

MINUTES OF CITY COUNCIL WORK SESSION MEETING
CITY OF KENNESAW
Council Chambers
May 30, 2023
6:30 PM

Present	Mayor Derek Easterling Mayor Pro Tem Tracey Viars Councilmember Pat Ferris Councilmember Antonio Jones Councilmember Trey Sinclair Deputy City Clerk Lily Smith City Manager Jeff Drobney City Attorney Randall Bentley, Sr.
Absent	Councilmember Lynette Burnette

1. Invocation

2. Pledge of Allegiance

3. Call to Order

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. A PROCLAMATION declaring June 5-9, 2023 as Municipal Court Clerks Week in the City of Kennesaw.

Mayor Derek Easterling announced his intention to proclaim June 5th through June 9th 2023 as Municipal Court Clerks Week in the City of Kennesaw.

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: Approval of RESOLUTION adopting the updates to the Capital Improvement Element and Short Term Work Program (CIE/STWP) report covering the five-year period of 2023-2027. No action will take place until the regularly scheduled June 19, 2023, Mayor and Council meeting. Case# MISC2023-04.

This Item was presented by Planning and Zoning Administrator Darryl Simmons. He spoke about this being the first reading of two in order to meet a two-meeting requirement before adoption of the Capital Element and Short Term Work Program. He noted that the city collects impact fees and, as per state law, the city is required to show its short term and long term projects as well as the accompanying financial statements. It has met all Atlanta Regional Commission and The State Of Georgia Department Of Community Affairs requirements and will continue with the required hearings in order to stay in compliance.

11. Consent Agenda

- A. Approval of the May 1, 2023 City Council executive session minutes.
- B. Approval of the May 8, 2023 City Council work session minutes.
- C. Approval of the May 15, 2023 City Council regular meeting minutes.

12. General and Administrative

- A. Consideration for approval of an Alcohol License for Beer and Sunday Sales for Lukes of Kennesaw LLC d/b/a Buffalo Lukes located at 2768 Cobb Pkwy, Kennesaw, GA 30152. Applicant: Robert Stoll.

Business License Manager Derek Cox presented this item on behalf of Buffalo Lukes. This business is applying for a Beer and Sunday Sales Alcohol License. The business owner has completed the necessary workshops, and signs have been posted and properly advertised. He did make the Council aware that this business is located within 600 feet of Ben Robinson Community Center and Adams Park. However, the Mayor and Council have the right to waive this distance requirement and the Finance Director does recommend approval.

- B. Approval of RESOLUTION and authorization for the Mayor to execute the Lease Supplement with Georgia Municipal Association (GMA) for the direct leasing program for two (2) 2022 Ford Interceptors for Police use.

This Item was presented by the Assistant Finance Director Jennifer Gordy. She requested authorization and approval to finance two Ford Interceptors for use by the Kennesaw Police Department. The total cost of these two vehicles will be \$111,339.78 and the city will finance them for five years with an annual payment of \$25,256.35 with an annual interest rate of 4.35%. She noted that the funding would be through Magolia Bank via the Georgia Municipal Association.

13. Public Safety

A. DISCUSSION ONLY: Speed limit reductions on Big Shanty Drive (35 mph to 25 mph) and Duncan Drive (30 mph to 25 mph).

Police Chief Westenberger and Lieutenant Morgan presented an item that started with a citizen complaint from Micah Fincher who lives in the Pine Hills subdivision. Mr. Fincher was concerned about traffic speeds at the intersection of Big Shanty Road and Duncan Road. Lieutenant Morgan was tasked with investigating the issue and coming up with a resolution. Mr. Fincher complained that several citizens walk along the road frequently with children or pets while the traffic beside them speeds by and while not stopping properly. The citizens in that area would like to see the speed limit change from thirty-five miles per hour to twenty-five miles per hour on Big Shanty Drive and from thirty miles an hour on Duncan Drive to twenty-five miles an hour. After several talks with Lieutenant Morgan, Mr. Fincher took it upon himself to have everyone in the area sign a petition of support for the speed changes. Lieutenant Morgan then took it upon himself to do some informal surveys of the area and found that the majority of the traffic on the road was over forty miles an hour in addition to improper stopping at the stop sign. Lieutenant Morgan then gave some statistics about the residences in the area along with the type and frequency of citations given out in the past.

