

**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/
July 28, 2025
6:30 PM**

Present	Mayor Derek Easterling Mayor Pro Tem Pat Ferris Councilmember Madelyn Orochena Councilmember Tracey Viars Councilmember Anthony Gutierrez City Clerk Lea Alvarez City Manager Jeff Drobney City Attorney Sam Hensley, Jr.
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Councilmember Antonio Jones participated via Zoom

1. Invocation

2. Pledge of Allegiance

3. Call to Order

4. Announcements

5. Presentations

6. Old Business

7. New Business

A. Resolution: Update to Personnel Policy and Procedures Manual

Consideration for approval of a Resolution revising the Personnel Policy and Procedures Manual section 15.5 Training, Conference, and Meeting Attendance Travel Policy.

Assistant to the City Manager Anna Trapp presented a resolution revising Section 15.5 of the Personnel Policy and Procedures Manual, titled "Training, Conference, and Meeting Attendance Travel Policy." The policy, last updated in 2017, required further revisions to reflect current practices. Key updates include:

- Reformatting and rewording for improved clarity and readability.
- Clarification that Meals & Incidental Expenses will now be administered on a per

diem basis, as outlined on the GSA website.

- Transitioning Travel Advance and Reimbursement Requests from paper check requests to submission through the city's Tyler financial system.

Mayor Pro Tem Ferris expressed concern about the potential complexity for staff in using the GSA website to determine per diem rates, as opposed to having a fixed amount stated in the policy. Ms. Trapp explained that per diem rates vary by county, and using the GSA website will provide staff with a more accurate and equitable reimbursement.

With Council consensus, Mayor Easterling recommended placing the item on the Consent Agenda for the regular meeting.

8. Committee and Board Reports

9. Public Hearing(s)

A. Third and Final Public Hearing: Maintenance and Operation (M&O) Millage Rate

Consideration for approval of a Resolution to adopt the proposed Maintenance and Operation (M&O) Millage Rate.

The hearing will be conducted during the City Council Regular Meeting on August 4, 2025, at 6:30 p.m.

B. Third and Final Public Hearing: Bond Millage Rate

Consideration for approval of a Resolution to adopt the proposed Bond Millage Rate.

The hearing will be conducted during the City Council Regular Meeting on August 4, 2025, at 6:30 p.m.

10. Consent Agenda

A. Minutes: July 14, 2025 Work Session

Approval of the July 14, 2025, City Council Work Session minutes.

B. Minutes: July 21, 2025 Regular Meeting

Approval of the July 21, 2025, City Council Regular Meeting minutes.

C. Cemetery Deed: Section III-41-H

Authorization for the Mayor to sign a Deed for a Cemetery Lot purchased by Victoria Ramsey.

11. General and Administrative

A. Alcohol License: Legacy Liquors LLC

Consideration for approval of an Alcohol Retail Package License for Beer,

Wine, Liquor and Sunday Sales for Legacy Liquors LLC d/b/a Bottle Shop located at 2774 Cobb Pkwy NW Ste. 111 Kennesaw, Ga 30152. Applicant: Kantilal Dadhaniya

Business License Manager Mariyah Nall presented an Alcohol Retail Package license application for beer, wine, liquor, and Sunday sales for Legacy Liquors LLC, doing business as Bottle Shop, located at 2774 Cobb Parkway NW, Suite 111. The applicants have completed the required alcohol workshop in accordance with Sec. 6-69. Proper signage has been posted, and the application has been advertised in compliance with Sec. 6-36. The current application and background check results are on file. A distance survey conducted by a certified surveyor confirmed that the business is not within the prohibited distance of any property line or structure identified in Ordinance Sec. 6-42 and Sec. 6-43. This application is the result of a transfer of ownership.

12. Public Safety

13. Information Technology

14. Public Works and Building Maintenance

A. Resolution: Contract with C.W. Matthews Contracting Co., Inc., for Street Resurfacing

Consideration for approval of a Resolution awarding a contract to C.W. Matthews Contracting Co., Inc., for the resurfacing of various streets.

Councilmember Jones noted that he believed he may need to recuse himself from the item, as his residence is located on a street scheduled for resurfacing as part of the project.

Public Works Director Ricky Stewart presented a resolution to award a bid and contract to C.W. Matthews Contracting Co., Inc. for the resurfacing of various streets. Staff solicited bids from qualified contractors for the resurfacing of twenty-eight (28) streets of varying lengths. Seven companies submitted bids, with C.W. Matthews Contracting Co., Inc. submitting the lowest responsive bid in the amount of \$1,679,358.61. Funding for this project will be provided through the State's LRA grant, Capital Outlay Reserve Funds, the 2016 SPLOST, and the 2022 SPLOST.

Mayor Pro Tem Ferris thanked Mr. Stewart for compiling the list of streets to be resurfaced, noting that many were long overdue. He asked City Attorney Sam Hensley, Jr. whether he should also recuse himself, as one of the streets included in the project is where he resides. Mr. Hensley advised that since there was no direct personal financial benefit and the project serves the general public, neither Councilmember Jones nor Mayor Pro Tem Ferris were required to recuse themselves. However, he recommended that both make a disclosure statement at the beginning of the item during the regular meeting to note their residence on streets included in the project.

Mayor Easterling confirmed that the item would remain where it was on the agenda, allowing Mayor Pro Tem Ferris and Councilmember Jones the opportunity to state their

connection to the project on the record.

