

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

**Livestream: www.kennesaw-ga.gov/publicmeetings/
July 21, 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 City Manager Jeff Drobney City Attorney Sam Hensley, Jr.
Absent	Councilmember Antonio Jones

1. Invocation

City resident Ann Pratt led the Invocation.

2. Pledge of Allegiance

City resident Andrew Bramlett led the Pledge of Allegiance.

3. Call to Order

Mayor Easterling called the meeting to order at 6:30 p.m.

4. Announcements

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

5. Presentations

6. Public Comment

This section is for comment on any item 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. **Ordinance: Charter Amendment to Section 5.02, "Qualification of Candidates"**

FINAL PUBLIC HEARING

Consideration of approval of an Ordinance to amend the City of Kennesaw Charter § 5.02, "Qualification of Candidates."

City Clerk Lea Alvarez presented an ordinance to amend the City of Kennesaw Charter § 5.02, "Qualification of Candidates." She explained that the City has authorized Cobb Elections and Registration to conduct its municipal elections in accordance with the Georgia Municipal Election Code (O.C.G.A. § 21-2-1 et seq.). As the designated superintendent, Cobb Elections sets the qualifying period as outlined in O.C.G.A. § 21-2-132(3)(A): for a minimum of three days, beginning no earlier than 8:30 a.m. on the third Monday in August preceding the general election. The proposed amendment would align the City's Charter, which currently lists the last Monday in August as the start of qualifying, with this state requirement.

Ms. Alvarez noted that the public hearing was advertised in the Marietta Daily Journal on June 27, July 4, and July 11, 2025, in compliance with O.C.G.A. § 36-35-3(b)(1). The amendment must be adopted at two consecutive regular meetings of the Mayor and City Council. The first public hearing was held on July 7, 2025, and the final hearing and adoption are scheduled for July 21, 2025.

Motion by Mayor Pro Tem Ferris to approve [Ordinance No. 2025-05](#) to amend the City of Kennesaw Charter § 5.02, "Qualification of Candidates" as presented. Seconded by Councilmember Viars.

6:32 p.m. Floor Open for Public Comments

No comments.

6:33 p.m. Floor Closed for Public Comments

Vote taken: motion approved 4-0 (Councilmember Jones absent). Motion passed.

B. **Ordinance: Short-Term Rentals**

Consideration for approval of an Ordinance to adopt Chapter 22, Article XIII of the Kennesaw Code of Ordinances relating to the regulation Short-Term Rentals.

Business License Manager Mariyah Nall presented an ordinance to adopt Chapter 22, Article XIII of the Kennesaw Code of Ordinances relating to the regulation of short-term rentals [See **Exhibit A**].

Motion by Councilmember Gutierrez to approve [Ordinance No. 2025-06](#) to adopt Chapter 22, Article XIII of the Kennesaw Code of Ordinances relating to the regulation

of short-term rentals as presented. Seconded by Councilmember Viars.

6:41 p.m. Floor Open for Public Comments

No comments.

6:42 p.m. Floor Closed for Public Comments

Councilmember Gutierrez stated that several residents had contacted him regarding the proposed short-term rental regulations. After taking time to consider the ordinance, he feels the rules may be too restrictive. If he could revise one element, he said it would be to allow short-term rental permits in all zoning designations. He asked the Council for their thoughts on the matter.

Councilmember Viars responded that she is comfortable moving forward cautiously, noting that the City already has some non-conforming short-term rental locations.

Councilmember Orochena said she could go either way but would be open to revisiting the ordinance after six months.

Mayor Pro Tem Ferris agreed with that approach and added that the City has existing townhome properties that will be grandfathered in under the proposed ordinance. He emphasized that the new regulations will not impact currently operating rentals.

Mayor Easterling supported a gradual rollout of the permitting process, followed by a review and adjustments as needed.

Mayor Pro Tem Ferris also inquired about the \$250 application fee and when it would be incorporated into the Master Fee Schedule. City Clerk Lea Alvarez stated that the schedule would be updated in September, ahead of the permit applications going live.

Vote taken: motion approved 4-0 (Councilmember Jones absent). Motion passed.

C. Land Use Permit: 3980 Weeks Drive

Consideration for approval of a Land Use Permit application for the property located at 3980 Weeks Drive as submitted by applicant Basha Williams. Case #LU2025-02.

Assistant Zoning Administrator and Planner Chanelle Campbell presented a land use permit application for the property located at 3980 Weeks Drive, submitted by applicant Basha Williams. The request is for a home occupation business license to operate a home childcare business with a maximum of six children. Due to the property's proximity to Cobb County, the request was forwarded to the County as part of the intergovernmental agreement. No objections have been received from the County. Staff reviewed the application in accordance with the criteria for a family childcare learning

home and determined that the proposal would not alter the residential character of the surrounding neighborhood.

