

**MINUTES OF CITY COUNCIL WORK SESSION MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
May 28, 2024
6:30 PM**

Present	Mayor Derek Easterling Mayor Pro Tem Antonio Jones Councilmember Madelyn Orochena Councilmember Tracey Viars Councilmember Pat Ferris City Clerk Lea Alvarez City Manager Jeff Drobney Assistant City Attorney Jamie Wingler
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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

6. Public Comment/Business from the Floor

7. Old Business

8. New Business

9. Committee and Board Reports

10. Public Hearing(s)

A. FINAL 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. Case# MISC2024-03.

Planning and Zoning Administrator Darryl Simmons presented 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. The final public hearing and adoption will be at the June 3, 2024, City Council regular meeting.

11. Consent Agenda

A. Minutes: May 13, 2024, Work Session

Approval of the May 13, 2024, City Council work session minutes.

B. Minutes: May 20, 2024 City Council Meeting

Approval of the May 20, 2024, City Council regular meeting minutes.

12. General and Administrative

A. Alcohol License: 1885 Grill

Consideration for approval of an Alcohol License for Beer, Wine, Liquor, and Sunday Sales for 1887 Grill LLC d/b/a 1885 Grill Kennesaw located at 2840 S Main St. Kennesaw, GA 30144.

Business License Manager LaMaya Edmonds presented an alcohol license for Beer, Wine, Liquor, and Sunday sales for 1887 Grill LLC d/b/a 1885 Grill Kennesaw located at 2840 South Main Street. The applicant will be present at the June 3, 2024, City Council regular meeting to answer any questions.

B. Temporary Use Permit: TNT Fireworks

Consideration for approval of a Temporary Use Permit for TNT Fireworks. Applicant: Adam Jernigan.

Business License Manager LaMaya Edmonds presented a Temporary Use Permit for TNT Fireworks. The application is for the same location requested last year.

13. Public Safety

14. Information Technology

15. Public Works and Building Maintenance

16. Recreation and Culture

17. Community Development

A. **Resolution: Main Street Program Memorandum of Understanding**

Consideration to approve a resolution for the Georgia Start-Up Main Streets Program Memorandum of Understanding between the City of Kennesaw and the Georgia Department of Community Affairs.

Downtown/ Main Street Manager Miranda Taylor presented a resolution for the Georgia Start-Up Main Streets Program Memorandum of Understanding (MOU). The MOU outlines the expectations of the city's participation in the program and the support provided by the Department of Community Affairs.

After receiving confirmation from the Council, Mayor Easterling suggested moving the item to the Consent Agenda for the regular meeting.

B. **Discussion:** Potential South Main Street Assemblage.

Economic Development Director Luke Howe discussed the potential of a South Main Street assemblage and requested direction from the Mayor and Council before proceeding with the work it will take to put the assemblage together. After much discussion, the Mayor and Council determined they would like Mr. Howe to proceed. Mr. Howe noted that because this project would be a significant undertaking, he does not anticipate the project breaking ground until 2027.

C. **Discussion:** East Park Concept.

Economic Development Director Luke Howe discussed pivoting on a portion of the East Park development. The original plan for East Park called for 277 mid-rise apartments, 302 garden-style units, 194 senior units, a Lidl grocery store and approximately 3.25 acres of Cherokee-fronting commercial. Unfortunately, last fall, the senior apartment developer backed out of the deal, and staff, along with the property owner, have had difficulty in identifying a new senior apartment developer. The developer of Market District Crabapple in Milton and Adair Park in Woodstock has approached staff with a proposal for the balance of undeveloped property called the "Promenade."

Because the pivot in direction will require a lot of work, Mr. Howe wanted to gauge the Mayor and Council's interest in the proposal. The Mayor and Council were interested in proceeding with some notes for Mr. Howe to consider. Councilmember Ferris shared his concerns about the developer following through with the commercial piece and asked what options the city had to hold the developer to it. Councilmember Jones expressed interest in continuing to pursue senior apartments. Mayor Easterling emphasized the need for the balance of land to look like a planned development.

D. **Discussion:** Arris/ Core Commercial Parcel Section Abandonment.

Economic Development Director Luke Howe primed the Mayor and Council on the abandonment of a parcel for the Arris Holdings/Core sale. As the developers began negotiations to sell their commercial parcels, they realized a small sliver of the property is owned by the city. Legal has advised that an amendment to the Joint Development Agreement made back in 2019 will suffice to remedy the situation. The City Attorney is

still crafting the amendment.

18. Public Comment/Business from the Floor

19. City Manager's Report

A. Reports, Discussions, and Updates

Dr. Drobney reminded the Mayor and Council that we were well into the budget process. He has been in many meetings this week regarding HB 489 negotiations and will be sending out some dates for the elected to hold on their calendars in July for further discussion.

20. Mayor's Report

- 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

A. Discussion: Treehouse Demolition

As requested by Councilmember Madelyn Orochena

Councilmember Orochena requested a discussion about the demolition of the treehouse at 2924 Galt Place. Dr. Drobney had the city's Building Official, Scott Banks, go back out to the address over a week ago to meet with the property owner. The owner had been issued a notice to meet certain requirements given by Mr. Banks by June 8, 2024, to be able to retain the structure as a playground for the owners' children. The structure must not be used for commercial purposes. It is up to the property owner whether they choose to do so. However, if they do not, penalties will begin to accrue on June 9, 2024.

Mr. Banks further elaborated on the conversations he had with the property owner. He shared that the city's requirements would be to not use the treehouse in any commercial way. The beds and furniture must be removed and other commercial aspects such as the electrical and plumbing must be removed as well. The treehouse being used exclusively as a play structure is not covered by building code.

Once those requirements are met, the city will come into an agreement with the property owner and if the agreement is violated, the city would move straight into issuing citations.

Councilmember Jones asked if the property owner shows good faith and is attempting to come into compliance, but cannot do so before the deadline, could there be any leeway given. Mr. Banks responded that he would follow the process that treats everyone the same. If a citation is issued, that citation has a court date. At that time, the property owner could speak to Mr. Bentley to request extra time. In following the

process, it would be up to the Judge or the City Solicitor.

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 7:34 p.m. The next regular meeting will be held on Monday, June 3, 2024, at 6:30 P.M. in the Council Chambers. The public is encouraged to attend or view via Facebook Live.

Lea Alvarez, City Clerk