MINUTES OF CITY COUNCIL WORK SESSION MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)

Livestream: https://www.facebook.com/CityofKennesaw/
August 12, 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.

1. Invocation

2. Pledge of Allegiance

3. Call to Order

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

4. Announcements

A. 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. Old Business

7. New Business

8. Committee and Board Reports

9. Public Hearing(s)

A. **Ordinance: Rezoning Request for 3045 Cherokee Street**

Consideration for approval of an ordinance authorizing a rezoning request submitted by Jason Kisz for the property located at 3045 Cherokee Street (Parcel 20012900950). Case #RZ2024-03

Zoning Administrator Darryl Simmons presented an ordinance authorizing a rezoning request submitted by Jason Kisz for the property located at 3045 Cherokee Street. The property is 1.9 acres and is surrounded by Central Business District (CBD) zoned property. Further, it is a part of a two parcel assemblage that will be re-developed. The CBD project itself will be presented toward the end of the agenda and is contingent upon the approval of the rezoning. Mr. Simmons recommended approval of the rezoning with 17 conditions, which staff believes addresses any issues with this property.

Councilmember Ferris asked about setbacks for the property and requested a more enhanced version of the site plan before the regular meeting.

Councilmember Ferris and Mayor Pro Tem Jones questioned the safety of the on-street parking and the detention pond, respectively. Mr. Simmons stated that staff will look at different safety measures before Monday's regular meeting on August 19, 2024.

10. Consent Agenda

A. **Minutes: July 17, 2024 Service Delivery Strategy Mediation**
Approval of the July 17, 2024 Service Delivery Strategy Mediation special called meeting minutes.

B. **Minutes: July 29, 2024 1st Property Tax Hearing**
Approval of the July 29, 2024, 1st Property Tax Hearing minutes.

C. **Minutes: July 29, 2024 Work Session**
Approval of the July 29, 2024, City Council work session minutes.

D. **Minutes: July 29, 2024 Executive Session**
Approval of the July 29, 2024, City Council executive session minutes.

E. **Minutes: August 5, 2024 2nd Property Tax Hearing**
Approval of the August 5, 2024, 2nd Property Tax Hearing minutes.

F. **Minutes: August 5, 2024 Regular Meeting**
Approval of the August 5, 2024, City Council regular meeting minutes.

11. General and Administrative

12. Public Safety

A. **Crime Stats: July 2024**

Chief Bill Westenberger presented the July 2024 crime statistics [see **Exhibit A**]. Chief Westenberger spoke of the success of using Flock cameras and Fusus. The

Kennesaw Police Department has a near 90% success rate in solving hit and runs.

B. **Discussion Only: Research Results on Electric Vehicles**

Chief Bill Westenberger researched utilizing electric vehicles for the Public Safety Ambassador program. Staff looked at the price points between the gas Ford Mavericks requested in this year's budget, electric vehicles, and hybrid vehicles. Overall, Chief Westenberger suggested purchasing one of the Ford Mavericks as a hybrid. He pointed out that he is not opposed to pursuing the direction of electric vehicles, but service delivery is paramount.

C. **Discussion Only: Public Safety Facility 3rd Floor**

Building Facilities Director Robbie Balenger provided an update on the request for a third floor addition to the Public Safety Facility building. The cost of adding the additional floor is $4.5 million. It would be an empty shell without interior walls or finishes as well as heated but not cooled. To fund this project, the City would have to halt all work to find additional dollars. Mr. Balenger did not recommend pursuing the addition of a third floor. Mayor Pro Tem Jones was in agreement.

13. Information Technology

14. Public Works and Building Maintenance

A. **Resolution: Transfer 2016 SPLOST Funds**
Consideration for approval of a Resolution to transfer various 2016 SPLOST funds to the 2016 SPLOST Resurfacing and Sidewalks account.

Assistant City Manager Marty Hughes presented a resolution to transfer various 2016 SPLOST funds to the 2016 SPLOST Resurfacing and Sidewalks account. The total is $16,395.00.

Councilmember Ferris asked if the money being transferred will be going toward any specific project. Mr. Hughes responded that the money will be transferred to the resurfacing and sidewalk account for Public Works to address any issues that arise in neighborhoods.

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

B. **Resolution: Transfer 2016 SPLOST Funds**
Consideration for approval of a Resolution to transfer 2016 SPLOST Stormwater Infrastructure funds to the 2016 Ben King Road Improvements account.

Mr. Hughes presented a resolution to transfer 2016 SPLOST Stormwater Infrastructure funds to the 2016 Ben King Project Improvements account. The total is $343,551.00.

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

C. **Resolution: Transfer 2022 SPLOST Funds**

Consideration for approval of a Resolution to transfer 2022 SPLOST Depot Park funds to the 2022 SPLOST Neighborhood Improvements account.

Mr. Hughes presented a resolution to transfer 2022 SPLOST Depot Park funds to the 2022 SPLOST Neighborhood Improvements account. The total is $911,701.64.

