

**MINUTES OF CITY COUNCIL MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
June 3, 2024
6:30 PM**

Present	Mayor Derek Easterling Mayor Pro Tem Antonio Jones Councilmember Madelyn Orochena Councilmember Tracey Viars Councilmember Pat Ferris Councilmember Anthony Gutierrez City Clerk Lea Alvarez City Manager Jeff Drobney City Attorney Randall Bentley, Sr.
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1. Invocation

City Attorney Randall Bentley, Sr. led the invocation.

2. Pledge of Allegiance

City Resident Andrew Bramlett led the Pledge of Allegiance.

3. Call to Order

Mayor Derek 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

6:31 p.m. Floor Open for Public Comments

No comments.

6:32 p.m. Floor Closed for Public Comments

7. Old Business

8. New Business

Mayor Easterling requested a resolution to ratify the City Council Post 5 special election results to be added to the agenda for consideration. Since the results were not officially certified by the Cobb County Board of Elections and Registration until mid-Tuesday, May 28, 2024, which is past the work session agenda cut-off, the Council must add the item to the regular agenda.

Motion by Councilmember Viars to add the resolution ratifying the certified election results of the May 21, 2024, Special Election for Council Post 5 as provided by the Cobb County Board of Elections and Registration to the agenda. Seconded by Mayor Pro Tem Jones.

Vote taken, motion unanimously approved 4-0. Motion passed.

Motion by Mayor Pro Tem Jones to approve [RESOLUTION NO. 2024-27, 2024](#) ratifying the certified election results of the May 21, 2024, Special Election for Council Post 5 as provided by the Cobb County Board of Elections and Registration. Seconded by Councilmember Viars.

Vote taken, motion unanimously approved 4-0. Motion passed.

A. Oaths of Office: Anthony Gutierrez

Prior to the newly elected official joining the dais, oaths of office will be administered to Post 5 City Councilmember, Anthony Gutierrez, by Judge Luke Mayes IV in accordance with Kennesaw Charter § 3.04.

Judge Mayes administered oaths of office to Anthony Gutierrez, City Council Post 5.

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. This meeting is the final

public hearing on this item, which is a required, annual update reviewed by the Atlanta Regional Commission (ARC) and the Department of Community Affairs (DCA). By ordinance, the City of Kennesaw receives impact fees. As a result, the City is required to provide a financial report on an annual basis for regional review. Mr. Simmons stated both the ARC and the DCA have determined that the submitted information meets the requirements for long-range planning.

Motion by Mayor Pro Tem Jones to approve [RESOLUTION NO. 2024-28, 2024](#) adopting the updates to the Capital Improvement Element and Short Term Work Program (CIE/STWP) report covering the five-year period of 2024-2028 as presented. Seconded by Councilmember Guterrez.

6:39 p.m. Floor Open for Public Comments

No comments.

6:40 p.m. Floor Closed for Public Comments

Vote taken, motion unanimously approved 5-0. Motion passed.

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.

C. 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.

[RESOLUTION NO. 2024-29, 2024](#)

Motion by Councilmember Ferris to approve the Consent Agenda engross. Seconded by Councilmember Viars.

Vote taken, motion unanimously approved 5-0. Motion passed.

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 S. Main Street. The application has been completed and is on file with the Business License office. All requirements have been met.

Motion by Councilmember Gutierrez to approve the Alcohol License for Beer, Wine, Liquor, and Sunday Sales for 1887 Grill LLC d/b/a 1885 Grill Kennesaw located at 2840 S. Main Street as presented. Seconded by Councilmember Orochena.

Vote taken, motion unanimously approved 5-0. Motion passed.

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.

Motion by Councilmember Viars to approve the Temporary Use Permit for TNT Fireworks as presented. Seconded by Councilmember Orochena.

Vote taken, motion unanimously approved 5-0. Motion passed.

13. Public Safety

14. Information Technology

15. Public Works and Building Maintenance

16. Recreation and Culture

17. Community Development

18. Public Comment/Business from the Floor

6:42 p.m. Floor Open for Public Comments

ANDREW BRAMLETT [City Resident]: Mr. Bramlett presented a local history story about a proposed hotel at the summit of Kennesaw Mountain in 1888 [See **Exhibit A**].

MARTY HUGHES [Assistant City Manager]: Mr. Hughes read two emails sent to kennesawcouncil@kennesaw-ga.gov from Omid Ferdowsi and Dane Thomas regarding traffic and speeding concerns [See **Exhibit B**].

CAT SCRAGG [Vice President of the Kennesaw Baseball and Softball Association]:

Ms. Scragg noted that a detailed letter was sent out this morning stating that the interference from and negligence of the City is jeopardizing the fate of the KBSA program. She asked the Council to review the document so that together they can overcome the issues. Ms. Scragg mentioned that if they cannot come to a resolution, their program will cease to exist.

