



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, November 7, 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/88540213166>

Meeting ID: 885 4021 3166 Dial: 1-929-205-6099

1. Call to Order

Mayor Thurman called the meeting to order at 7:00 pm. Council Members Bordeon, Green, Lust and Wisdom were present in person. 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, Tina Garver, Eric Meyer, Shaun Myers, Tamara Newkirt, Travis Sims, Bill Tanks and Marsellas Williams.

2. Invocation and Pledge of Allegiance

Invocation was led by Mr. Daniel Gray and the Pledge of Allegiance was led by the Cub Scout Pack 405 Silver Comet District.

3. Approval of Minutes

[2022 -026](#) Council Minutes - 10/17/2022

Attachments: [10-17-2022 Council Agenda Minutes](#)

A motion was made by Council Member - At Large Post 1 Bordelon, seconded by Council Member - Ward 3 Green, that Minutes 2022-026 be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 2 Dawkins

[2022 -027](#) Work Session Minutes - 11/02/2022

Attachments: [11-02-2022 Work Session Minutes](#)

A motion was made by Council Member - At Large Post 1 Bordelon, seconded by Council Member - Ward 3 Green, that Minutes 2022-027 be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 2 Dawkins

4. Mayor's Comments

Mayor Thurman shared that he attended the military appreciation luncheon and was impressed by all the generals. Mr. Thurman commended Chief Cadwell in making sure that his officers are appreciated. He will be attending the Cobb Chamber State of South Cobb as a guest speaker on Wednesday November 16th in the new Cobb Training Academy on Austell Road. The Mayor also will be at the New Hope Baptist Church for their early service to congratulate them on their anniversary.

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

L. Tre' Hutchins, Cobb County School Board Member Post 3, provided updates on a charter school coming to Powder Springs next year, current partnership in the Powder Springs Schools, test scores and graduation rates.

Chief Lane Cadwell recognized and awarded Officer Carson Yates on his heroic CPR saving efforts he provided to a marathon runner on the Silver Comet Trail October 29th.

7. City Attorney

A. Consent Agenda

[RES0 22-166](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH LOWE ENGINEERS, LLC IN THE AMOUNT OF \$300,000 TO PERFORM AN INVENTORY AND ASSESSMENT OF THE STORMWATER SYSTEM, UPDATE THE CITY'S GIS SYSTEM, AND PROVIDE A CAPITAL PLAN FOR STORMWATER; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Attachments: [RESOLUTION 2022 - 166 Stormwater Assessment award with ARPA.doc](#)

approved

[RES0 22-167](#) A RESOLUTION APPROVING THE MEETING DATE SCHEDULE FOR THE MAYOR AND COUNCIL OF THE CITY OF POWDER SPRINGS FOR CALENDAR YEAR 2023; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [2023 Proposed Council Calendar](#)
[RESOLUTION 2022 - 167 Mayor and Council Meeting Schedule 2023](#)

approved

[RES0 22-168](#) A RESOLUTION APPROVING AND RATIFYING THE INSTALLATION AND MONITORING OF A FIRE CELL UNIT AT THE MUNICIPAL COURT BUILDING FOR A COST OF \$762; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2022 - 168 Fire Cell Unit](#)
[Powder Springs Fire Cell Unit Install_10_6_2022 \(002\).pdf](#)

approved

[RES0 22-169](#) A RESOLUTION APPROVING AND RATIFYING THE PURCHASE OF GUARDIAN TRACKING SOFTWARE FOR USE BY THE CITY OF POWDER SPRINGS POLICE DEPARTMENT AS A PERFORMANCE MANAGEMENT TOOL IN THE AMOUNT OF \$6,840; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR SAID PURCHASE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2022 - 169 Guardian Tracking software](#)
[2022 10 24 Powder Springs Police Dept Client Agreement 10_18_2022 \(1\) \(1\)](#)

approved

[RES0 22-170](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CIVIC FORWARD STRATEGIES FOR

CERTAIN LOBBYING SERVICES IN THE AMOUNT OF \$12,000;
PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Civic Forward Strategies Proposal for Governmental Relations and Lobbying Services - City of Powder Springs 2022 v3](#)
[RESOLUTION 2022 - 170 Curb cuts 278](#)

approved

[RES0 22-171](#) A RESOLUTION APPROVING AND AUTHORIZING AND APPROVING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF A SANITATION TRUCK FOR AN AMOUNT OF \$340,235 UNDER A SOURCEWELL CONTRACT DISTRIBUTOR; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Sourcewell-Sanitation Truck 15](#)
[RESOLUTION 2022 - 171 Sanitation truck](#)