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

D. **Resolution: Transfer 2022 SPLOST Funds**
Consideration for approval of a Resolution to transfer 2022 SPLOST Depot Park funds to the 2022 SPLOST Facility Improvements account.

Mr. Hughes presented a resolution to transfer 2022 SPLOST Depot Park funds to the 2022 SPLOST Facility Improvements account. The total is $659,692.36. Councilmember Ferris noted that a lot of money is being transferred and wondered if staff could come back in about a month to provide some clarification on which projects the dollars will be funding. Dr. Drobney said the projects are being presented generally so that the City is not boxed in when projects become available.

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

E. **Resolution: Smith-Gilbert Garden Improvements Project**
Consideration for approval of a Resolution awarding the bid and contract to Magnum Contracting, LLC for construction of various Smith-Gilbert Garden improvements.

Building Facilities Director Robbie Balenger presented a resolution awarding the bid and contract to Magnum Contracting, LLC for construction of various Smith-Gilbert Garden improvements, including new restrooms, a pavilion, an ADA parking lot, and ADA accessible pathways. This contract also includes the top coating and striping of the current parking lot on Pine Mountain Road. Magnum Contracting, LLC was the lowest qualified bid for this project at $1,124,821.40. There is an additional $16,667.50 needed for architecture and engineering fees, which brings the total cost of the project to $1,141,488.90. This project will be funded with previously approved ARPA funds, previously approved SGG Foundation funds, and 2022 SPLOST Funds.

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

F. **Discussion Only: City Hall Entrance Improvements**

Public Works Director Ricky Stewart shared previously requested elevations of the proposed City Hall entrance improvements.

There were several concerns shared by Councilmembers Ferris and Orochena, as well as Mayor Pro Tem Jones, regarding the removal of the trees around the front and along the side of City Hall. Smith Gilbert Gardens Director Dave Simpson, a certified arborist, stated that the trees were too big to have been planted in such a small area. The only options regarding the trees would be to either remove them or leave them. If the trees remain, the ADA-accessible parking will need to be removed as there are too many hazards associated with the trees' roots and foliage debris.

Mayor Easterling suggested proceeding with removing the trees. Councilmember Ferris agreed, stating that the City must serve the public and provide handicap access to the front of City Hall. Ultimately, removing the trees will be the best option.

15. Recreation and Culture

16. Community Development

A. **Central Business District Project Application: 3033 and 3045 Cherokee Street**
Consideration to review a CBD project application request for a mixed-use development on parcels located at 3033 Cherokee Street (Parcel 20012900960) and 3045 Cherokee Street (Parcel 20012900950). Case#CBD2024-02.

Zoning Administrator Darryl Simmons will bring site plan alternatives to the regular meeting on Monday, August 19, 2024. Whatever is decided regarding the rezoning item will be carried over to this item, conceptually.

B. **Resolution: Updated Intergovernmental Agreement (IGA) and Property Use Agreement for 2840 S. Main Street**
Consideration for approval of a Resolution to update an IGA and Property Use Agreement pertaining to a shared dumpster between the KDDA, 1885 Grill, and Bernie's Social Bar.

Downtown and Main Street Manager Miranda Taylor presented a resolution to update an intergovernmental agreement and property use agreement pertaining to a shared dumpster at 2840 South Main Street between the KDDA, 1885 Grill, and Bernie's Social Bar.

Councilmember Ferris would like to see the length of the intergovernmental agreement reduced to a 10-year term.

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

17. Public Comment

7:49 p.m. Floor Open for Public Comments

No comments.

7:50 p.m. Floor Closed for Public Comments

18. City Manager's Report

A. Reports, Discussions, and Updates

Dr. Drobney reminded everyone that Pigs and Peaches is this weekend.

19. 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.

20. Council Reports & Discussions

21. 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 Gutierrez to enter into Executive Session as allowed by O.C.G.A § 50-14-3 for the purpose of discussing legal. Motion seconded by Mayor Pro Tem Jones. Vote taken, motion unanimously approved 5-0. Motion passed.

7:52 p.m. Recess to Executive Session

The Mayor, City Council, City Manager, City Clerk, Deputy City Clerk, and Assistant City Attorney attended the Executive Session.

8:04 p.m. Reconvene to Open Session

Councilmember Gutierrez read the Council 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 Mayor Pro Tem Jones. Vote taken, motion unanimously approved 5-0. Motion passed.

22. Adjourn

Mayor Easterling announced a special called meeting on Wednesday, August 14, 2024, at 6:30 p.m. in the Council Chambers.

The regular meeting will be held on Monday, August 19, 2024, at 6:30 p.m. in the Council Chambers. The public is encouraged to attend or view via Facebook Live.

Digitally signed by Lea Alvarez
DN: cn=Lea Alvarez, o=City of Kennesaw, ou, email=lalvarez@kennesaw-ga.gov, c=US
Date: 2024.09.04 08:40:20 -04'00'

Lea Alvarez, City Clerk