MARK PREWITT [President of Kennesaw Baseball and Softball Association]: Mr. Prewitt has been with this program for years and has seen players develop through it. He fears the organization will not be in existence if they continue the way they are now. Mr. Prewitt also encouraged the Council to look at the points included in the letter and to let them know if they have any questions. The KBSA wants to have an open conversation about the issues. He mentioned that it is a 100% volunteer organization and all those involved do it for the love of their community.

6:48 p.m. Floor Closed for Public Comments

19. City Manager's Report

A. Reports, Discussions, and Updates

Dr. Drobney noted our movement toward the opening of The Piedmont Bank Amphitheater. There are 11 more days until the ribbon cutting!

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.

Motion by Mayor Pro Tem Jones to appoint Councilmember Gutierrez as Council Liaison to the Historic Preservation Commission and the Kennesaw Arts and Culture Commission and Tony Taylor to the Cemetery Preservation Commission with a term ending December 2024 as presented. Seconded by Councilmember Orochena.

Vote taken, motion unanimously approved 5-0. Motion passed.

21. Council Reports & Discussions

Councilmember Gutierrez thanked everyone for their support during the election. He also got engaged this past weekend. Congratulations, Anthony!

Councilmember Orochena congratulated Anthony on his success and engagement. She also thanked those that spoke during public comment.

Councilmember Ferris shared that all of his friends were talking about the amphitheater more than anything else. The City has a big summer coming up!

Mayor Pro Tem Jones congratulated Anthony on his win!

Councilmember Viars worked earlier in the day as a greeter for the Kennesaw Business Association's golf tournament at Pinetree Country Club. She said people that passed by her were either asking about the opening of 1885 or the amphitheater! There is a lot of excitement for this summer.

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.

Motion by Councilmember Orochena to enter into Executive Session as allowed by O.C.G.A. § 50-14-3 for the purpose of discussing land and legal. Motion seconded by Councilmember Viars.

After receiving visual and verbal confirmation from the Council, the motion was approved unanimously, 5-0. Motion carried.

6:53 p.m. Recess to Executive Session

The Mayor, City Council, City Manager, Assistant City Manager, City Clerk, City Attorney, Public Works Director, and a Croy Engineering representative attended the Executive Session.

7:19 p.m. Reconvene to Open Session

Councilmember Orochena read the Board back into Open Session and directed the Mayor and City Council to execute an affidavit in compliance with O.C.G.A § 50-14-4. Motion seconded by Councilmember Viars.

After receiving visual and verbal confirmation from the Council, the motion was approved unanimously, 5-0. Motion carried.

Based on discussion held in Executive Session, Mayor Easterling requested an item be added to the agenda to submit a new offer letter dated June 3, 2024, to the Bowen Family regarding Hornworks. Motion made by Councilmember Orochena to add the item to the agenda. Seconded by Councilmember Gutierrez.

Vote taken, motion unanimously approved 5-0. Motion passed.

Motion by Councilmember Viars to approve the submission of an offer for the property known as Hornworks. Seconded by Councilmember Orochena.

Vote taken, motion unanimously approved 5-0. Motion passed.

23. Adjourn

Mayor Easterling adjourned the meeting at 7:22 p.m. The next regularly scheduled meeting will be held on Monday, June 10, 2024, at 6:30 P.M. in the Council Chambers. The public is encouraged to attend or view via Facebook Live.

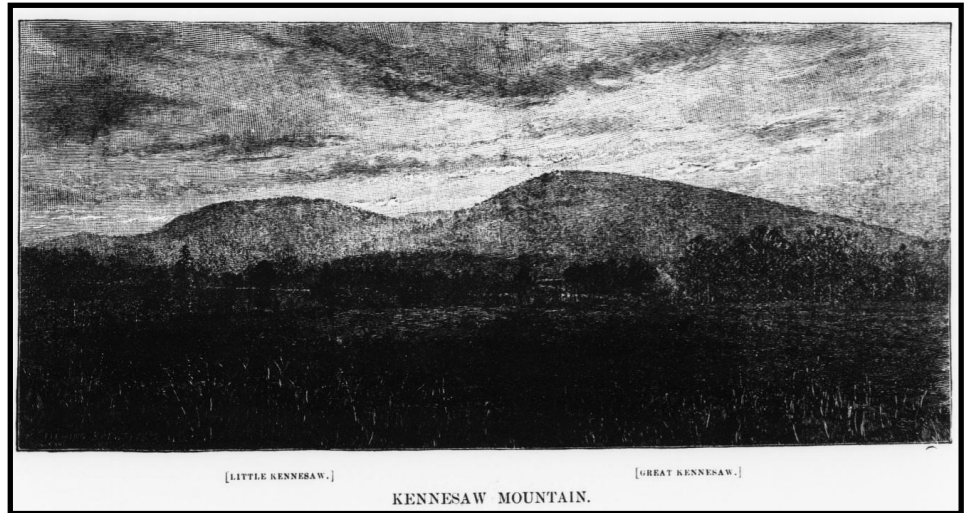
Lea Alvarez, City Clerk

KENNESAW HISTORY

Kennesaw Mountain Hotel

Kennesaw Mountain in
1887

June 15, 1887
Kennesaw Gazette



Because Kennesaw Mountain is so well preserved today by the National Park Service, it is easy to forget that it could have been developed commercially. This almost happened back in 1888, when the Marietta and North Georgia Real Estate and Investment Company attempted to build a hotel at the summit.

