

**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/
May 12, 2025
6:30 PM**

Present	Mayor Derek Easterling Mayor Pro Tem Pat Ferris Councilmember Madelyn Orochena Councilmember Tracey Viars Councilmember Antonio Jones Councilmember Anthony Gutierrez City Clerk Lea Alvarez Assistant City Manager Marty Hughes City Attorney Sam Hensley, Jr.
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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: Temporary Co-Location of Polling Locations - K4A at K3A

Consideration to approve a Resolution authorizing to temporarily change the polling location for Kennesaw 4A to be co-located with the polling place at Kennesaw 3A at Ben Robertson Community Center through the end of 2025.

City Clerk Lea Alvarez presented a resolution authorizing to temporarily change the polling location for Kennesaw 4A to be co-located with the polling place at Kennesaw 3A, Ben Robertson Community Center, through the end of 2025. Ms. Alvarez stated that the Kennesaw Baptist Church is no longer able to serve as a polling location for Kennesaw 4A. As a result, Cobb Elections & Registration is planning to temporarily co-locate Kennesaw 4A with Kennesaw 3A, which is the Ben Robertson Community Center. In comparing historical election turnout, Cobb Elections is confident that the Ben Robertson Community Center can handle the anticipated turnout for the upcoming November municipal election.

Ms. Alvarez also noted that Cobb Elections plans to mail all the voters in the affected precincts a postcard notifying them of the change. Additionally, a 4-foot by 4-foot sign will be posted at the old location for the week leading up to Election Day, and additional yard signs will be posted at each entrance of the old location the day before Election Day.

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

Councilmember Orochena asked, since this is a motion for a temporary change, whether Cobb Elections was looking for a more permanent solution. Ms. Alvarez responded that Cobb Election is, but they did not want to confuse voters by having them vote at one location in June and then a different location in November.

8. Committee and Board Reports

9. Public Hearing(s)

10. Consent Agenda

A. Minutes: April 28, 2025 Work Session

Approval of the April 28, 2025, City Council work session minutes.

B. Minutes: May 5, 2025 Regular Meeting

Approval of the May 5, 2025, City Council regular meeting minutes.

C. Minutes: May 5, 2025 Executive Session

Approval of the May 5, 2025, City Council executive session minutes.

11. General and Administrative

12. Public Safety

A. Crime Statistics: April 2025

Consideration to accept the April 2025 Crime Statistics.

Chief Westenberger presented the April 2025 crime statistics [See **Exhibit A**].

13. Information Technology

14. Public Works and Building Maintenance

A. Resolution: Construction Material Testing Services for Public Safety Facility

Consideration for approval of a Resolution accepting a proposal from Geo-Hydro Engineers for Construction Material Testing Services for the Kennesaw Public Safety Facility.

Public Works Director Ricky Stewart presented a resolution accepting a proposal from Geo-Hydro Engineers for construction material testing services for the Kennesaw

Public Safety Facility. Items would include compaction testing for the soil, concrete testing, and steel testing. Mr. Stewart stated that, essentially, any materials going into the building, Geo-Hydro Engineers will be testing for integrity. In addition, they would be doing third-party testing on erosion control measures and completing any reporting for NPDES. Geo-Hydro Engineers submitted a proposal for the aforementioned services for \$57,981.60.

Mayor Pro Tem Ferris asked if these services needed to be something that went through the bidding process because of the cost. It was his understanding that anything over the \$25,000 threshold would require a formal bid.

Mr. Stewart responded that the City uses Geo-Hydro Engineers consistently for their soil and material testing. The proposal was a request that the City had made for them to submit. Geo-Hydro Engineers are local and responsive.

Mayor Pro Tem Ferris asked Mr. Stewart to look into the requirements of the City's purchasing policy. Mayor Easterling stated the item will stay where it is on the agenda.

B. Surplus: City Vehicles and Equipment

Consideration to approve the surplus and disposal of select vehicles and equipment.

Public Works Director Ricky Stewart stated the following vehicles and equipment did not make it onto the list of surplus presented last month: a 2022 Toro Workman MD from Parks and Recreation and a 2003 Ford F-550 from Public Works. He noted that the 2022 Toro Workman MD will most likely be scrapped.

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

C. Resolution: Offer for Abandoned Right-of-Way at 2995 and 2997 North Main Street

Consideration for approval of a Resolution accepting the second offer for the purchase of the right-of-way at 2995 and 2997 North Main Street.

