



City of Powder Springs

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

Meeting Agenda

City Council

Mayor

Albert Thurman

Council Members:

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

Monday, March 4, 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 6:30PM

Join Zoom Meeting - <https://us06web.zoom.us/j/88358307302>

Meeting ID: 883 5830 7302 Dial: 1-929-205-6099

1. Call to Order

2. Invocation and Pledge of Allegiance

3. Approval of Minutes

[2024 -018](#)

City Council Agenda Minutes 02/19/2024

[2024 -021](#)

Special Called City Council Agenda Minutes 02/28/2024 at 7PM

4. Mayor's Comments

5. Citizens Comments

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 -016](#) Proclamation for "Black History Business Pioneer: Mr. James Thomas “Mr. T’s Restaurant
- [2024 -019](#) Proclamation

7. City Attorney**A. Consent Agenda**

- [RES0 24-021](#) A RESOLUTION APPROVING THE PROPOSAL SUBMITTED BY PYRO SHOWS EAST COAST, INC. IN THE AMOUNT OF \$22,000 TO DISPLAY FIREWORKS AT THE INDEPENDENCE DAY CELEBRATION ON JULY 4, 2024; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PYRO SHOWS EAST COAST, INC.; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH COBB COUNTY FOR THE USE OF THE POWDER SPRINGS PARK IF NEEDED TO STAGE THE FIREWORKS DISPLAY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [22 K PROPOSAL -Powder Springs City of 7-4-2024](#)
[CONTRACT - Powder Springs City of 7-4-2024](#)
[SITE -Powder Springs City of 7-4-2024](#)
[RESOLUTION 2024 - 021 July 4 Fireworks](#)

- [RES0 24-022](#) A RESOLUTION AUTHORIZING AND APPROVING THE MAYOR TO EXECUTE AN AGREEMENT WITH COMCAST BUSINESS TO PROVIDE INTERNET FIBER SERVICES AT THE NEW MUNICIPAL COMPLEX AND POLICE DEPARTMENT WITH REDUNDANCY FOR ALL CITY FACILITIES; TO EXECUTE WORK ORDERS WITH VC3 TO COMPLETE WORK REQUIRED TO ACHIEVE INSTALLATION AND REDUNDANCY; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [City of Powder Springs 36 Month SOA EDI-ENS Network New City Hall and Redunda](#)
[RESOLUTION 2024 - 022 Fiber and Redundancy](#)

[RES0 24-023](#) A RESOLUTION ACCEPTING AND AUTHORIZING THE MAYOR TO EXECUTE AN ESCROW AGREEMENT WITH SDH ATLANTA, LLC RELATING TO A MAINTENANCE AGREEMENT FOR CERTAIN PUBLIC INFRASTRUCTURE IN THE FAIRHAVEN AT PRESTON AND VILLAGES OF PRESTON SUBDIVISIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Fairhaven + Villages at Preston. Cash Maintenance Agreement](#)
[Fairhaven + Villages at Preston. Cash Performance Agreement](#)
[RESOLUTION 2024 - 023 Escrow Maintenance Preston](#)

[RES0 24-024](#) A RESOLUTION ACCEPTING AND AUTHORIZING THE MAYOR TO EXECUTE AN ESCROW AGREEMENT WITH PULTE HOME COMPANY, LLC AND BAKER AND HOSTETLER, LLP RELATING TO A MAINTENANCE AGREEMENT FOR CERTAIN PUBLIC INFRASTRUCTURE IN THE ADLER SPRINGS SUBDIVISION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [Alder Springs. Cash Maintenance Agreement Redacted](#)
[Alder Springs Performance Agreement](#)
[RESOLUTION 2024 - 024 Escrow Maintenance Adler](#)

[RES0 24-025](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GEORGIA POWER COMPANY TO RELOCATE A METER AND UTILITIES IN THE DOWNTOWN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Attachments: [RESOLUTION 2024 - 025 Ga Power relocation](#)

[RES0 24-026](#) A RESOLUTION OF SUPPORT AND COMMITMENT TO PURSUE CATALYTIC ASSISTANCE FROM THE ATLANTA REGIONAL COMMISSION LIVABLE CENTERS INITIATIVE PROGRAM THAT WILL REVITALIZE THE CITY'S EXISTING AND PLANNED DOWNTOWN; ACKNOWLEDGING THE NEED FOR LOCAL MATCHING FUNDS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 026 LCI Application](#)

[RES0 24-027](#) 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 2024; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 027 CDBG Subrecipient Agreement 2024](#)

[RES0 24-028](#) A RESOLUTION APPOINTING JAMES WILSON TO THE ARTS AND CULTURAL AFFAIRS COMMISSION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 028 Arts Commission appointment](#)

[RES0 24-029](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE DEDUCTIVE CHANGE ORDER TO THE AGREEMENT WITH SUMMIT CONSTRUCTION AND DEVELOPMENT, LLC FOR THE BROWNSVILLE ROAD TRANSPORTATION IMPROVEMENTS; AUTHORIZING THE MAYOR AND STAFF TO EXECUTE DOCUMENTS NEEDED TO CLOSE AND ACCEPT THE PROJECT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 029 Deductive Change Summit Brownsville](#)
[Letter 1 - Change Order 1 - Summit](#)