approved

[RES0 22-172](#) A RESOLUTION ACCEPTING THE PROPOSAL OF S.H. CREEL CONTRACTING FOR THE REPAIR OF CERTAIN SIDEWALKS, CURBS AND ASPHALT FOR THE SUM OF \$42,910.00; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR SUCH SERVICES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Infrastructure Repair Macedonia Dr.00](#)
[RESOLUTION 2022 - 172 Macedonia sidewalk and road repair](#)

approved

[RES0 22-173](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ARDITO CONSTRUCTION COMPANY, INC. FOR AN AMOUNT OF \$17,600 TO CONSTRUCT A RETAINING WALL AT THE RECYCLING DROP OFF CENTER AT THE CITY PUBLIC WORKS FACILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2022 - 173 Retaining Wall](#)
[Retaining Wall bid tab](#)
[Retaining Wall recycling drop off](#)

approved

[RES0 22-174](#) A RESOLUTION APPOINTING EDRICK HARRIS AND ELIZABETH JONSSON TO THE DEVELOPMENT AUTHORITY OF POWDER SPRINGS; APPOINTING CHARLIE ROSS TO THE DOWNTOWN DEVELOPMENT AUTHORITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER

PURPOSES.

Attachments: [RESOLUTION 2022 - 174 Board and Commission appointments](#)

approved

[RES0 22-175](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A DEDUCTIVE CHANGE ORDER TO THE AGREEMENT WITH S.H. CREEL CONTRACTING IN THE AMOUNT OF \$16,850.37; AUTHORIZE THE MAYOR AND PUBLIC WORKS DIRECTOR TO EXECUTE ALL DOCUMENTS NEEDED TO CLOSE OUT THE PHASE I RECREATIONAL IMPROVEMENTS PROJECT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [CO 1 Final - Letter to S.H Creel - City](#)
[RESOLUTION 2022 - 175 Deductive Change Order PS Park](#)

approved

[RES0 22-176](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH WAYNE WRIGHT TO PERFORM CERTAIN PROFESSIONAL SERVICES RELATED TO DEVELOPING A YOUTH COUNCIL, DEVELOPING A BEAUTIFICATION GRANT PROGRAM, DEVELOPING EQUITY PROVISIONS TO INCLUDE IN THE CITY'S PROCURMENT PROGRAM, ASSESSING THE CODE ENFORCEMENT PROCESS, ASSESSING THE DEVELOPMENT PROCESS AND IDENTIFYING APPROPRIATE MEASURES TO PARTNER WITH HABITAT FOR HUMANITY AND THE STATE DEPARTMENT OF COMMUNITY AFFAIRS PROGRAMS FOR WORKFORCE AND AFFORDABLE HOUSING; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2022 - 176 Special Projects Assistance](#)

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 by the City Attorney Julie Livingston. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 2 Dawkins

B. Regular Agenda | Public Hearing

[RES0 22-177](#) A RESOLUTION ESTABLISHING A MORATORIUM ON THE

ACCEPTANCE OF ANY NEW CITY REZONING APPLICATIONS FOR RESIDENTIAL DEVELOPMENT; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE SEVERABILITY; TO PROVIDE FOR AN ADOPTION DATE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [JKL.Rev.RESOLUTION 2022 - 177 Moratorium.doc](#)

Pam Conner, City Manager, discussed the recommendation to pause on accepting any new residential rezoning applications in order to update the code and review the land use plans. Mrs. Conner went on to state that the recommendation does not affect any pending development proposals already filed with the City and scheduled to be heard before the Planning and Zoning Commission or the City Council.

No speakers for or against RESO 22-177.

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - At Large Post 2 Wisdom, that Resolution 22-177 be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 2 Dawkins

PZ 22--031

Special Use. To consider a Special Use for a Front Yard Fence that exceeds the height of 3 feet. The property is located at 3455 Old Lost Mountain Road, within land lot 754 of the 19th District, 2nd Section, and Cobb County, Georgia. PIN: 19075400500.

Attachments: [PZ 22 - 031. DRAFT MOTION 11072022](#)

[Special Use Application](#)

[Variance Application](#)

[Exhibits. PZ 22 031](#)

Sheila Lee-Howell and Charles Howell, applicants, discussed the installation of their frontal fence and gate for the purpose of security and enjoyment of their family needs and not to compromise the esthetics of the neighborhood.

Phil Bowen, 3340 Old Lost Mountain Road, discussed his concerns of the height of the fence and not having a business on the property.