The company in some accounts is given the lengthy abbreviation the M. & N. G. R. E. & I. Co., and was founded by a man named J. H. Mountain. The company planned to build a streetcar line to a mountain top hotel. The mountain's owner, the eccentric W. J. M. Hames, was involved initially with the development but later backed out. Because of his leaving the project, the company pivoted to building a neighborhood in Marietta, which also never came to fruition. J. H. Mountain, who conceived the idea, was arrested less than a decade later for defrauding a South Carolina town, so it is also possible his Kennesaw Mountain plan was nothing more than a scam.

Presented by Andrew J. Bramlett at the June 3, 2024,
City of Kennesaw Mayor & Council Meeting

Lea Alvarez

From: Marty Hughes
Sent: Tuesday, June 4, 2024 7:42 AM
To: Lea Alvarez
Subject: FW: Cherokee Street and Big Shanty Drive public comment

From: Omid Ferdowsi [REDACTED]
Sent: Tuesday, May 14, 2024 5:45 PM
To: kennesawcouncil <kennesawcouncil@kennesaw-ga.gov>
Subject: Cherokee Street and Big Shanty Drive public comment

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

My name is Omid Ferdowsi. I'm writing in regards to the intersection of Cherokee Street and Big Shanty Drive. People often turn left onto Cherokee Street from Big Shanty Drive during hours it is not allowed. In addition to this, when a train comes and traffic backs up on Cherokee Street, some people will switch lanes and drive the wrong way on Cherokee Street to turn on Big Shanty. This happens even though people are turning right from Big Shanty onto Cherokee. There's a high risk of a head on accident waiting to happen here during afternoon rush hour.

I would love to see a crack down on the above-mentioned drivers who risk the lives of everyone else for their convenience. Further, can we get a sign on Cherokee Street that gives people directions to the detour that would take them around and above the train and onto Main Street?

I appreciate your time.

Thank you,

Omid Ferdowsi

Lea Alvarez

From: Dane Thomas [REDACTED]
Sent: Friday, May 24, 2024 8:33 PM
To: William Westenberger; Derek Easterling; kennesawcouncil
Subject: Citizen Concern - Main Street Speeding

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening Chief Westenberger,

I should have done this years ago but I am writing to you, the Mayor, and City Council in regards to the concerns I have around speeding on Main Street where I've lived for the past 8 years. I'm sure this is no news to you as it is probably the most common complaint I've heard around town and online in regards to our city.

My request to you and the KPD is an increased police presence on Main Street, specifically on the roads leading in/out of the Central Business District as most drivers seem to slow down on the main strip of downtown but speed up as soon as they're out of the business district. I sometimes do see officers posted in the parking lot of Kennesaw First Baptist and it's music to my ears when I hear them pull over a speeder. However, this is few and far between and my hope would be that a more consistent presence would encourage drivers to abide by the speed limit through the entire 25 mph zone and not just a small part of it. The KPD social media pages could also run a campaign so to speak to remind residents of where the 25 mph starts/stops in addition to giving notice that there will be an increased focus on speeding. Make it known that speeding through our downtown will more than likely end in a ticket. If increasing the frequency of officers on Main Street is not an option I'm genuinely curious as to the reasoning why?

In addition to all of the above, I'd like to call out that at the moment there are 9 children (the majority 5 and under) living in the homes on N. Main Street and I'm sure many many more in the surrounding townhomes and apartments. My wife and I recently completely redid the fence line around our home and the driving factor for this was to make it more difficult for our 2 kids to get even remotely close to Main Street while playing outside as we've watched people driving 45+ mph down it daily for years.

As for the Mayor and Council, I would love to see more permanent solutions put into place such as an additional "Your Speed" sign leading out of the CBD similar to the one leading into it. Most of the speeding I see is leaving the downtown area as opposed to going into it. Speed bumps would also be wonderful, however, I understand that this may not be possible due to the road being used by emergency vehicles? Regardless, this has been a consistent issue for some time and as our city grows now is the time to shore up the safety of our streets/sidewalks before someone ends up being seriously injured.

I greatly appreciate you all taking the time to read this and all that you do for our city.

Dane Thomas

Names and Addresses will be disclosed in the Permanent Minutes of the
City of Kennesaw

PLEASE MAKE SURE YOUR NAME IS LEGIBLE AND CLEAR

Mayor & Council Regular Meeting

6/3/2024

Public Comment Sign-in

	Name	Address	Topic
1	Andrew J. Brummett	2490 Summerfield Ct.	Local history
2	Cat Scrugg	4580 Virginia Ave	KBSA
3	Mark Frewitt	1617 Fernstone Dr.	KBSA
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