

**MINUTES OF CITY COUNCIL WORK SESSION MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
May 13, 2024
6:30 PM**

Present Mayor Derek Easterling
 Mayor Pro Tem Antonio Jones
 Councilmember Madelyn Orochena
 Councilmember Tracey Viars
 Councilmember Pat Ferris
 Deputy City Clerk Christie Burgner
 City Manager Jeff Drobney
 City Attorney Randall Bentley, Sr.

1. Invocation

2. Pledge of Allegiance

3. Call to Order

Mayor Easterling called the meeting to order at 6:30 p.m.

4. Announcements

- A. This public meeting is being conducted via the use of real-time telephonic technology allowing the public simultaneous access to the public meeting. You may also attend in person with limited seating available at both the Council Chambers and the Ben Robertson Community Center, if needed. Mayor and Council will be conducting their meeting via real-time telephonic technology using Zoom Meeting and Facebook Live. You can access the meeting via the following link: <https://www.facebook.com/CityofKennesaw/>
- B. If you are not able to attend a meeting in-person and would like to provide public comment on a specific agenda item, you can email kennesawcouncil@kennesaw-ga.gov no later than 6:00 PM the night of the regular meeting. Your comments on a specific agenda item will be read aloud or grouped into categories for the record. **Facebook Live is not monitored for public comment.**

5. Presentations

- A. **Proclamation: Kids to Parks Day**
A proclamation declaring May 18, 2024, as Kids to Parks Day in the City of Kennesaw.

Due to the timeliness of the proclamation, the Kids to Park Day Proclamation was given

to Parks & Recreation Director Bill McNair at the work session instead of the council meeting.

6. Public Comment/Business from the Floor

7. Old Business

8. New Business

9. Committee and Board Reports

10. Public Hearing(s)

A. FIRST PUBLIC HEARING: Updates to the Capital Improvement Element and Short Term Work Program (CIE/STWP) 2024-2028.

Consideration for approval of a Resolution adopting the updates to the Capital Improvement Element and Short Term Work Program (CIE/STWP) report covering the five-year period of 2024-2028. No action will take place until the regularly scheduled June 3, 2024, Mayor and Council meeting. Case# MISC2024-03.

Planning & Zoning Administrator Darryl Simmons provided information for the upcoming public hearing. The City of Kennesaw is required to adopt an annual report on the Capital Improvement Element (CIE) and the Short Term Work Projects. The Atlanta Regional Commission and the Georgia Department of Community Affairs completed the regional review of the City of Kennesaw 2024 CIE Update, which did have a few edits that were incorporated into the final draft that they approved for local adoption. May 20 will be the first of two public hearings with June 3 being the final. This annual report review and adoption is required for all jurisdictions that collect development impact fees. Mayor Easterling stated he saw the public hearings had been publicized. There were no questions or comments from council.

11. Consent Agenda

A. Minutes: April 29, 2024, Special Called Meeting

Approval of the April 29, 2024, City Council special called meeting minutes.

B. Minutes: April 29, 2024, Work Session

Approval of the April 29, 2024, City Council work session minutes.

C. Minutes: April 29, 2024, Executive Session

Approval of the April 29, 2024, City Council executive session minutes.

D. Minutes: May 6, 2024, City Council Meeting

Approval of the May 6, 2024, City Council regular meeting minutes.

12. General and Administrative

13. Public Safety

A. Crime Statistics: April 2024

Receipt of the April 2024 crime statistics.

Chief Westenberger presented the crime statistics for the month of April 2024.

14. Information Technology

A. Resolution: ESRI Geospacial Information Systems (GIS) software

Consideration for approval of a Resolution authorizing the Mayor to sign a contract with ESRI for a Small Government Enterprise Agreement.

GIS Manager Paul Sprague provided information for the requested updated software. The City of Kennesaw currently uses an ESRI Geospacial Information Systems software version that is being phased out and replaced with a newer product which will phase in the price increase over a three-year period, with an out for each year if the City so chooses. The new agreement will include uncapped licenses and will cover the city's needs for the foreseeable future. There were no questions or comments from Council. Agenda Item was approved to be moved to the Consent Agenda for May 20, 2024.

15. Public Works and Building Maintenance

A. Resolution: Smith Gilbert Gardens Marquee Sign

Consideration for approval of a Resolution to install a marquee sign at the Smith Gilbert Gardens and to authorize the Mayor to sign an agreement with Brooks-Berry-Haynie.

Building & Facilities Director Robbie Balenger provided information for the Smith Gilbert Gardens Marquee sign. This project was priced using a state contract by Croy Engineering and is a total of \$63,507.82. The Gardens sign is currently using banners and wooden structures. Councilmember Ferris inquired about a few different topics. Mr. Balenger advised: the new sign will be LED, is two-sided and both sides will have the same information, Smith Gilbert Gardens provided the design for the sign, and Croy Engineering chose the size of the sign. There were no other questions. Agenda Item was approved to be moved to the Consent Agenda for May 20, 2024.

