



# City of Powder Springs

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

## Meeting Minutes - Final Council Work Session

*Mayor  
Albert Thurman*

*Council Members:  
Henry Lust, Doris Dawkins, Dwayne Green, Dwight McMutry, Patricia  
Wisdom*

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Wednesday, January 31, 2024

5:00 PM

Ford Center Reception Hall  
4181 Atlanta Street | Building 2  
Powder Springs, GA 30127

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### Location Information:

**Onsite: Ford Center Reception Hall, 4181 Atlanta St., Powder Springs, GA 30127**

**Join Zoom Meeting - <https://us06web.zoom.us/j/82429242183>  
Meeting ID: 824 2924 2183 Dial: 1-929-205-6099**

### Call to Order

Mayor Albert Thurman called the meeting to order at 5:00 pm. Council Members Green, Lust, McMutry and Wisdom were present on site. Council Member Dawkins was absent. Also present on site were City Attorney Julie Livingston, City Manager Pam Conner, and City Clerk Kelly Axt.

Staff in attendance: Lane Cadwell, Phyllis Calloway, Jon Gargis, Tina Garver (Zoom), Travis Landrum (Zoom), Shaun Myers (Zoom), Rosalyn Nealy (Zoom), Tamara Newkirt, Vangie Rodenbeck, Travis Sims (Zoom), Bill Tanks, Marsellas Williams, and Wayne Wright.

### Mayor's Comments

Mayor Al Thurman shared that he attended the Cities United Summit and discussed the Conflict Resolution class; and also attended the Cobb Chamber Gala.

### Work Session Matters

Economic Development Director Marsellas Williams facilitated the work session.

[RPT 24-005](#)

Report presented by Pam C. - Update on legislative and lobbying issues

Pam Conner, City Manager, provided an update on the arranged meeting between the Mayor and the Georgia Department of Transportation (GDOT) Commissioner to

discuss the 278 curb cut issues.

The Council body asked would the State Commissioner have the final say or recommend another recourse. Mrs. Conner answered that the Commissioner would be able to vary or to waive the State rules but it may come at a cost at the Federal level.

[RPT 24-008](#) Report presented by Pam C. - Schools and Services Update (district, tutoring, food distribution)

Attachments: [Community In Schools Flyer](#)  
[Community In Schools Testimonials](#)

L. Tre Hutchins, Cobb County School Post 3 Board Member, discussed renovation funding for schools, demography study report, advance placement school recognitions, school district mapping, and the education appreciation day.

The Council body asked what would the impact be should McEachern High School no longer be under the Powder Springs mapping jurisdiction; why isn't Powder Springs Elementary a school of choice; are Compton and Powder Springs Elementary Schools up to capacity; and will the under capacity schools close. Mr. Hutchins answered the impact would revert back to a two person board member; there are a number of reasons why Powder Springs Elementary is not considered a school of choice; neither Compton nor Powder Springs Elementary Schools are at full capacity; and currently there is no conversation by the Board of Education to close or consolidate schools.

Wayne Wright, Interim Development and Infrastructure Agency Executive Director, introduced contractors funded through American Rescue Plan (ARPA) to report on the grocery store in Tapp Middle School and tutoring services.

Mitchell Tanzi, of GoodR, provided a report on the shopping process, the number of families serviced and size, students that are eligible for free or reduced priced lunch, and the economic value to the students and families.

The Council body asked are the students going to the GoodR grocery store to get their lunch or going to the cafeteria. Mr. Tanzi replied that the students are going to the cafeteria to get their lunch.

Natalie Rutledge, Executive Director of Communities In Schools, reported on the tutoring services, student results, and attendance in Powder Springs Elementary.

The Council body asked how many students at Powder Springs Elementary are in the program; do the students leave the program and return; and are the tutors one to one or one to group. Ms. Rutledge answered 75 students have been supported currently;

the program does cycle students out should they improve and go back to the classes; and some are one to one and some are one to small group.

[RPT 24-006](#) Report presented by Bill Tanks and Vangie Rodenbeck - Youth Council and 4P update

*Attachments:* [ANNUAL REPORT](#)

Bill Tanks, Public Services, Equity and Inclusion Agency Executive Director, discussed the re-engagement of the 4P (Pastors, Parks, Police and Principals) Program and the goals of the program.