[RES0 24-030](#) A RESOLUTION APPROVING AMENDMENTS TO THE PERSONNEL MANUAL TO INCLUDE A POLICY RELATING TO THE CONTINUITY OF OPERATIONS PLAN AND TO SPECIFY HOURS ASSOCIATED WITH SWORN OFFICER POSITIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 030 Personnel Manual](#)
[RESO 2024-030 EHX A COOP Policy](#)
[RESO 2024-30 Exh B](#)

[RES0 24-031](#) A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH TANKO LIGHTING TO CONDUCT A STREETLIGHT DEFICIENCY ANALYSIS AND RATE ASSESSMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 031 Street Lighting Study](#)
[Streetlighting Analysis. Areas of critical need](#)

[RES0 24-032](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH EAST COAST GRADING TO RESURFACE CERTAIN ROADS THROUGHOUT THE CITY FOR AN AMOUNT OF \$1,754,193.47 SUBJECT TO CERTAIN CONDITIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 032 resurfacing East Coast for 2024](#)
[2024 Resurfacing Project Recommendation of Award Redacted](#)
[Revised Exhibit A](#)
[Street Map](#)

[RES0 24-033](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE DOCUMENTS NEEDED TO COMPLY WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION REQUIREMENTS RELATING TO THE LOCAL ADMINISTERED PROJECT CERTIFICATION AND THE AMERICANS WITH DISABILITY TRANSITION PLAN; RATIFYING INSPECTIONS OF PUBLIC FACILITIES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 033 ADA Transition Plan](#)
[ADA Transition Plan 2013](#)
[draft City of Powder Springs ADA Transition Plan 2024 Redacted](#)

[RES0 24-034](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH ENVIROSPARK ENERGY FOR IMPLEMENTATION OF AN ELECTRICAL VEHICLE CHARGING PROGRAM IN THE MUNICIPAL PARKING DECK; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 034 EV Parking](#)
[Summary Info EnviroSpark Offerings Redacted](#)
[EV Charging Options Presentation](#)
[Contract Network \(Power Reimbursement Form\) \(1\)](#)

B. Regular Agenda | Public Hearing

[RES0 24-037](#) Resolution - Interim Public Services Agency Director

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:

[Withdrawal Request Form - redacted](#)

[PZ23-007. Withdraw WITHOUT Prejudice. 03042024](#)

[PZ23-007. Revised Survey \(1\) Redacted](#)

[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](#)

[Signed](#)

The recommendation is to withdraw PZ 23-007 with prejudice.

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 Redact](#)

The recommendation is to table ORD 24-004 to April 1, 2024.

2nd Reading - 3/4/24 Tabled to 4/1/24 2nd Reading - 4/1/24

[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: [PZ24-005. Motion to TABLE. 03042024](#)
[Brown. Rezoning Application Redacted](#)
[Brown. Attachments Redacted](#)
[FINAL SIGNED Non-Objection ANN-3-2024 Barrett Pky and Laura Brown Rd Redact](#)

The recommendation is to table PZ24-005 to April 1, 2024.
2nd Reading - 3/4/24 Tabled to 4/1/24 2nd Reading - 4/1/24

[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](#)

The recommendation is to table ORD 24-006 to April 1, 2024.
2nd Reading - 3/4/24 Tabled to 4/1/24 2nd Reading - 4/1/24

[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: 19079000010 (portion). Applicant: Vida Companies, LLC.

Attachments: [PZ24-007. Motion to TABLE. 03042024](#)
[Powder Springs - Project Examples](#)
[Vida. Rezoning Application Redacted](#)
[Vida. Attachments](#)
[FINAL SIGNED ANN-4 Notice of Non-Objection Barrett Pky N of Powder Springs](#)

The recommendation is to table PZ 24-007 to April 1, 2024.
2nd Reading - 3/4/24 Tabled to 4/1/24 2nd Reading - 4/1/24

[PZ 24-008](#)

Special Use Request to allow a car wash in a CRC zoned district. The property is located at 3915 Austell Powder Springs Road (Stars Car Wash), within land lot 905 of the 19th District, 2nd Section, Cobb County, Georgia. PIN: 19090500060.

Attachments:[PZ24-008. Motion to TABLE. 03042024](#)[Special Use Application Redacted](#)[Site Plan](#)

The recommendation is to table PZ24-008 to April 1, 2024.

8. City Manager and City Council Reports

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

10. Adjournment

Following adjournment of Council Meetings, the Mayor and various Council Members often remain at the City Council meeting location podium to sign ordinances, resolutions and contracts, greet and speak with citizens, and discuss current events. To the extent this activity may be considered a meeting under the Georgia Open Meetings Law, the public is hereby notified thereof, and invited to attend.

For more information regarding any of actions included on this agenda, please visit www.cityofpowdersprings.org | Agendas & Minutes and select applicable meeting date. Clicking on the blue link will open all detail related to the action. Please note additional supporting information for the City Council Agenda may still be added up through the day of the City Council Meeting.

ADA Statement - Accessibility to meetings: If you need the City to provide special accommodations in order to participate in the above meeting, please call Tamara Newkirt, Deputy City Clerk, at 770-943-1666, ext.303 or tnewkirt@cityofpowdersprings.org at least 48 hours before that meeting.