Mayor and Council asked if the applicants read and agree with all five stipulations; what was the staff recommendations; what is the City's code with regards to gates; how tall is the fence; and briefly describe the gate. Applicants replied yes they agree with the stipulations; Planning and Zoning Manager Shaun Myers stated that staff recommended approval of the fence and denial of the gate while Planning and Zoning Commission recommended approval of both the fence and the gate; Mr. Myers answered that the City's code does allow gates at a setback of 25ft for the right of

way and is consider a special use; Mr. Howell stated that he fence is 4ft; and Mr. Howell answered that the gate was 12ft wide, 4ft high, open at the top with vertical slats.

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 3 Green, that Special Use PZ 22-031 be approved with the following stipulations:

1. Approval of the special use request to allow a fence in the front yard. Any fencing structures installed in the front yard shall comply with the approved material composition and types specified for residential zoning districts in Table 4-1 of the Unified Development Code (UDC). Fencing around the front yard shall not exceed 4-feet in height.
2. The installation of the front yard fence shall be subject to Administrative Design Review and approval by the Community Development Department.
3. The applicant shall comply with all Cobb County Fire Marshall's Office (FMO) regulations related to the front yard gates and fences:
FMO Comments: Provide emergency access through all gates securing Fire Dept. access with a minimum 12'-0" clear width and approved means of operation (www.knoxbox.com)
4. The front yard fence shall be of a split rail type, constructed of finished wood and shall be stained in a dark brown color, and shall not exceed 4-feet in height. The fence line along the Old Lost Mountain Road frontage shall be relocated and setback a minimum distance of 3-feet from the property line / Right-of-Way.
5. In the case that the gate is allowed as a part of the motion, the gate shall be located no closer than 25 feet from edge of pavement and shall provide a minimum of 12-feet width in clearance across the driveway. The gate shall be of an open slatted design to allow visibility through it and shall comply with the approved material composition specified for residential zoning districts in Table 4-1 of the UDC, and subject to Administrative Design Review. The gate shall not exceed 5-feet in height.

The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 2 Dawkins

[ORD 22
-019](#)

Ordinance - elected official salary

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

Pam Conner, City Manager, discussed the raising of the elected officials compensation by \$3,000 annually for each elected official effective January 2024 following the next city election cycle. Mrs. Conner went on to state that the Mayor's current salary is \$18,000 and the Council's current salary is \$12,000.

ORD 22-019 was a first reading only.

This Ordinance ORD 22 -019 was no action taken.

[MOT 22-017](#)

Noise Ordinance - Late Night Foundation Pours Selig Enterprises, Heartwood - 4493 Brownsville Rd

Tina Garver, Community Development Director, discussed the request by Selig Enterprises to allow late night foundation pours outside of the hours allowed by the noise ordinance due to the timing of the concrete scheduling and less traffic. Mrs. Garver additionally mentioned that the warehouse development on Lewis Road is also requesting late night pours for the same reasons.

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - At Large Post 2 Bordelon, that Motion 22-017 be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 2 Dawkins

Oaths of Office - Boards and Commissions

Elizabeth Jonsson was sworn in by Mayor Thurman and City Clerk Kelly Axt for her appointment to the Development Authority of Powder Springs (DAPS).

Charlie Ross was sworn in by Mayor Thurman and City Clerk Kelly Axt for his appointment to the Downtown Development Authority (DDA).

8. City Manager and City Council Reports

Council Member Green shared that his enjoyment comes from the accomplishments that come from the meetings.

Council Member Wisdom stated she attended a military appreciation luncheon where she got a chance to thank those veterans for their sacrifices. Ms. Wisdom also discussed a GMA update on homelessness.

Council Member Bordelon thanked Officer Yates for his service to the City and commended him on his swift action in saving someone's life. Mr. Bordelon also attended the military appreciation luncheon and was able to meet two WWII veterans. He reminded everyone that the American Legion will have their annual ceremony Friday in front of the Powder Springs Library for Veteran's Day. Council Member Bordelon congratulated the new DDA and DAPS members.

Council Member Lust echoed the sentiments of Council Member Bordelon and congratulated everyone on their service to the City. Mr. Lust welcomed the new DDA and DAPS members. He stated that he attended the GMA Children and Youth Advisory Council followed by a roundtable on improving literacy. Council Member Lust thanked everyone who attended in person as well as on Zoom.

Pam Conner, City Manager, shared that cities across the country are participating in

Operation Green Light to illuminate municipal buildings with green lights to bring awareness to challenges veterans face. Mrs. Conner also reminded everyone that Warren Farm Road will be closed November 17th-19th to replace one speed table.

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 3 Green, seconded by Mayor Pro Tem - Ward 1 Lust, that this Adjournment be approved. The motion carried by the following vote:

Yes: 4 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 3 Green, Council Member - At Large Post 1 Bordelon, and Council Member - At Large Post 2 Wisdom

Absent: 1 - Council Member - Ward 2 Dawkins