[Councilmember Orochena recused herself from discussion regarding this item due to a conflict of interest].

Mayor Easterling asked for a vote to table this item until the end of the meeting.

Motion by Councilmember Jones to table item 14. C until the end of the meeting.

Second by Councilmember Viars.

Vote taken, motion approved 4-0 [Councilmember Orochena recused]. Motion passed.

Minutes regarding tabled Item 14. C can be found under Item 21. Executive Session

D. Resolution: Framework Agreement with Cobb County

Consideration for approval of a Resolution authorizing the execution of a

Framework Agreement between the City of Kennesaw and Cobb County for a reclamation project on Cobb International Blvd.

Ricky Stewart presented a resolution authorizing the execution of a framework agreement between the City of Kennesaw and Cobb County for a reclamation project on Cobb International Boulevard. Mr. Stewart stated the City applied for and received a \$2 million grant through Congressional Appropriations. The \$2 million was funneled through the Georgia Department of Transportation and Cobb Department of Transportation. Due to the requirements of the Georgia Department of Transportation, Cobb Department of Transportation will provide oversight of the preconstruction process of the project, including providing the Georgia Department of Transportation with all submittals and communications required to satisfy the grant. Also, there is a \$500,000 match that the City must provide as part of this grant. The framework agreement details the responsibilities of both the City and the County for this project.

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

E. Resolution: Temporary Construction Easement and Bank Protection Easement

Consideration for approval of a Resolution authorizing a Temporary Construction Easement and Bank Protection Easement to Cobb County.

Ricky Stewart presented a resolution authorizing a temporary construction easement and bank protection easement to Cobb County. A couple of years ago, Cobb County and the Corps of Engineers looked at doing a number of projects along the Butler Creek basin regarding stream bank mitigation, stream bank reinforcement, and/or creation of wetlands to help with the amount of erosion taking place along Butler Creek. Mr. Stewart stated that they have come back with a project involving city-owned property that was formerly a community park at the end of White Oak Court. Their intent is to do some bank restoration and stabilization along Butler Creek inside that property area. The construction easement is required so that they can access the property to do the construction and then a bank protection easement that they can permanently use to go back in and do maintenance along the reinforcement of the banks.

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

15. Recreation and Culture

16. Community Development

A. Discussion Only: Accessory Dwelling Unit (ADU)

Mayor Easterling noted that the discussion would not go into the commercialization of Accessory Dwelling Units (ADUs) as there would be a councilmember that would have to be recused. He encouraged the conversation to stay focused on ADUs being utilized by family members.

Zoning Administrator Darryl Simmons shared that this proposal was based on two things: inquiries from the public since 2024 and interaction with members of the Council to explore alternative housing options, specifically for family members or extended family members in the same household on the property. Staff took the time to do research to look at the impact of having additional dwelling units on the property with other agencies that have adopted ADU ordinances as well as the Fire Marshall's office and first responders. Mr. Simmons stated that the goal tonight is to get the Council's feedback to see if it is something worthy to continue to explore further. If the Council wants to explore further, staff recommend having public input sessions.

City Planner Chanelle Campbell provided an overview of the proposal regarding ADUs. ADUs are secondary, independent residential dwelling units located on the same lot as the primary detached single-family home. The intent of the proposal is to have alternative housing options for families with minimal changes to the existing character of established neighborhoods. The ADUs will not be permitted for use as a Short-Term Rental. The permitted zoning districts include R-15, R-20, R-30 and R-40.

She highlighted the main points of the ordinance: 1 ADU per lot; ADU shall not have separate meters or property address from the principal structure; minimum 10-foot setback from the rear and side property lines with a maximum height of 25 feet; 900 square feet of enclosed heated space or forty percent of the principal structure; there must be an owner-occupant on premises; a minimum of one (1) additional off-street parking for the ADU; and must obtain approval through the Land Use Permit process. Additionally, staff had GIS run scenarios with illustrations for distance buffers of 250 feet, 500 feet, and 1000 feet.

Ms. Campbell noted that the next step in the process would be town hall meetings to obtain feedback from the community, public notice requirements, Planning Commission and City Council meetings and then, finally, adoption and implementation.

