



City of Powder Springs

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

Meeting Minutes - Final

City Council

Mayor

Albert Thurman

Council Members:

Henry Lust, Doris Dawkins, Dwayne Green, Dwight McMutry, Patricia Wisdom

Monday, April 15, 2024

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, Bldg. 2

Pre-Meeting Discussion at 5:30PM

Join Zoom Meeting - <https://us06web.zoom.us/j/82015796018>

Meeting ID: 820 1579 6018 Dial: 1-929-205-6099

1. Call To Order

Mayor Albert Thurman called the meeting to order at 7:00 pm. Council Members Dawkins, Green, Lust, and McMutry were present on site. Council Member Wisdom 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, Jon Gargis, Tina Garver (Zoom), Sam Heaton, Travis Landrum (Zoom), Shaun Myers (Zoom), Tamara Newkirt, Travis Sims (Zoom), and Wayne Wright (Zoom).

Present 5 - Al Thurman, Mayor Pro Tem - Ward 1 Henry Lust, Council Member - Ward 2 Doris Dawkins, Council Member - Ward 3 Dwayne Green, and Council Member - At Large Post 1 Dwight McMutry

Absent 1 - Council Member - At Large Post 2 Patricia Wisdom

2. Invocation and Pledge of Allegiance

The Invocation was led by Mayor Al Thurman and the Pledge of Allegiance was led by Council Member Dwight McMutry.

3. Approval of Minutes

[2024 -034](#) City Council Agenda Minutes 04/01/2024

Attachments: [City Council Agenda Minutes 01-Apr-2024](#)

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that City Council Agenda Minutes 04/01/2024 be approved. The motion carried by the following vote:

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

Absent: 1 - Council Member - At Large Post 2 Wisdom

[2024 -035](#) City Council Work Session Minutes 04/10/2024

A motion was made by Council Member - Ward 2 Dawkins, seconded by Council Member - Ward 3 Green, that City Council Work Session Minutes 04/10/2024 be approved. The motion carried by the following vote:

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

Absent: 1 - Council Member - At Large Post 2 Wisdom

4. Mayor's Comments

Mayor Thurman shared that he attended Governor Brian Kemp's Luncheon.

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. Comments only - this is not a question and answer dialogue.

You can register by signing up in person at the Cultural Arts Center located at 4181 Atlanta Street - location of the on site meeting. Only on-site Citizen Comments are available. There are no virtual opportunities to provide Citizen Comments.

6. Public Reports | Presentations

[2024 -036](#) Proclamation – Child Abuse Prevention Month – Irene Barton, Executive Director, Cobb Collaborative

Attachments: [Proclamation Child Abuse Prevention Month](#)

Mayor Thurman read and presented the proclamation to Irene Barton of Cobb Collaborative.

7. City Attorney

A. Consent Agenda

[RES0
24-036](#)

A RESOLUTION ACTING ON THE PROPOSAL REGARDING NAMING RIGHTS FOR THE AMPHITHEATER IN THURMAN SPRINGS PARK; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES..

Attachments: [Bid Tab - Naming Rights at Amphitheater](#)
[Hardy Family Automotive Bid - Amphitheater Naming Rights Redacted](#)
[Tabled RESO 2024-036](#)

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - At Large Post 1 McMutry, that Resolution RES0 24-036 be approved to decline the Hardy Family Ford Naming Rights Proposal. Council Member Dwayne Green abstained from voting. The motion carried by the following vote:

Yes: 3 - Mayor Pro Tem - Ward 1 Lust, Council Member - Ward 2 Dawkins, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

Abstain: 1 - Council Member - Ward 3 Green

[RES0
24-052](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND MEMORANDUM OF UNDERSTANDING 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: [Executed RESO 2024-052](#)
[Signed MOU Redacted](#)

approved

[RES0
24-055](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE RENEWAL LEASE AGREEMENTS WITH THE SOUTH COBB ARTS ALLIANCE, INC. FOR USE OF AN OFFICE AND STORAGE AREA AT THE OLD MUSEUM LOCATION IN POWDER SPRINGS AND FOR USE OF GALLERY DISPLAY SPACE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [lease with south cobb arts alliance 2024](#)
[Executed RESO 2024-055](#)

approved

[RES0
24-056](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS REQUIRED FOR CERTAIN AUDIO VISUAL AND TECHNOLOGY FEATURES AT THE NEW MUNICIPAL COMPLEX; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2024-056](#)

approved

[RES0
24-057](#)