Vangie Rodenbeck, Volunteer Coordinator, discussed the youth council objectives and process.

No discussion was held.

[RPT 24-009](#) Report presented by Bill T. - DEI Update

*Attachments:* [Diversity Equity Inclusion](#)

Bill Tanks, Public Services, Equity and Inclusion Agency Executive Director, provided a presentation on the Diversity Equity Inclusion program, training and certification.

No discussion was held.

[RPT 24-010](#) Report - Baseball Opening Day Parade- Bill Tanks

*Attachments:* [Powder Springs Baseball Association 1.23.24 Redacted](#)

Bill Tanks, Public Services, Equity and Inclusion Agency Executive Director, discussed the opening day parade March 2, 2024 at 8:30am to end at the Powder Springs Park. Mr. Tanks added that Staff will present street closures at a later date.

No discussion was held.

[ORD 24-002](#) AN ORDINANCE TO AMEND THE BUDGET FOR FISCAL YEAR 2024 TO TRANSFER 10% OF THE JUNE 30, 2023 CHANGE IN FUND BALANCE THAT IS IN EXCESS OF SIX MONTHS OF THE FY24 BUDGETED EXPENDITURES; TRANSFER SAID FUNDS TO EMERGENCY PREPAREDNESS CONTINGENCY AND RESURFACING; TO REPEAL CONFLICTING ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st Reading - 2/5/24 2nd reading - 2/19/24

Attachments: [Proposed Budget Amendment 2-5-23 and 2-19-23](#)  
[ORDINANCE 2024 - 002 Budget Amendment set asides](#)

Travis Sims, Finance Director, discussed the recommended budget amendments for the fund balance for the end of fiscal year 2023.

No discussion was held.

[RES0 24-006](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH VC3 TO REDUCE SERVICE PRICING AND TO EXTEND THE CONTRACT FOR A THREE-YEAR TERM ENDING MARCH 1, 2027; APPROVING ALLOCATION OF CERTAIN SAVINGS TO P3 COST ANALYSTS FRANCHISE, LLC; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESO 2024-006 EXH A VC3 Manage - Cloud Collaboration-Powder Springs-1102024 1244 PM \(1\)](#)  
[RESOLUTION 2024 - 006 VC3 CONTRACT AMENDMENT](#)

Kelly Axt, City Clerk/Administrative Services Director, discussed the contract extension through March 2027 with savings each year of the extended contract.

Pam Conner, City Manager, added that the recommendation would pay the vendor at one time to keep from managing payments over three years.

No discussion was held.

[RES0 24-011](#) A RESOLUTION DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF RECEPTION AREA FURNITURE LOCATED IN STORAGE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 011 Reception area furniture Surplus](#)

Kelly Axt, City Clerk/Administrative Services Director, discussed the surplus of the furniture from the second floor conference room and lobby furniture in the old City Hall building.

No discussion was held.

[ORD 24](#)  
[-001](#) Annexation Petition to annex a 4.332 acre tract, and rezone from GC (county) to NRC (city). The property is located within land lot 866, 19th district, 2nd section, Cobb County Georgia. PIN: 19086600040.  
1st Reading: 01/16/2024. 2nd Reading: 02/05/2024

- Attachments: [Annexation Application Redacted](#)  
[Alcohol Distance Separation Survey Redacted](#)  
[Site Plan 2023 Redacted](#)  
[Vicinity Map Redacted](#)  
[Exhibit A. LEGAL DESCRIPTION. Redacted](#)  
[ORD 24-001](#)  
[SIGNED Non-Objection ANN-1-2024 Powder Springs Rd and Sanders Rd Redacted](#)

Tina Garver, Community Development Director, discussed that annexation request of a parcel for proposed package store with future retail space.

Staff and Planning and Zoning Commission recommends approval with conditions.

Joel Larkin, of Sams Larkin Huff, LLP, discussed the vacant tract of land surrounded by commercial use. Mr. Larkin added that the applicant is under contract to purchase the property with a proposed package store.