Councilmember Ferris noted that he lived next to the in the aforementioned area and he has not seen the traffic issues as originally stated. He said that it seems as though the police department has a tendency to resolve a lot of issues by just lowering the speed limit. Councilmember Ferris added that people do not pay attention and do as they please. He stated that the amount of citations in the area is a good revenue source for the city and stated his opposition to the speed changes. Next, he stated that he would like to see the neighborhoods finish their construction before the area is re-evaluated for changing traffic patterns. Chief Westenberger and Councilmember Ferris discussed the traffic counters that were bought for the city years ago and putting them into use for formal data collection in this area. Chief Westenberger then explained that such a project would be taxing on staff to complete and confirmed that this is the direction that council wanted to pursue. He noted that the Covid-19 Pandemic significantly changed the traffic patterns and there is less general regard for safety among the public. Chief Westenberger then publicly announced that the Kennesaw City Police Department is dedicated to safety and not profit. Mayor Pro Temp Vairs then gave the opinion, as a frequent pedestrian herself, that she would at least like to see the formally collected data. She stated that the goal of the city is to build a walkable downtown area and, with the aforementioned area now part of the Central Business District, people need to slow down and be more aware. Councilmember Jones stated that he would be supportive of a lower speed limit and suggested having light up signs with flashing lights.

Councilmember Ferris and Councilmember Jones discussed more ideas about lights

and rumble strips to help get peoples people's attention. Councilmember Sinclair added that he would support the twenty-five mile an hour change to Duncan Road but, emphasized that Big Shanty Road is such a long road that lowering the speed limit too much would frustrate people. He supports the city having more walkability and bikeability throughout. Mayor Easterling concluded the conversations by asking Kennesaw Police to conduct a more in-depth study by using the traffic counters and promoting citizen safety. The council then thanked Lieutenant Morgan for his hard work.

14. Information Technology

15. Public Works

- A. Approval of RESOLUTION to award bid and authorize the Mayor to sign the attached contract to F. S. Scarbrough, LLC for resurfacing of various streets - 2023 LMIG

Public Work Director Stewart presented this item and spoke about awarding F.S. Scarbrough, LLC to the 2023 LMIG Street Resurfacing Project. The city solicited bids for three streets: Morningside Trail between Somerset Ridge and Greensward View, Park Trace between Brandywine Road until the end of the cul-de-sac and Winterthur Main between Legacy Park Circle and Somerset Ridge. F.S. Scarborough was the lowest bidder at \$147,402.00. Public Works Director Stewart recommends approval. Mayor Easterling excused himself from this item due to having property on one of the roads that was taken out to bid.

16. Recreation and Culture

- A. DISCUSSION ONLY: Amphitheater Naming Rights

This Item was presented by Parks and Recreation Director Bill McNair. He was accompanied by Partnerships and Events Specialist Mara Clauson and Special Event Coordinator Brittani Farmer. He expressed his excitement about the construction of the amphitheater and hoped to have the inaugural event in May of 2024. He discussed the reason why the amphitheater needed to be bid out for naming and the effect that it has on getting Kennesaw's name out to the surrounding communities. He gave a few updates about the meetings that he has had with other city staff and the upcoming meetings that he would be involved in as well. Events Specialist Clauson requested authorization to move forward with the request for the bid portion of the project in June. She stated that usually bids for naming usually start several months to a year before the project is constructed, so she is eager to get started. She has been contacted by partners in many different industries that are interested in this project. Special Event Coordinator Brittani Farmer gave an update on the various departments that she is working with and the larger impact that this amphitheater will have on the community. There will be plenty of changes that will happen and a lot of logistics internal to the city that need to be coordinated. Special Event Coordinator Farmer will be giving updates in six to eight months from now as it gets closer to completion. Councilmemeber Ferris

