5. No vehicular access drive or path to be provided from Pinetree Drive to the structure.**
- 6. Only one small porch light to be permitted under the front porch section of the structure, so to avoid casting any additional lighting on the adjacent properties.**

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, reminded everyone of the Reside with Pride program March 7th-10th and the Easter Egg Quest March 25th-April 9th. Mrs. Conner also stated that Staff is not prepared to make recommendations for the use of the church property at the corner of Old Lost Mountain Drive and Jackson Way until the City has ownership.

Council Member Dawkins wished everyone a great evening.

Council Member Green extended his peace and blessings to everyone.

Council Member Lust thanked and wished everyone a good evening. Mr. Lust mentioned that he stood in as Mayor Pro Tem to do the welcome at McEarchern's First Annual Young Men's Conference; and that there will be a memorial service for Powder Springs resident and Powder Springs Community Task Force member Aaliyah Marshall-Dublin at the Turner Chapel AME

Church March 11th at 11am.

Council Member Bordelon thanked everyone for tuning in and wished them a good week.

Council Member Wisdom thanked the residents on Zoom and in person for attending the meeting.

9. Executive Session was called for the purpose of Real Estate

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that this Executive Session for the purpose of Real Estate 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

Executive Session concluded for the purpose of Real Estate

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - At Large Post 2 Bordelon, that this Executive Session conclude for the purpose of Real Estate 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

10. Adjournment

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, 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