Staff recommended approval of the land use permit application with the following conditions:

- The land use permit is limited to, exclusive for, and only valid for the current applicant and the life of this home-based use. It is not transferable. Any changes would require additional review and approval.
- There shall be one (1) additional employee at this location, and a maximum of six (6) children. There shall be no evidence of a home-based business visible from the public right-of-way, including no signs and no more than one commercial vehicle dedicated to the business.
- The land use permit is valid for 24 months starting from the date of final approval.

The second condition was revised based on concerns expressed by the applicant during the July 2, 2025, Planning Commission meeting. After further research, staff determined that allowing one additional employee is appropriate given the nature of the use.

As part of the process, the applicant must obtain and maintain a license through the Georgia Department of Early Care and Learning.

The application was advertised in the Marietta Daily Journal on June 13, 2025, and a public notice sign was placed on the property.

Motion by Councilmember Viars to approve a land use permit application for the property located at 3980 Weeks Drive as submitted by applicant Basha Williams as conditioned. Seconded by Mayor Pro Tem Ferris.

6:49 p.m. Floor Open for Public Comments

No comments.

6:50 p.m. Floor Closed for Public Comments

Vote taken: motion approved 4-0 (Councilmember Jones absent). Motion passed.

D. Land Use Permit: 1205 Mountain Springs Drive

Consideration for approval of a Land Use Permit application for the property located at 1205 Mountain Springs Drive as submitted by applicant Ann Moormann. Case #LU2025-03.

Assistant Zoning Administrator and Planner Chanelle Campbell presented a land use permit application for the property located at 1205 Mountain Springs Drive, submitted by applicant Ann Moormann. The request is to renew a home occupation business license to create soaps and bath-related products at her residence for commercial purposes. On May 15, 2023, the City Council approved the applicant's initial land use permit, and she has since operated the business from her home without any complaints from neighboring properties.

Staff recommends approval of the land use permit with the following conditions:

- The land use permit is limited to, exclusive for, and only valid for the current applicant and the life of this home-based use, and it is not transferrable. 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, including no signs and no more than one commercial vehicle dedicated to this business.
- The land use permit is valid for 24 months starting from the date of final approval.

The application was advertised in the Marietta Daily Journal on June 13, 2025, and a public notice sign was placed on the property.

Motion by Councilmember Orochena to approve a land use permit application for the property located at 1205 Mountain Springs Drive as submitted by applicant Ann Moormann as conditioned. Seconded by Councilmember Gutierrez.

6:51 p.m. Floor Open for Public Comments

No comments.

6:52 p.m. Floor Closed for Public Comments

Vote taken: motion approved 4-0 (Councilmember Jones absent). Motion passed.

Mayor Pro Tem Ferris congratulated Ms. Moormann on two successful years of operating her home-based business.

11. Consent Agenda

A. Minutes: June 30, 2025 Work Session

Approval of the June 30, 2025, City Council work session minutes.

B. Minutes: June 30, 2025 Executive Session

Approval of the June 30, 2025, City Council executive session minutes.

C. Minutes: June 30, 2025 FY 26 Special Budget Work Session

Approval of the June 30, 2025, City Council Fiscal Year 2026 special budget work session minutes.

D. Minutes: July 7, 2025 Regular Meeting

Approval of the July 7, 2025, City Council regular meeting minutes.

E. Resolution: Chang V. City of Milton Amicus Brief

Consideration for approval of a Resolution authorizing participation in an amicus brief in the Chang V. City of Milton appeal pending before the Georgia Supreme Court.

Resolution No. 2025-44

F. Cemetery Deed: Section III-71-A

Authorization for Mayor to sign a deed for a cemetery lot purchased by Kenneth Hughes.

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

Vote taken: motion approved 4-0 (Councilmember Jones absent). Motion passed.

12. General and Administrative

A. Alcohol License: Bonfire Brazil Steakhouse LLC

Consideration for approval of an Alcohol License for Beer, Wine, Liquor and Sunday Sales for Bonfire Brazil Steakhouse LLC located at 3940 Cherokee Street NW #601, Kennesaw, GA 30144. Applicant: Taciano dos Santos Sampaio

Business License Manager Mariyah Nall presented an alcohol license for Beer, Wine, Liquor, and Sunday Sales for Bonfire Brazil Steakhouse LLC, located at 3940 Cherokee Street NW, Suite # 601. The applicants have completed the required alcohol workshop per Sec. 6-69. Signs have been posted, and the application has been properly advertised per Sec. 6-36. The current application and background check results are on file. A distance survey completed by a certified surveyor indicated the business is not within the designated distance of a property line or structure listed in Ordinance Sec. 6-42 and 6-43.