15. Recreation and Culture

16. Community Development

A. Central Business District Project Application: 2785 Watts Dr

Consideration to review a Central Business District project application request to construct a residential development consisting of eight (8) detached dwelling units on 0.363 +/- acres located at 2785 Watts Drive (Parcel #20013900580). Case #CBD2025-03

Zoning Administrator and Planner Darryl Simmons presented a Central Business District (CBD) project application requesting approval to construct a residential development consisting of eight detached single-family dwelling units on approximately 0.363 acres located at 2785 Watts Drive. He provided a brief history of the site, noting that in 2014, the property was part of a larger 7-acre mixed-use development that included both commercial and multifamily residential components. The site at 2785 Watts Drive was formerly the location of a Wachovia Bank, which was later demolished. At the time of the original CBD approval, the property was designated as a required commercial pad as part of the broader development plan.

Mr. Simmons stated that the original approval for the 7-acre development included approximately 26 multifamily buildings with 131 apartment units, along with a commitment to provide 10,000 square feet of commercial space. He noted that Planning and Zoning staff communicated clearly to the applicant that they recommend adhering to the original 2014 master plan.

The current application was reviewed by the Kennesaw Downtown Development Authority (KDDA) on July 11, 2025, based on the applicant's business plan, and by the Historic Preservation Commission on July 18, 2025, with a focus on compliance with historic design standards.

Councilmember Jones clarified that the proposal involved eight single-family homes, which Mr. Simmons confirmed.

Councilmember Gutierrez inquired why the applicant wished to convert the site from commercial to residential. Applicant Eric McConaghy explained that, after ten years of unsuccessful efforts to attract a commercial tenant, they decided to pursue a residential use that would complement the surrounding area.

Councilmember Gutierrez asked whether the homes would be for sale, and Mr. McConaghy confirmed that they would. In response to Councilmember Jones' question about home size, Mr. McConaghy stated the average would be approximately 2,000 square feet of living space.

Mayor Pro Tem Ferris asked for the average lot size, noting that these would be fee-

simple, detached homes. Mr. McConaghy indicated that while a site plan was available, specific lot measurements had not been taken but would be provided to the Council.

Mayor Pro Tem Ferris also pointed out that while the plans included two-car garages, there may be concerns for families needing space for three to four vehicles. Mr. McConaghy acknowledged that the homes likely would not suit larger families with multiple vehicles. Mayor Pro Tem Ferris further inquired about the spacing between houses, and Mr. McConaghy responded that the separation would be six feet.

17. Public Comments

6:53 p.m. Floor Open for Public Comments

No comments.

6:54 p.m. Floor Closed for Public Comments

18. City Manager's Report

A. Reports, Discussions, and Updates

Dr. Drobney 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

A. Discussion: Energy Tax Credit

Discussion item requested by Councilmember Gutierrez regarding a \$1000.00 tax credit for individuals and businesses that install energy generating systems in their homes/buildings.

Councilmember Gutierrez noted that the federal energy tax credit is set to expire at the end of the year. As someone who installed solar panels on his own home, he shared that the tax credit played a significant role in his decision and expressed disappointment that it would be ending. He inquired whether the City could consider implementing a similar local incentive, suggesting a \$1,000 tax credit as a fair amount that could encourage more residents to install solar panels. He referenced examples from other municipalities, such as Boulder, Colorado, and Boynton Beach, Florida, that have adopted local energy tax incentives.

Mayor Pro Tem Ferris questioned whether such an incentive would be permissible under Georgia's gratuities clause.

City Attorney Sam Hensley, Jr. clarified that under the Georgia Constitution, the City cannot offer such incentives without enabling local legislation. He explained that the jurisdictions cited by Councilmember Gutierrez are outside the State of Georgia and are not subject to the same constitutional constraints. Therefore, implementing a local energy tax credit would require both legislative and constitutional approval and is currently outside the City's authority.

B. Discussion: Board/Commission Applications

Discussion item requested by Councilmember Gutierrez regarding the Council being allowed to see all applications submitted.

Councilmember Gutierrez expressed interest in gaining more insight into the appointment process for boards and commissions. He noted that while some boards currently have vacancies, it appears there may be a breakdown in moving applications forward, raising concerns that qualified applicants might not be reaching the next stage of consideration.

Mayor Easterling provided an overview of the application and vetting process.

Councilmember Viars added that certain boards have layered qualifications, and staff liaisons often assess not only eligibility but also the strengths and backgrounds needed to maintain a balanced and effective board. She cautioned that too much Council involvement in the process could complicate matters.

Mayor Pro Tem Ferris reminded the Council that they may review board applications at any time through the City Clerk's office.

Councilmember Orochena questioned why Councilmembers could not receive a list of applicants via email in advance, to offer context before appointments are ratified.

Councilmember Gutierrez reiterated his request to better understand the applicant pool for each vacancy.

Mayor Easterling agreed to provide additional information to the Council.

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.

22. Adjourn

Mayor Easterling adjourned the meeting at 7:08 p.m. The regular meeting will be held on Monday, August 4, 2025, at 6:30 p.m. in the Council Chambers. The public is encouraged to attend.

Lea Alvarez, City Clerk

DRAFT

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

7/28/2025

Public Comment Sign-in

	Name	Address	Topic
1	<i>Eni McLaughlin</i>		
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