A RESOLUTION MAKING CERTAIN FINDINGS RELATING TO WATER EFFICIENCY AND PROPOSED AMENDMENTS TO THE PLUMBING CODE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 -057 EXHIBIT A for Water Efficiency Reso](#)
[Executed RESO 2024-057](#)

approved

[RES0
24-058](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CROY ENGINEERING IN THE AMOUNT OF \$19,660 TO PREPARE AND SUBMIT FUNDING APPLICATIONS FOR TRAFFIC IMPROVEMENT PROJECTS AT OGLESBY AND LEWIS ROADS AND AT CH JAMES PARKWAY AND SWEETWATER AVENUE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2024-058](#)
[Signed Agreement 2nd Amendment](#)

approved

[RES0
24-059](#)

A RESOLUTION OF SUPPORT FOR AND COMMITMENT TO SUBMIT APPLICATIONS THROUGH THE ATLANTA REGIONAL COMMISSION TO INCLUDE CERTAIN TRANSPORTATION IMPROVEMENT PROJECTS IN THE STATE TRANSPORTATION IMPROVEMENT PROGRAM IN ORDER TO SEEK AND RECEIVE FUNDING ASSISTANCE FOR PROJECT IMPLEMENTATION; ACKNOWLEDGING THE NEED FOR LOCAL MATCHING FUNDS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2024-059](#)

approved

[RES0
24-060](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GALLAGHER FIDUCIARY ADVISORS FOR SERVICES RELATING TO THE MANAGEMENT, INVESTMENT AND SUPERVISION OF THE CITY OF POWDER SPRINGS 401(A) AND 457 PLANS HELD BY MISSION SQUARE; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Executed RESO 2024-060](#)

approved

[RESO
24-061](#)

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE CONTRACTS 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: [Executed RESO 2024-061](#)

approved

Approval of the Consent Agenda

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - At Large Post 1 McMutry, 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 2 Dawkins, Council Member - Ward 3 Green, and Council Member - At Large Post 1 McMutry

Absent: 1 - Council Member - At Large Post 2 Wisdom

B. Regular Agenda | Public Hearing

[ORD 24
-004](#)

AN ORDINANCE TO ANNEX CERTAIN PROPERTY FROM THE UNINCORPORATED AREAS OF COBB COUNTY TO THE CORPORATE LIMITS OF THE CITY OF POWDER SPRINGS; REPEALING CONFLICTING ORDINANCES; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

First reading: 2/19/2024; Second Reading: 3/4/2024

Attachments: [Brown. Annexation Application Redacted](#)

[Brown. Attachments Redacted](#)

[Exhibit A. Legal Discription](#)

[ORDINANCE 2024 - 004 Annexation Barrett William Brown](#)

[FINAL SIGNED Non-Objection ANN-3-2024 Barrett Pky and Laura Brown Rd Redacted](#)

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - At Large Post 1 McMutry, that Ordinance ORD 24 -004 be tabled to the City Council, on 5/20/2024. The motion carried by the following vote:

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

Absent: 1 - Council Member - At Large Post 2 Wisdom

[PZ 24-005](#)

Rezoning Request for an approximate 13.64-Acre Tract from R-20 and CRC (County) to CRC (City). The property is located at 6652 Ernest Barrett Pkwy with land lots 765 and 790, 19th District, 2nd Section, Cobb County, Georgia. PIN: 19079000010. Applicant: William D. Brown.

Attachments: [Brown. Rezoning Application Redacted](#)
[Brown. Attachments Redacted](#)
[FINAL SIGNED Non-Objection ANN-3-2024 Barrett Pky and Laura Brown Rd Redacted](#)
[Executed Tabled to 04-01-2024 Motion PZ 24-005](#)
[Signed Tabled Motion to 04-15-24](#)
[Tabled PZ 24-005 to May 20th](#)

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - At Large Post 1 McMutry, that Rezoning PZ 24-005 be tabled to the City Council, on 5/20/2024. The motion carried by the following vote:

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

Absent: 1 - Council Member - At Large Post 2 Wisdom

ORD 24
-006

AN ORDINANCE TO ANNEX CERTAIN PROPERTY FROM THE UNINCORPORATED AREAS OF COBB COUNTY TO THE CORPORATE LIMITS OF THE CITY OF POWDER SPRINGS; REPEALING CONFLICTING ORDINANCES; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