asked how the request for Bids gets broadcast out to potential partners. Partnerships and Events Specialist Clauson answered that her department has collected a target list of companies that they think would be a good fit as well as posting the information on the website for public consumption. He followed up with the question of how the Amphitheater Committee was going to assist with the request for bid as well. Parks and Recreation Director McNair answered that they are looking to get them increasingly involved in the naming but, wanted to get the city side of things worked out before bringing them into the picture. Councilmember Ferris advised them to use the contacts that were available to the fullest extent in order to bring more valuable resources to this project. He also asked what the time frame for a naming right would look like and if it renews. Parks and Recreation Director McNair responded that it can be anywhere between three years to ten years for rights but, he is looking in the three to five year range and plans to renew again after that.

17. Community Development

- A. Parcel Combination plat application submitted by Surina Narine and Avery Richardson for 0 Live Oak Drive (20017701170) and 0 Live Oak Drive (20017701180). Case number PC2023-05.

Assistant Planning and Zoning Administrator Albert Trevino presented this item by stating that the lot owner planned to take these two vacant parcels and combine it into one. The property owner plans to build a single family home on the site and it has a stream running the back portion of the property. He noted that building plans have not been submitted and when the plans are ready they need to conform to the R15 Zoning District standards. Plan Review has authorized this plot along with Cobb Fire Department and water, who recommended approval.

18. Public Comment/Business from the Floor

19. City Manager's Report

- A. Approval of the Amended and Restated Galleria Convention Funding and Operating Agreements with the Cobb-Marietta Coliseum and Exhibit Hall Authority.

Dr. Drobney praised the Parks and Recreation Department for their part in all of the wonderful events in Kennesaw. He then went on to present this item. He informed the council that Cobb Galleria representatives Rob Turner and Michelle Swan presented the renewal of the Galleria Convention Funding and Operating Agreements with the Cobb-Marietta Coliseum and Exhibit Hall Authority. He stated that these agreements have been in place since 1993 and that this is just a re-authorization of the current agreement. He noted that the terms and calculations are unchanged and the collection/distribution rates remain unchanged as well. There has been a change to the agreements but only to allow additional updates to the gallery and ballrooms. There may also be a hotel that will be moving into the Galleria Area as well in the near future. He mentioned that every other city in Cobb County has approved this item and Kennesaw is the last on the list to do so. The City Manager recommended approval and stated that law had reviewed everything. Councilmember Jones asked why it was that

the city did not have representation on the board. City Manager Drobney answered that representation on this matter was not possible due to the residing board over this project being a legislatively created board. He went on to say there is no avenue to change the board at this time due to state-dictated regulations. Councilmember Jones then asked if there was an avenue to change that and allow for city representation. City Manager Drobney answered that there are avenues to change these kinds of things but, there would be a need to find a legislative sponsor in order to achieve that goal. He also added that there would need to be support from the Cobb delegation.

Councilmember Jones expressed displeasure at the fact that the city has been apart from this agreement for thirty years and is not able to have proper representation.

Mayor Easterling encouraged Councilmember Jones to find a sponsor if he would like to pursue having representation and advocate for that right if he saw fit. Councilmember Ferris also expressed displeasure at this issue and noted that other cities have representation. He recalled in the past speaking to certain Cobb Municipal Association members and not being able to get them to budge on supporting an initiative of this kind. Councilmember Jones wanted to wait on the initiative but, City Manager Drobney notified him that the deadline was coming up soon.

- B. Recommendation of the City Manager to ratify the appointment of Assistant Parks and Recreation Director, Bill McNair, to Parks and Recreation Director.

City Manager Drobney formally announced the appointment of Assistant Parks and Recreation Director, Bill McNair, to Parks and Recreation Director.

20. Mayor's Report

21. Council Comments

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 7:08 P.M. The next regular meeting will be held Monday, June 5th, 2023 at 6:30 P.M. in the Council Chambers. The public is encouraged to attend or view via Facebook Live.