Councilmember Gutierrez shared that his main concern was about item 16 regarding the buffers between the ADUs. He understands we already have setback rules of 10 feet from the neighboring property. Realistically, if the ordinance passed, the City would only have maybe a dozen ADUs a year, which wouldn't have much of a strain on utilities. Ms. Campbell stated staff are concerned about the infrastructure if everyone within a neighborhood has an ADU. As a result, there is an additional buffer to limit the number of ADUs to be concentrated in one area.

Councilmember Orochena echoed the same concern. She confirmed that the intent of the buffer is to limit the number of ADUs overall. Looking at the map with the different buffer scenarios, it looks like a lot of ADUs that, even without the buffer requirement, would not happen. She could imagine that there would be neighbors that would want ADUs that could not have them because of the buffer requirement. Ms. Campbell said that the buffers are at the discretion of the Mayor and Council.

She also asked about item 12 regarding how units must not be rented separately.

Councilmember Viars asked if a person could live in his or her house and rent out his or her ADU. Ms. Campbell responded no. Councilmember Orochena noted that this is the section that she has been advised she cannot provide input on.

Mayor Easterling said that when the City is planning, it is for the number we could have, not the number that we already have. With the aging infrastructure, the City has to plan for the worst-case scenario. Mr. Simmons confirmed that staff design for the worst case scenario in case everyone jumps on board. They have to ask the question of what that looks like for utilities and fire protection.

Councilmember Gutierrez mentioned one recommendation he could see working. The issue staff are trying to highlight and prevent from happening is if too much is built too quickly. He suggested a tiered system where there is a certain number of permits issued. Once that amount has been reached, staff can research and evaluate how much it is impacting our infrastructure and utilities. If permissible, the City can then continue with another tier of permits. Mr. Simmons said staff could look into that suggestion.

Councilmember Jones asked what is preventing R-10 and FST from utilizing ADUs. Mr. Simmons said it is dangerous. Staff does not think it is a good idea based on their conversations with first responders, especially for townhomes because the lots are so small. It won't be functional and it affects accessibility. Councilmember Gutierrez mentioned that as someone who has been working with patient transportation. It will not work because there is not enough space.

Mayor Pro Tem Ferris sees this as an ongoing process. The feedback he has received from city residents is that they are against it. They bought into a single-family neighborhood for a reason. People feel as though it will add instability to their community. He encouraged the Council to do some visioning on this and think about what they want Kennesaw to look like in the future. Cobb County Commissioners are well known for wanting more density in the County. Mayor Pro Tem Ferris thought it was noteworthy that the Cobb Commissioners voted against ADUs.

Councilmember Gutierrez doesn't think ADUs would create a density problem because it would be too expensive for most people to do.

Mr. Simmons mentioned one of the issues they faced when writing the proposed ordinance was enforcement. Which is why staff chose the land use permit process.

Councilmember Orochena asked if Marietta and Acworth had an ADU ordinance and whether they were similar to what was being proposed. Mr. Simmons responded that they do have ordinances, but they are different and unique to the concerns of each town.

The Council shared with Mr. Simmons that they wanted staff to run scenarios on a lower buffer and to look into a tiered system.

Assistant City Attorney Fred Bentley, Jr. said there were a couple of points he wanted the Council to be aware of, including specific provisions that would limit or not allow ADUs to exist within many of the neighborhoods due to existing covenants. Further, there could be homes that are not connected to sewers. The final point is that existing state law would require the City to post a sign every 500 feet throughout the city because of poor draftsmanship at the Legislature a few years ago when dealing with ADUs in Atlanta. That law has now been changed by the Legislature; however, the Governor has not signed that bill because there were about four different bills attached to each other. It was House Bill 155.

17. Public Comments

7:13 p.m. Floor Open for Public Comments

No comments.

7:14 p.m. Floor Closed for Public Comments

18. City Manager's Report

A. Reports, Discussions, and Updates

Mr. Hughes had nothing to add 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 Gutierrez shared he is pushing through the last portion of his EMT training.

Councilmember Jones wished a Happy Mother's Day to all the mothers out there.

Councilmember Orochena had a great Mother's Day visiting the Cobb Gem and Mineral show.

Mayor Pro Tem Ferris mentioned the big weekend coming up at Swift-Cantrell, including the Backyard Campout.

Councilmember Viars shared that the Splash Pad opens on May 26 and that Parks and Recreation hosts a Senior Luncheon three times in the Spring and three times in the Fall. The next dates are September 3, October 5, and November 5.

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.

