

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

**Livestream: www.kennesaw-ga.gov/publicmeetings/
November 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 Assistant City Manager Marty Hughes City Attorney Randall Bentley, Sr.
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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

5. Presentations

6. Old Business

7. New Business

A. Resolution: Master Fee Schedule Updates

Consideration for approval of a Resolution to update various portions of the Master Fee Schedule.

City Clerk Lea Alvarez presented a resolution updating various portions of the Master Fee Schedule. Ms. Alvarez provided an overview of the proposed amendments.

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

8. Committee and Board Reports

9. Public Hearing(s)

A. Ordinance: Unified Development Code Text Amendment

Consideration for approval of a text amendment request as submitted by the City of Kennesaw. Said request is to amend the Unified Development Code, Appendix A, Chapter 2 "Zoning Districts", Section 2.03.00 and Unified Development Code, Appendix A, Chapter 8 "Boards and Agencies", Section 8.04.00 of said chapters regarding public art exhibits and the City of Kennesaw Art and Culture Commission as submitted by the City of Kennesaw. Case #MISC2024-03

Planning and Zoning Administrator Darryl Simmons presented an ordinance to amend the Unified Development Code, Appendix A, Chapter 2 "Zoning Districts," Section 2.03.00 and Unified Development Code, Appendix A, Chapter 8 "Boards and Agencies," Section 8.04.00 of said chapters regarding public art exhibits and the City of Kennesaw Art and Culture Commission.

Councilmember Ferris mentioned that the Council typically ratifies the appointments of any boards or committees that are created, but in the proposed ordinance, the Kennesaw Public Art Advisory Committee will be appointed by the City Manager. He asked the Council their thoughts on applying the ratification process to the proposed Advisory Committee. Overall, the Council decided to leave the process as currently written in the ordinance.

Mr. Simmons noted the first public hearing for this item was at the November 6, 2024, Planning Commission meeting, which unanimously recommended approval. The second and final public hearing for the text amendment will be held on Monday, November 18, 2024, at 6:30 p.m. at the regular City Council meeting. The public hearings were properly advertised.

B. Ordinance: Rezoning Request for 2112 & 2114 Old 41 Highway, 1620 North Roberts Road

Consideration for approval of an ordinance authorizing a rezoning request submitted by Fabric Housing Acquisitions, LLC, for the property located at 2112 & 2114 Old 41 Hwy, and 1620 N. Roberts Rd (20017501190, 20017501210, 20017500210, 20017400080). Case #RZ2024-04

Planning and Zoning Administrator Darryl Simmons spoke about a rezoning request submitted by Fabric Housing Acquisitions, LLC for the property located at 2112 and 2114 Old 41 Highway and 1620 North Roberts Road. Mr. Simmons noted this request is a master plan amendment and is the second request since its origin back in 2018. This amendment is to change previously approved conditions. After going through the staff analysis and ongoing discussions with the applicant, there were still some unresolved issues with the project, which led to staff's recommendation for denial of the application.

After the Planning Commission meeting, Mr. Simmons met with the applicant's attorney and received a letter requesting the Council postpone the hearing to the December 9, 2024, work session and the December 16, 2024, regular meeting. The intent of this postponement is for the applicant to meet with staff and solve some of the outstanding

items that were not accomplished in the previous agreements and to work on a more detailed site plan.

10. Consent Agenda

A. Minutes: October 28, 2024 Work Session

Approval of the October 28, 2024, City Council work session minutes.

B. Minutes: November 4, 2024 Regular Meeting

Approval of the November 4, 2024, City Council regular meeting minutes.

11. General and Administrative

12. Public Safety

A. Crime Statistics: October 2024

Consideration to accept the October 2024 Crime Statistics.

Chief Bill Westenberger presented the October 2024 crime statistics [see **Exhibit A**].

13. Information Technology

14. Public Works and Building Maintenance

A. Resolution: Cobb County Water and Sewer Easement Agreements

Consideration to approve a Resolution authorizing Water and Sewer Easement Agreements with Cobb County Water System

Public Works Director Ricky Stewart presented a resolution authorizing water and sewer easement agreements with Cobb County Water System. Mr. Stewart shared that the developer of Ross Pointe, a proposed development on McCollum Parkway, has requested a water and sewer easement for Cobb County Water System. The closest tie-in for the development is on Lee Court, which is separated from it by a city park.

Mayor Pro Tem Jones asked how long the park would be out of commission. Mr. Stewart stated probably two to three months, but there is not a schedule that has been put together yet.