First reading: 2/19/2024; Second Reading: 3/4/2024

Attachments: [Vida. Annexation Application Redacted](#)
[Vida. Attachments](#)
[Exhibit A. Legal Discription](#)
[ORDINANCE 2024 - 006 Annexation Barrett Vida](#)
[FINAL SIGNED ANN-4 Notice of Non-Objection Barrett Pky N of Powder Springs_02Redacted](#)

A motion was made by Council Member - At Large Post 1 McMutry, seconded by Council Member - Ward 3 Green, that Ordinance ORD 24 -006 be tabled to the City Council, on 5/20/2024. The motion carried by the following vote:

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

Absent: 1 - Council Member - At Large Post 2 Wisdom

PZ 24-007

Rezoning Request for an approximate 16.57-Acre Tract from R-20 to MXU (City). The property is located at east side of Ernest Barrett Pkwy within Land Lots 765, 19th District, 2nd Section, Cobb County, Georgia. PIN: 1907900010 (portion). Applicant: Vida Companies, LLC.

Attachments: [Powder Springs - Project Examples](#)
[Vida. Rezoning Application Redacted](#)
[Vida. Attachments](#)
[FINAL SIGNED ANN-4 Notice of Non-Objection Barrett Pky N of Powder Springs_02 Redacted](#)
[Executed Tabled to 04-01-2024 Motion PZ 24-007](#)
[Gallery Residential 03.13.2024](#)
[Signed PZ 24-007 Tabled Motion to 04-15-24](#)
[Tabled PZ 24-007 to May 20th](#)

A motion was made by Council Member - At Large Post 1 McMutry, seconded by Council Member - Ward 3 Green, that Rezoning PZ 24-007 be tabled to the City Council, on 5/20/2024. The motion carried by the following vote:

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

Absent: 1 - Council Member - At Large Post 2 Wisdom

[ORD 24
-007](#)

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE RELATING TO SPECIFIC USE PROVISIONS FOR HOME OCCUPATIONS AND TO QUALIFIED TENANT PROVISIONS FOR WORKFORCE HOUSING; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading April 1, 2024; 2nd reading April 15, 2024.

Attachments: [Exhibit B. Home occupations](#)
[Ord Amendment Exhibit A Sec. 4 325. Work force housing. \(1\)](#)
[Adopted ORD 2024-007](#)

Tina Garver, Community Development Director, discussed the code amendments to address home occupation licensees must verify their service location is their primary living location; and expanding the work force to credit to allow health care employees, educators, and government employees within 10 miles of Powder Springs.

A motion was made by Mayor Pro Tem - Ward 1 Lust, seconded by Council Member - Ward 2 Dawkins, that Ordinance ORD 24 -007 be adopted. The motion carried by the following vote:

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

Absent: 1 - Council Member - At Large Post 2 Wisdom

[ORD 24
-008](#)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES WRECKER SERVICES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st Reading and Introduction: April 1, 2024 2nd Reading and Public Hearing:

April 15, 2024

Attachments: [Adopted ORD 2024-008](#)

Lane Cadwell, Chief of Police, discussed amending code language for wrecker service storage fees from \$5 per day to \$40 per day.

A motion was made by Council Member - Ward 3 Green, seconded by Council Member - At Large Post 1 McMutry, that Ordinance ORD 24 -008 be adopted. The motion carried by the following vote:

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

Absent: 1 - Council Member - At Large Post 2 Wisdom

[ORD 24
-009](#)

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE RELATING EXTERIOR ART EXHIBITS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

First Reading: April 15, 2024 Second Reading: May 20, 2024

Attachments: [ORDINANCE 2024 - 009 UDC Amendment relating to Art Exhibits](#)

Ordinance ORD 24 -009 had no action taken.

8. City Manager and City Council Reports

City Manager Pam Conner made no comments.

Council Member Dwight McMutry wished everyone a good evening.

Council Member Henry Lust welcomed everyone online as well as in person; shared that he enjoyed a gala for a non-profit on April 13th; and attended the WellStar Cobb Regional Meeting earlier in the day April 15th.

Council Member Doris Dawkins welcomed everyone that attended the meeting; and congratulated Irene Barton on the Child Abuse Prevention Proclamation.

Council Member Dwayne Green shared his peace and blessings to everyone.

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 Council Member - Ward 2 Dawkins, that this Adjournment be approved. The motion carried by the following vote:

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

Absent: 1 - Council Member - At Large Post 2 Wisdom