[Councilmember Orochena recused herself because of a conflict of interest regarding item 14. C].

Motion by Councilmember Gutierrez to enter into Executive Session as allowed by O.C.G.A. Sec. 50-14-3 for the purpose of discussing land, motion seconded by Councilmember Viars.

Vote taken, motion approved 4-0 [Councilmember Orochena recused]. Motion passed.

7:16 p.m. Recess to Executive Session

Mayor, City Council [Councilmember Orochena recused], Assistant City Manager, City Clerk, and City Attorney attended Executive Session.

7:23 p.m. Reconvene to Open Session

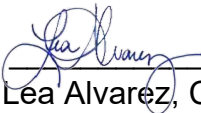
Councilmember Gutierrez read the Board back into Open Session and directed the Mayor and City Council to execute an affidavit in compliance with O.C.G.A. Sec. 50-14-4, motion seconded by Councilmember Jones.

Vote taken, motion approved 4-0 [Councilmember Orochena recused]. Motion passed.

Mayor Easterling addressed the previously tabled item 14.C. regarding a resolution for an offer for abandoned right-of-way at 2995 and 2997 North Main Street. Ricky Stewart will continue negotiations with the property owner. The item will stay where it is on the agenda and the Council will wait to hear back from Mr. Stewart before taking any action.

22. Adjourn

Mayor Easterling adjourned the meeting at 7:27 p.m. The regular meeting will be held on Monday, May 19, 2025, at 6:30 p.m. in the Council Chambers. The public is encouraged to attend.



Lea Alvarez, City Clerk

April 2025 Crime Statistics



Group A Crimes	Apr 2025	Apr 2024	YTD 2025	YTD 2024
AGGRAVATED ASSAULT	6 (+0)	6	17 (+4)	13
INTIMIDATION	6 (-2)	8	44 (+18)	26
SIMPLE ASSAULT	11 (-5)	16	51 (-17)	68
HOMICIDE OFFENSES	0 (+0)	0	0 (-1)	1
SEX OFFENSES	3 (-2)	5	11 (-3)	14
KIDNAPPING	0 (-2)	2	2 (-2)	4
MOTOR VEHICLE THEFT	2 (+1)	1	10 (+4)	6
BURGLARY	5 (-2)	7	13 (-2)	15
ANIMAL CRUELTY	0 (+0)	0	0 (+0)	0
EMBEZZLEMENT	0 (+0)	0	1 (-1)	2
BRIBERY	0 (+0)	0	0 (+0)	0
ARSON	1 (+1)	0	1 (+1)	0
ROBBERY	1 (+1)	0	3 (+3)	0
FORGERY	1 (+1)	0	4 (-2)	6
EXTORTION	1 (+0)	1	4 (-1)	5
FRAUD OFFENSES	11 (+4)	7	62 (+18)	44
LARCENY/ THEFT OFFENSES	12 (+4)	8	58 (+9)	49
VANDALISM	2 (-4)	6	15 (-10)	25
STOLEN PROPERTY OFFENSES	1 (+0)	1	6 (+1)	5
DRUG/ NARCOTICS OFFENSES	24 (-15)	39	110 (-10)	120
PORNOGRAPHY OBSCENE MATERIAL	1 (+1)	0	1 (-2)	3
WEAPONS LAW VIOLATIONS	2 (-1)	3	15 (+2)	13
Totals	90	110	428	419

	Apr 2025	Apr 2024	YTD 2025	YTD 2024
Dispatched Calls for Service	637 (-141)	778	2,810 (-154)	2,964
Self-Initiated Activity	1,221 (+125)	1,096	5,055 (+707)	4,348
Traffic Citations	541 (-14)	555	2,207 (-41)	2,248
Traffic Warnings*	732 (+184)	548	2,842 (+646)	2,196
Arrests**	64 (-40)	104	313 (-46)	359

	Apr 2025	Apr 2024	YTD 2025	YTD 2024
Auto Accidents	92 (-33)	125	388 (-38)	426
Accident w/ Injury	6 (-8)	14	42 (+4)	38
Hit and Run	8 (-2)	10	45 (-2)	47
Hit and Run w/ Injury	0 (-1)	1	2 (-2)	4
Person Hit by Auto w/ Injury	2 (+1)	1	3 (+2)	1

* Warnings do not include verbal warnings

**

Arrests do not include juvenile arrests

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

5/12/2025

Public Comment Sign-in

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