[PZ 24--002](#) Rezoning Request. Annexation of a 4.332 ac tract, and rezone from GC (county) to NRC (city). The property is located within land lot 866, 19th district, 2nd section, Cobb County Georgia. PIN: 19086600040.

- Attachments: [V3 Draft Motion. PZ24-002. 02052024](#)  
[Rezoning Application Redacted](#)  
[Alcohol Distance Separation Survey Redacted](#)  
[Site Plan 2023 Redacted](#)  
[Vicinity Map Redacted](#)  
[9d1d669a-a3e5-464a-a148-f834554c3b35 Redacted](#)  
[SIGNED Non-Objection ANN-1-2024 Powder Springs Rd and Sanders Rd Redacted](#)  
[Written Objections](#)

Tina Garver, Community Development Director, discussed the rezoning application from Cobb County general commercial to Powder Springs neighborhood retail commercial.

Staff and Planning and Zoning Commission recommends approval of the application.

Joel Larkin, of Sams Larkin Huff, LLP, discussed that proposal to open a package store and the applicant is currently looking for tenants to build out future retail pads.

The Mayor and Council body asked what direction would the building be facing; what is the time line of construction; will the building be separate or connected; and any idea of what tenants will be in the retail space. Mr. Larkin answered that the building will be facing Powder Springs Road. Maulik Patel, rezoning applicant, replied that

the estimated timeline is between 12 - 18 months. Mr. Larkin answered that planned buildings will be separate. Mr. Patel replied that once the package store is up and running, he will look for tenants based on the market.

[ORD 24  
-003](#)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES REGARDING CODE ENFORCEMENT BOARD; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st Reading - 2/5/24 2nd Reading - 2/19/24

**Attachments:** [ORDINANCE 2024 - 003 Code of Ordinances Code Enforcement Board deletion](#)

Tina Garver, Community Development Director, discussed the removal of the code enforcement board language that is in the code of ordinances because the City no longer uses a code enforcement board.

No discussion was held.

[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:** [Signed PZ 23-007 Tabled to July 17th](#)  
[Executed Motion PZ 23-007 to table to 05-01-2023](#)  
[notarized application Redacted](#)  
[Tabled PZ 23-007 to June 5, 2023](#)  
[Executed PZ 2023-007 to table to March 4, 2024](#)

Shaun Myers, Planning and Zoning Manager, discussed that the applicant has requested that the special use application be tabled.

Pam Conner, City Manager, provided some context regarding the applicant and the enforcement by Planning and Zoning.

Julie Livingston, City Attorney, added some clarity with regards to the structure in relation to the floodplains.

[PZ 23--028](#)

Special Use Request to allow front yard fences, per UDC Table 4-1. The property is located at 3886 Sharon Drive SW, within land lot 871 of the 19th District, 2nd Section, and Cobb County, Georgia. PIN: 19087100320.

Attachments: [PZ23-028. Motion to DENY. 02052024](#)  
[PZ23-028. Motion to APPROVE. 02052024](#)  
[Executed PZ 2023-028 Tabled Motion to 02-05-24](#)  
[Special use and Variance Apps Redacted](#)  
[Survey and Existing Conditions](#)  
[Code Violation Redacted](#)  
[Exhibits. Sharon Drive](#)  
[Written Support - redacted](#)

Shaun Myers, Planning and Zoning Manager, presented the special use application to allow front yard fence and gate. Mr. Myers added that the applicant did not seek a permit for the gate; and that the Fire Marshall commented that the gate is allowable with requirements.

Staff recommends denial of the application and Planning and Zoning Commissions recommends approval of the application.

Fernando Sandoval, special use applicant, read a statement explaining his request for the fence and gate.

The Mayor and Council body asked if the request is denied what is the applicants next step; and what happened to the violations.

Mr. Myers answered that the applicant would have to comply with the Unified Development Code and move the fence back and dismantle the stone structure; and there were several code violations and the applicant has to appear before a judge for hearing.

[PZ 23--031](#) Variance Request to vary Sec. 4-135 (g) to allow a gate within 25-feet of the right-of-way. The property is located at 3886 Sharon Drive SW, within land lot 871 of the 19th District, 2nd Section, and Cobb County, Georgia. PIN: 19087100320.

