

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

**Livestream: www.kennesaw-ga.gov/publicmeetings/
October 21, 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

Captain Kevin Mitchell led the Pledge of Allegiance.

3. Call to Order

Mayor 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.

5. Presentations

6. Public Comment/Business from the Floor

[The City Attorney swore-in any witnesses or individuals offering comments on the agenda].

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

9. Committee and Board Reports

10. Public Hearing(s)

A. Land Use Permit: 2255 Long Bow Chase

Consideration for approval of a Land Use Permit application for property located at 2255 Long Bow Chase as submitted by Nancy Lesser. Case #LU2024-03

Assistant Zoning Administrator and Planner Chanelle Campbell presented a land use permit application for property located at 2255 Long Bow Chase. The applicant hopes to obtain a home occupation business license to create and sell sublimation tumblers and home decor. Ms. Campbell noted that all the required public notice requirements were met, including the posting of a sign on the property and notices in the Marietta Daily Journal. City staff believe that the use is low in commercial intensity as it will be contained within an enclosed building space that should not cause a nuisance to adjacent properties. Correspondence was received from the Victoria Crossing homeowners' association approving the creation and selling of the items online from the location. The Zoning Administrator recommended approval with the following conditions: the land use permit is limited to, exclusive to and only valid for the current applicant and the life of this particular business and use, and it is not transferable. Any changes would require additional review and approval; there shall be no clients, customers or employees at this location. Nor shall there be any evidence of a home-based business visible from the public right-of-way; and the land use permit is valid for 24 months after the date of approval. The Planning Commission recommended approval with the aforementioned conditions at their regularly scheduled meeting on October 2, 2024.

Motion by Councilmember Viars to approve the land use permit application for property located at 2255 Long Bow Chase as submitted by Nancy Lesser with conditions as presented. Seconded by Councilmember Gutierrez.

6:35 p.m. Floor Open for Public Comments

No comments.

6:36 p.m. Floor Closed for Public Comments

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

11. Consent Agenda

Motion by Mayor Pro Tem Jones to approve the Consent Agenda engross. Seconded by Councilmember Ferris.

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

- A. **Minutes: September 30, 2024 Work Session**
Approval of the September 30, 2024, City Council work session minutes.
- B. **Minutes: September 30, 2024 Executive Session**
Approval of the September 30, 2024, City Council executive session minutes.
- C. **Minutes: October 7, 2024 Regular Meeting**
Approval of the October 7, 2024, City Council regular meeting minutes.
- D. **Cemetery Deed: Section III, Plot 5 Lots A-D and Section III, Plot 12, Lots A-D**
Authorization for the Mayor to sign a deed for cemetery lots purchased by Mike Turner.
- E. **Resolution: Professional Probation Services, Inc. Contract Addendum**
Consideration for approval of a Resolution authorizing an addendum to the contract for probation supervision and rehabilitation services by and between the City of Kennesaw and Professional Probation Services, Inc.

Resolution No. 2024-49

- F. **Road Closures: Taste of Kennesaw**
Consideration to approve road closures for Taste of Kennesaw festival.
- G. **Rescind: Resolution 2024-43, 2024**
Consideration to rescind Resolution No. 2024-43, 2024 terminating the contract with Magnum Contract, LLC for the Smith-Gilbert Gardens Improvement Project.
- H. **Resolution: Smith-Gilbert Gardens Improvements Project**
Consideration for approval of a Resolution awarding the contract to S.H. Creel Contracting, LLC for construction of various Smith-Gilbert Gardens improvements.

Resolution No. 2024-50

12. General and Administrative

- A. **Alcohol License: Cigar Gallery Club**
Consideration for approval of an Alcohol License for Beer, Wine, Liquor and Sunday Sales for Cigar Gallery Club LLC d/b/a Cigar Gallery Club located at 3600 Cherokee St NW, Suite 102 Kennesaw, GA 30144. Applicant: Victor Rodriguez

Business License Manager LaMaya Edmonds presented an alcohol license for Beer, Wine, Liquor, and Sunday sales for Cigar Gallery Club LLC d/b/a Cigar Gallery Club.

The applicant has completed the required alcohol workshop, signs have been properly posted and advertised, as well as the current background check and fingerprints are on file. The Finance Director recommended approval.

Motion by Mayor Pro Tem Jones to approve the alcohol license for Beer, Wine, Liquor, and Sunday Sales for Cigar Gallery Club LLC d/b/a Cigar Gallery Club located at 3600 Cherokee Street NW, Suite 102 as presented. Seconded by Councilmember Orochena.

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

13. Public Safety

A. Crime Statistics: September 2024

Consideration to accept the September 2024 crime statistics.

Captain Kevin Mitchell presented the September 2024 crime statistics [See **Exhibit A**].