16. Recreation and Culture

A. Resolution: Swift Cantrell Fitness Station

Consideration for approval of a Resolution authorizing the Mayor to execute an agreement with GameTime, Inc. for the installation of an Outdoor Fitness Station at Swift Cantrell Park.

Parks & Recreation Director Bill McNair advised that Kennesaw is a Fit City and we look to enhance any fitness areas that we can. The requested fitness station is geared for a well rounded workout with accessible equipment, and twelve stations. The current fitness station at Swift Cantrell Park is always in use. Councilmember Ferris inquired about the location of the new station and if it would be visible for passers-by. Mr. McNair advised the new station would be near the outer loop by the large dog park and would be visible to anyone who goes to the park. Councilmember Ferris would like a site plan of the location. Mayor Easterling stated the item will remain where it is on the agenda.

B. Resolution: Recreation Center Furniture

Consideration for approval of a Resolution to purchase furniture for the Recreation Center and to authorize the Mayor to execute the agreement with Office Images, Inc.

Before the presentation began, Mayor Pro Tem Antonio Jones advised Mayor and Council he would abstain from the conversation and recuse himself from the vote for this agenda item as he may have previously worked for the business.

Parks & Recreation Director Bill McNair advised for the purchase of new furniture to enhance the recreation center from Office Images, Inc. Councilmember Orochena inquired about benches for the community center. Mr. McNair advised this order was only for the recreation center.

Mayor Easterling stated the item would remain where it is on the agenda.

17. Community Development

A. Planning and Zoning Project Updates and Discussion

Planning & Zoning Coordinator Darryly Simmons presented updates on plans/projects for his department.

1. UPDATE: Certified Local Government (CLG) Application

The Certified Local Government (CLG) recertification occurs every four years for the Historic Preservation Commission (HPC) ordinance. The State of Georgia and HPD requires the city to provide application review including minutes of the meetings, meeting requirements, commission member information, and proof that ordinances are being followed; essentially, an audit of the HPC. The process will take about four months at which point the CLG will give recommendations and protocols.

2. UPDATE: Historic Resource Survey

Collaboration with local university to complete a Historic Resource Survey according to the Department of Community Affairs Standards.

Staff have been coordinating with Kennesaw State University (KSU) Historic Preservation Program and the Department of Community Affairs (DCA) to utilize students and interns for fieldwork to audit historic properties. The last survey was completed by consultants, but KSU has been doing this for many years and has worked with DCA for this type of survey. Spring of 2025 would align the timing with the school's semester. This will give staff time to set things in motion.

3. UPDATE: Historic Preservation and Design Standards Amendment

Ethos is a consulting firm which staff used to review the central business district standards and historic preservation standards which have not always aligned. Ethos provided specific standards and language to be used for an ordinance. There will be public meetings to give residents and business owners the opportunity to provide feedback on how the previous ordinances did not work and how a new ordinance could work. Staff is looking forward to the open meetings with the public regarding historic design standards.

4. UPDATES & DISCUSSION ONLY: Zoning Ordinances

- a. Short Term Rental Ordinance
- b. Sign Ordinance Revisions
- c. Commercial Districts updates
- d. Accessory Dwelling Units (ADU) ?

a. Staff is in the process of drafting a Short Term Rental (STR) ordinance. There are no current Kennesaw regulations. There will be two issues addressed in the ordinance. First, identify the short term rentals that are currently operating, and secondly, create a system of approval for any new short term rentals. Two important aspects for the ordinance will be where the STR are located and a consistent approval process. Other things to remember: for every short term rental, that is one less unit for a long term space, and where are the STR located. There will be an internal review with the city manager and city attorney.

b. The current sign ordinance needs better definitions and clear language. To help new businesses get better exposure, the sign ordinance needs to be clearer.

c. Staff will be looking at definitions and terminology in the Commercial District ordinance. Chickens and poultry may be added. Definitions for alcohol licensees and liquor stores will be updated.