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

B. Resolution: Emergency Stormwater Repair

Consideration to approve a Resolution authorizing a proposal for Emergency Stormwater Repair from Proshot Concrete, Inc.

Public Works Director Ricky Stewart presented a resolution authorizing a proposal for emergency stormwater repair from Proshot Concrete, Inc. Shortly after Hurricane Helene, the owner of 2979 Pine Hill Drive reached out to Public Works about a storm drain that runs through their property. After evaluation, the bottom of the pipe is completely gone, and there are sections of exposed pipe. The City currently has a contract with Proshot Concrete, Inc., which is relining pipes throughout the City. Mr.

Stewart asked the company if they could look at the pipe and provide a proposal for reline. He considers it an emergency repair because it is causing damage to private property and does not want it to pose a safety risk. Proshot Concrete, Inc. offered two different methods of repair, with the lowest cost being \$96,500, which is what Mr. Stewart is requesting the Council authorize.

Councilmember Ferris stated he hears the urgency and the need for repair, but does not see it as an emergency. He thinks a better way to approach this issue is as an addendum to the current contract. Mr. Stewart said the problem with making a change order is that there is a maximum percentage that you can change an original contract, which is about 24 - 25%. The proposed cost exceeds that percentage.

Mayor Pro Tem Jones asked about various options to repair the pipe, and Mr. Stewart shared that the proposed relining was the least intrusive and expensive option.

Councilmember Ferris requested this item remain where it is on the agenda for the regular meeting.

15. Recreation and Culture

16. Community Development

A. Final Plat Application: 2652 South Main Street

Consideration for approval of a final plat application submitted by Kennesaw Development Owner, LLC for 2652 S. Main St. (Parcel 20016700020); this application intends to revise the final plat to include sewer and water easements. Case #FP2024-05

Assistant Planning and Zoning Administrator Chanelle Campbell presented a final plat application submitted by Kennesaw Development Owner, LLC for 2652 South Main Street. The application is to revise the final plat that was approved and recorded in 2022. This revised plat notates updated sewer and water easements as requested by Cobb County Water System. The Plan Review Committee, along with Cobb Fire and Cobb Water, have reviewed the plat and deemed it in compliance.

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

B. Discussion: Presentation of concepts for downtown parcels (2831 South Main, 2861 North Main, 2871 North Main and 2881 North Main).

Economic Development Director Luke Howe introduced Dale Hughes, the owner of 2831 South Main, 2861 South Main, 2871 North Main, and 2881 North Main Street, to give a presentation on his concepts for the properties. Mr. Howe shared that for the last year or two, the City and Mr. Hughes have worked together to try to figure out how to get the financing necessary to proceed, but staff has arrived at the fact that the financing won't happen any time soon unless the Kennesaw Downtown Development Authority and the City get involved. Mr. Howe's plan was to allow Mr. Hughes the opportunity to present his plan for the properties tonight. At the next work session on

November 25, have Raymond James, the City's financial advisor, give a brief on what the financing would look like and the risks involved, and on December 9, Mr. Howe would come back and give his recommendation and share what other cities have done regarding similar projects. After giving the Council some time to think it over, in January, Mr. Howe would come back to ask for a decision on whether to proceed.

Mr. Hughes presented his concepts for the properties, including having Reformation Brewery as the anchor tenant at the corner of J.O. Stephenson Avenue and Main Street.

17. Public Comments

7:43 p.m. Floor Open for Public Comments

No comments.

7:44 p.m. Floor Closed for Public Comments

18. City Manager's Report

A. Reports, Discussions, and Updates

Mr. Hughes had nothing to report tonight.

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

Councilmember Ferris mentioned the Christmas lights in Depot Park are in and look amazing.

Mayor Pro Tem Jones mentioned Veterans Day and asked if information on who has served in Kennesaw could be compiled and recognized somehow.

Councilmember Viars cannot believe we are already so close to A Day with Santa!

A. **Public Comment: Work Sessions**

Consideration to approve the continuation of the public comment section(s) for work sessions.

Mayor Easterling stated this item would be discussed and voted on at the regular meeting.

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 land. Motion seconded by Councilmember Viars.

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

7:46 p.m. Recess to Executive Session

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

7:54 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 Councilmember Viars.

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

22. Adjourn

Mayor Easterling adjourned the meeting at 7:53 p.m. The regular meeting will be held on Monday, November 18, 2024, at 6:30 p.m. in the Council Chambers. The public is encouraged to attend.



Lea Alvarez, City Clerk

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

PLEASE MAKE SURE YOUR NAME IS LEGIBLE AND CLEAR

**City Council Work Session
11/12/2024
Public Comment Sign-in**

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