Attachments: [PZ23-031. Motion to DENY. 02052024](#)  
[PZ23-031. Motion to APPROVE. 02052024](#)  
[Executed PZ 2023-031 Tabled Motion to 02-05-24](#)  
[Variance request. 3886 Sharon Drive Redacted](#)  
[Exhibits. Sharon Drive](#)  
[Written Support - redacted](#)

Shaun Myers, Planning and Zoning Manager, discussed the variance application to vary minimum gate setback.

Fernando Sandoval, variance applicant, read a statement explaining his request for the gate.

The Mayor asked for confirmation of the gate setback. Mr. Myers replied that the gate setback is less than 25 feet of the public street and does not meet the United Development Code.

[RES0 24-010](#) A RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE OF BROAD STREET FOR PURPOSES OF ACCOMMODATING A TEMPORARY RECYCLING AND SUSTAINABILITY EVENT ON EARTH DAY WEEKEND CONDUCTED BY DOWNTOWN BUSINESSES ON APRIL 20, 2024; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

*Attachments:* [Team Up Clean Up \(1\)](#)  
[Yard Sale](#)  
[RESOLUTION 2024 - 010 reuse recycling event](#)

Pam Conner, City Manager, briefly discussed the road closure for the Brewery's event and in partnership with Pick It Up Powder Springs April 20, 2024.

Vangie Rodenbeck, Volunteer Coordinator, added that Skint Chestnut Brewery approached the City to host a sustainability event April 20, 2024 by having a community yard sale to reuse the items from the Pick It Up Powder Springs event.

No discussion was held.

**Dinner Recess at 6:32 PM**

**A motion was made by Council Member - Ward 3 Green, seconded by Council Member - At Large Post 2 Wisdom, that this Dinner Recess called at 6:32 PM be approved. The motion carried by the following vote:**

**Yes:** 4 - Henry Lust, Dwayne Green, Dwight McMutry, and Patricia Wisdom

**Absent:** 1 - Doris Dawkins

**Dinner Conclusion at 7:00 PM**

**A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that this Dinner Recess conclusion at 7:00 PM be approved. The motion carried by the following vote:**

**Yes:** 4 - Henry Lust, Dwayne Green, Dwight McMutry, and Patricia Wisdom

**Absent:** 1 - Doris Dawkins

**Executive Session was called for the purpose of Litigation Matters**

**A motion was made by Council Member - Ward 3 Green, seconded by Council Member - At Large Post 2 Wisdom, that this was approved. The motion carried by the following vote:**

**Yes:** 4 - Henry Lust, Dwayne Green, Dwight McMutry, and Patricia Wisdom

**Absent:** 1 - Doris Dawkins



### **Executive Session was concluded for the purpose of Litigation Matters**

**A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - At Large Post 2 Wisdom, that this conclusion of Executive Session called for the purpose of Litigation Matters be approved. The motion carried by the following vote:**

**Yes:** 4 - Henry Lust, Dwayne Green, Dwight McMutry, and Patricia Wisdom

**Absent:** 1 - Doris Dawkins

### **City Manager and Council Reports**

Police Chief Lane Cadwell introduced Phyllis Calloway as the new Government Compliance Manager to the Mayor and Council body.

City Manager Pam Conner provided an update on the Powder Springs Forest Hill Rd improvement project with recommendations; and reminded Mayor and Council of the two Special Called Meetings this Friday Feb. 2nd and Saturday Feb 3rd.

Council Member Green made no comments.

Council Member Lust shared that he attended the Georgia Municipal Association Cities United Summit and discussed his two classes.

Council Member Wisdom shared that she attended the Cities United Summit and discussed her budgeting class.

Council Member McMutry shared that he attended the Cities United Summit and discussed his ethics class.

### **Recess to Next Scheduled City Council Meeting**

**A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that this Recess to Monday February 5, 2024 at 6:30 PM be approved. The motion carried by the following vote:**

**Yes:** 4 - Henry Lust, Dwayne Green, Dwight McMutry, and Patricia Wisdom

**Absent:** 1 - Doris Dawkins