Motion by Councilmember Viars to accept the September 2024 crime statistics as presented. Seconded by Mayor Pro Tem Jones.

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

14. Information Technology

15. Public Works and Building Maintenance

A. Resolution: Keene Street ROW Transfer to Core Property Capital, LLC

Consideration to approve a Resolution to transfer portions of the Right Of Way known as Keene Street to Core Property Capital, LLC

[Councilmember Viars recused herself from the discussion and vote on item 15. A].

Public Works Director Ricky Stewart presented a resolution to transfer portions of right of way known as Keene Street to Core Property Capital, LLC. In 2019, the Council entered into agreement with Core Property Capital, LLC where the City exchanged 29,882 square feet of abandoned right of way for the future dedication of 38,332 square feet of right of way they were building as part of their development. Core Property Capital, LLC has approached the City and asked if we would abandon an additional 1,698 square feet of right of way and include that in the exchange. In total, the City would be gaining additional right of way compared to what it is exchanging. The Public Works Director recommended approval of the transfer of rights of way and authorizing the Mayor to execute the right of way deed.

Motion by Councilmember Ferris to approve the resolution to transfer portions of right of way known as Keene Street to Core Property Capital, LLC as presented. Seconded by Councilmember Jones.

Vote taken, motion approved 4-0-1 (Councilmember Viars abstained). Motion passed.

16. Recreation and Culture

17. Community Development

18. Public Comment/Business from the Floor

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

ANDREW BRAMLETT [City Resident]: Mr. Bramlett shared some local history regarding former mayor, Luther P. Mathis [See **Exhibit B**]. He also shared the upcoming "Life in the Cemetery" event held in the Kennesaw City Cemetery from Friday, October 25, 2024, to Sunday, October 27, 2024.

JOHN LITTLE [City Resident]: Mr. Little spoke about transportation. A couple of meetings ago, Cobb County Department of Transportation gave a presentation on their plans to realign McCollum Parkway. He does not support the plan and wants Main Street to be kept as it is. He is not sure if it is a permanent plan yet, but he is not supportive of the Sardis Street Overpass. He is not sure how diverting traffic from the downtown area will be good for businesses and believes it will increase traffic for residents on North Main Street. Mr. Little urged people to go to the Cobb County website to learn more about the MSPLOST. Most importantly, he hoped people would read about it before they voted for or against it. Mr. Little does not believe the MSPLOST will benefit Kennesaw.

6:46 p.m. Floor Closed for Public Comments

19. City Manager's Report

A. Reports, Discussions, and Updates

Dr. Drobney mentioned Fall-O-Ween at Swift-Cantrell Park. He shared it was a great event and thanked Parks and Recreation for their hard work.

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

Councilmember Ferris mentioned all the fun upcoming events for Kennesaw, including the Candy Crawl and Life in the Cemetery. He also mentioned that the Kennesaw State University Owls are playing Liberty University this Wednesday, October 23, 2024, at home. It will be on CBS Sports. He is excited about the football program growing as it is another great thing going on in our community.

Mayor Pro Tem Jones noted that he had meetings with community members about some businesses that might come into our area recently. He thanked the staff at the

Southern Museum for the work they are doing with programming for children. He took his son and had a fantastic time in the kid's area.

Councilmember Gutierrez reminded everyone that early voting is underway. He encouraged everyone to go to MyVoterPage or the Cobb County Board of Elections website to learn more. At the Ben Robertson Community Center, Councilmember Gutierrez was in and out in less than 10 minutes. He said it was a great opportunity to avoid the long lines on Election Day.

Councilmember Orochena shared that she is excited about the Candy Crawl and Life in the Cemetery events this weekend.

Councilmember Viars mentioned the Candy Crawl on Friday. She said trick or treating at businesses starts at 4:30 p.m. and goes to 6:00 p.m. The festival portion of the event will be held at Depot Park and is from 4:30 p.m. to 7:30 p.m.

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 6:53 p.m. The next regularly scheduled meeting will be held on Monday, October 28, 2024, at 6:30 p.m. in the Council Chambers.