d. Staff is asking for feedback and direction for Accessory Dwelling Units (ADUs). Discussion held. Mayor Pro Tem Jones is in favor of research on the issue and wondered if the city could regulate the number of short term rentals. Mr. Simmons advised that the city cannot. Councilmember Ferris advised he was "lukewarm at best" about ADUs. His research shows ADUs are only eco feasible as rentals, and the city and surrounding areas will be increasing the housing stock in the next few years. Mr. Ferris stated that ADUs will not solve housing issues. Additionally, as he researched the issue, he learned that the information readily available about ADUs came from the builders and makers of those units. Mr. Ferris is very skeptical of ADUs and any provisions for them would need to be regulated. Mr. Simmons stated opening existing neighborhoods to ADUs could prove detrimental due to established roads, sewer, stormwater, parking, Cobb Water, Cobb Fire, etc. The Comp Plan and Zoning Ordinance clearly state that existing neighborhoods must be protected against commercial intrusion. Councilmember Orochena wondered what surrounding cities were doing regarding ADUs. Councilmember Viars advised she is a property rights advocate and stated that ADUs can be useful for families, while at the same time with the closeness of Kennesaw State University, there is the possibility of them being abused. This should be a type of Land Use and decide what is best for the community. Perhaps treat them like a business license that will need to be looked at and reviewed once a year. ADUs may take a lot of staff to regulate and especially will need to be watched for parking issues. Ms. Viars advised she is not opposed to staff studying the issue, but believes ADUs will not solve any type of housing issue. Mayor Easterling is concerned for the existing infrastructure, zoning may be an issue, and the amount of manpower may not be worth it. City Manager Jeff Drobney verified that council wants staff to move forward with more research on Accessory Dwelling Units. Direction given

to move forward with exploring ADUs.

5. DISCUSSION ONLY: Livable Centers Initiative (LCI) - Identifying the Next Study Area

South Main Street., Cobb Parkway (Corridor area between Kennesaw Due West Road and Watts Drive.)

Mr. Simmons asked for direction on identifying the next study area as a Phase II to the 2015 LCI comprehensive study. The first study focused primarily on downtown and was awarded excellence in outstanding planning process for the innovative approach the City took by holding meetings at places other than City Hall. Atlanta Regional Commission sees the value of the study. Staff would like to have a supplemental study done under the LCI program with two possible locations to choose from: Cobb Parkway from Summers Street to Watts Drive or South Main Street from Sardis Street to McCollum Parkway.

Initial discussion began with Councilmember Ferris choosing Cobb Parkway, Mayor Pro Tem Jones choosing Main Street, Councilmember Orochena advising she would vote in favor of either but would prefer Main Street, and Councilmember Viars advocating for South Main. Mayor Easterling advised he would choose Cobb Parkway due to the number of people who pass through that corridor daily. Further questions and discussion held. Cobb County has future plans for Main Street and McCollum's realignment, which would have a huge impact on Cobb Parkway. Kennesaw Due West Road would not be in the new study area, but the study could help with interest if developers see that the City is studying the area. This study is designed to inform which would be best, walkability, connection to downtown, and what types of development would be suited to the corridor; the last study helped with numbers for appropriate downtown density. The new study could provide what type of goals, designs, and uses would be suitable to bring a higher grade of development to the chosen area. There is no set timeframe for Cobb County's realignment of McCollum as they have not yet secured funding for the project. Mr. Simmons recommends the Cobb Parkway corridor for the LCI study. Mayor Easterling advised to move forward with Cobb Parkway.

18. Public Comment/Business from the Floor

19. City Manager's Report

A. Reports, Discussions, and Updates

Dr. Drobney advised of the importance of providing updates to show staff's thoughtful planning with looking long term. Staff will come back with more information for more discussion.

20. Mayor's Report

Mayor Easterling thanked Mr. Simmons for his twenty three years of work history with the City.

A. Mayor and Council (re)appointments to Boards and Commissions. This item is for (re)appointments made by the Mayor to any Board, Committee, Authority, or Commission requiring an appointment to fill any vacancies, resignations,

and to create or dissolve boards and commissions, as deemed necessary.

21. Council Reports & Discussions

Councilmember Ferris jokingly reflected on an old Pogo comic strip which stated "Friday the 13th came on a Monday this month."

Councilmember Orochena advised she had stopped by the farmer's market for dinner. It was a nice to be able to walk to some good food and to continue on to the Council Meeting.

Mayor Pro Tem Jones wished all mothers a Happy Mother's Day. He lost his mother when he was 15 years old and stated he loves watching his wife Chantel with their children as she does an amazing job with them. Please keep Tammy Trout in your prayers. Her daughter has cancer and is not expected to survive. Mr. Jones is thankful, as no day is promised and asks others to be grateful.

Councilmember Viars thanked council for allowing her to use telephonic technology to attend the meeting as she has not missed a meeting since she was elected in 2018. She advised of the Downtown Development Authority's assistance with the first LCI and stated what a tremendous difference it made. Ms. Viars thanked Mr. Simmons for all he does.

Mayor Easterling thanked Lewis and Andrew Bramlett for volunteering at 99% of city events. They were in attendance at the recent 5k and were handing out food to the racers at the end.

22. Executive Session

Pursuant to the provisions of O.C.G.A 50-14-3, the City Council could, at any time during the meeting, vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney; and/or personnel matters; and/or real estate matters.

23. Adjourn

Mayor Easterling adjourned the meeting at 7:23 p.m. The next regular meeting will be held on Monday, May 20, 2024, at 6:30 p.m. in the Council Chambers. The public is encouraged to attend or view via Facebook Live.