Lea Alvarez

Lea Alvarez, City Clerk



September 2024 Crime Statistics

Crimes	Sep 2024	Sep 2023	YTD (01/01/24 - 09/30/24)	YTD (01/01/23 - 09/30/23)
Assault Offenses	19	39	240	286
Motor Vehicle Theft	2	2	23	11
Burglary	5	2	28	23
Homicide Offenses	0	0	2	0
Larceny	13	13	105	129
Sex Offenses	4	1	14	16
Robbery	0	1	2	8
Total	43	58	414	473

	Sep 2024	Sep 2023	YTD (01/01/24 - 09/30/24)	YTD (01/01/23 - 09/30/23)
Dispatched Calls for Service	753	804	6,875	7,484
Self-Initiated Activity	1,112	845	9,284	9,187
Traffic Citations	464 (-290)	754	5,123 (-1,944)	7,067
Traffic Warnings*	653 (+514)	139	5,472 (+3,161)	2,311
Arrests**	59	65	825	777

* Warnings do not include verbal warnings
 ** Arrests do not include juvenile arrests

	Sep 2024	Sep 2023	YTD (01/01/24 - 09/30/24)	YTD (01/01/23 - 09/30/23)
Auto Accidents	105 (+2)	103	756 (+39)	717
Accident W/ Injury	12 (+1)	11	79 (-27)	106
Hit and Run	11 (-8)	19	100 (-40)	140
Hit and Run W/ Injury	0	0	1	1
Person Hit by Auto W/ Injury	0	0	5 (+1)	4

Bill Westenberger
Chief of Police



Kennesaw Police Department
 2539 J. O. Stephenson Ave., Kennesaw, GA, 30144
 911 Call Center: (770) 422-2505
 Criminal Investigations Division: (770) 429-4533



KENNESAW HISTORY

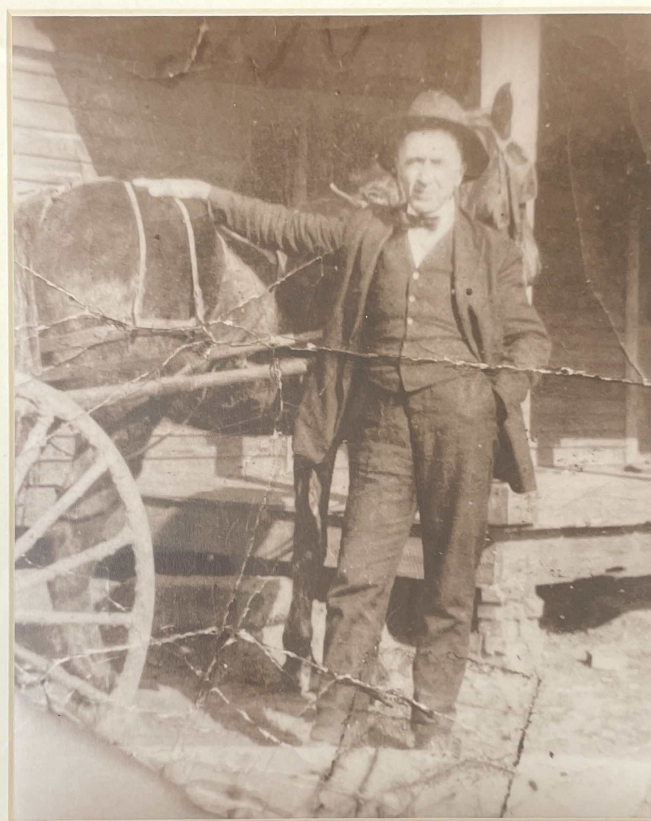
Luther P. Mathis

Luther P. Mathis was born March 19, 1876, in Forsyth County. Prior to 1910, he married a woman named Mary. According to the 1910 census, the family lived in Kennesaw where Mathis worked as a farmer. By the 1920s they had moved to West Cobb, near the corner of Kennesaw Due West, Acworth Due West, and Due West Roads. The community went by several names: at one time it had been known as Due West, it is listed in the 1920 census as Red Rock, and the *Marietta Journal* referred to it as Dixon Schoolhouse.

Mathis worked in the casket industry, and according to his obituary he spent 51 years in the business. From 1920 until his death, we worked for the Atlanta Casket Company. By 1923, Mathis had moved back to Kennesaw from West Cobb. He served as Mayor of Kennesaw in 1930.

In October of 1932, Mathis and 5 other Kennesaw residents were in car traveling down what is now called Old 41 Highway. Near Kennesaw Mountain there was a heavy fog, and the car Mathis was in struck a truck head on. The other 5 occupants were treated for minor bruises, while the Atlanta paper reported Mathis was seriously injured and in a "semi-conscious" state. He survived the accident and returned to Kennesaw.

Luther P. Mathis passed away on September 2, 1941, at an Atlanta hospital. His funeral was held at the Methodist Church, where Mathis had been a member for 46 years. He was buried shortly afterwards in the Kennesaw City Cemetery.



Luther P. Mathis
Image hangs on the Council Chamber wall

Presented by Andrew J. Bramlett at the October 21, 2024,
City of Kennesaw Mayor & Council Meeting

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

10/21/2024

Public Comment Sign-in

	Name	Address	Topic
1	Andrew J. Brubaker	2990 Amherst Rd.	Local History
2	JOHN LITTLE	3035 WINDOGEN CANYE	TRAFFIC
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