Motion by Councilmember Orochena to approve an Alcohol License for Beer, Wine, Liquor, and Sunday Sales for Bonfire Brazil Steakhouse LLC located at 3940 Cherokee Street NW, Suite #601 as presented. Seconded by Councilmember Gutierrez.

Vote taken: motion approved 4-0 (Councilmember Jones absent). Motion passed.

13. Public Safety

A. Crime Stats: June 2025

Consideration to accept the June 2025 crime statistics.

Chief Bill Westenberger presented the June 2025 crime statistics [See **Exhibit B**].

Motion by Mayor Pro Tem Ferris to accept the June 2025 crime statistics as presented.
Seconded by Councilmember Viars.

Vote taken: motion approved 4-0 (Councilmember Jones absent). Motion passed.

14. Information Technology

15. Public Works and Building Maintenance

16. Recreation and Culture

17. Community Development

18. Public Comment

This section is for general comment.

6:56 p.m. Floor Open for Public Comments

ANDREW BRAMLETT [City Resident]: Mr. Bramlett presented local history regarding former Mayor Louie Watts [See **Exhibit C**].

6:57 p.m. Floor Closed for Public Comments

19. City Manager's Report

A. Reports, Discussions, and Updates

City Manager Jeff Drobney shared that the City is preparing for the upcoming Pigs & Peaches festival in August.

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.

Motion by Councilmember Viars to appoint Doug Edwards to the Kennesaw Downtown Development Authority with a term ending December 2027. Seconded by Mayor Pro Tem Ferris.

Vote taken: motion approved 4-0 (Councilmember Jones absent). Motion passed.

21. Council Reports & Discussions

Mayor Pro Tem Ferris said he found it interesting to read about Louie Watts. Although he didn't know Mr. Watts personally, he shared fond recollections of his legacy. If something needed to be done in the community, Mr. Watts was the one to make it happen. He was one of those great mayors who always seemed to get the job done.

Councilmember Gutierrez noted that it had been a slow week and he didn't have much to report.

Councilmember Orochena also did not have any updates to share.

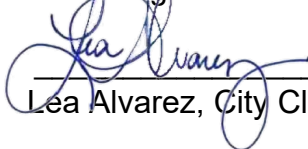
Councilmember Viars thanked Parks and Recreation, along with Kennesaw Pediatrics, for their work on the recent Back 2 School Jam event.

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 7:00 p.m. The next work session will be held on Monday, July 28, 2025, at 6:30 p.m. in the Council Chambers. The public is encouraged to attend.



Lea Alvarez, City Clerk



Short-Term Rental Ordinance

CITY OF KENNESAW – MAYOR & COUNCIL

PUBLIC HEARING: JULY 21, 2025

Purpose & Background

Authorized Use & Zoning Compliance

Licensing Framework

Operational Standards

Parking, Occupancy & Safety Compliance

Licensing Process

Enforcement & Compliance Strategy

Nonconforming Use & Transition Provisions

Summary & Next Steps

Overview

Purpose & Background



Establish a clear and enforceable licensing framework with the flexibility to evolve



Increased short-term rental activity via Airbnb, VRBO, etc.



Minimize adverse effects on residential neighborhoods



Complaints related to noise, parking, and property use



Provide oversight for health, safety, and zoning compliance



Lack of existing regulations created enforcement challenges



Ensure fair treatment of responsible hosts and property owners



Council directive (Sept 2024) to formalize and limit use



Preserve the character of Kennesaw's single-family communities



Collaboration across departments to draft a comprehensive solution

Authorized Use & Zoning Compliance

Intent

This zoning framework ensures:

- STRs remain compatible with surrounding residential character
- Density and location are appropriately limited
- Enforcement can be consistently applied
- Revisit Zoning districts and buffer requirements 6 months post-implementation with actual demand data



PERMITTED USE

- Short-term rentals are allowed in residential zoning districts: **R-40, R-30, R-20, R-15, R-12, and R-10**
- **250 ft** buffer between STR properties
- Property must have a valid Certificate of Occupancy
- Use is limited to the main dwelling unit only



PROHIBITED USE

- Zoning districts not listed (including **FST-townhomes, RM** and **RA** districts)
- Accessory structures (guest houses, detached garages, sheds)
- Temporary structures including recreational vehicles or campers

Licensing Framework

This framework establishes predictable, enforceable limits while accommodating responsible operators and managing long-term citywide impact.

Key Requirements

- License required for each STR prior to operation or advertisement
- One license per property (non-transferable, non-assignable)
- License must be renewed annually through the Business License Division
- Property must be in full compliance with all city ordinances and codes

Citywide Licensing Limits

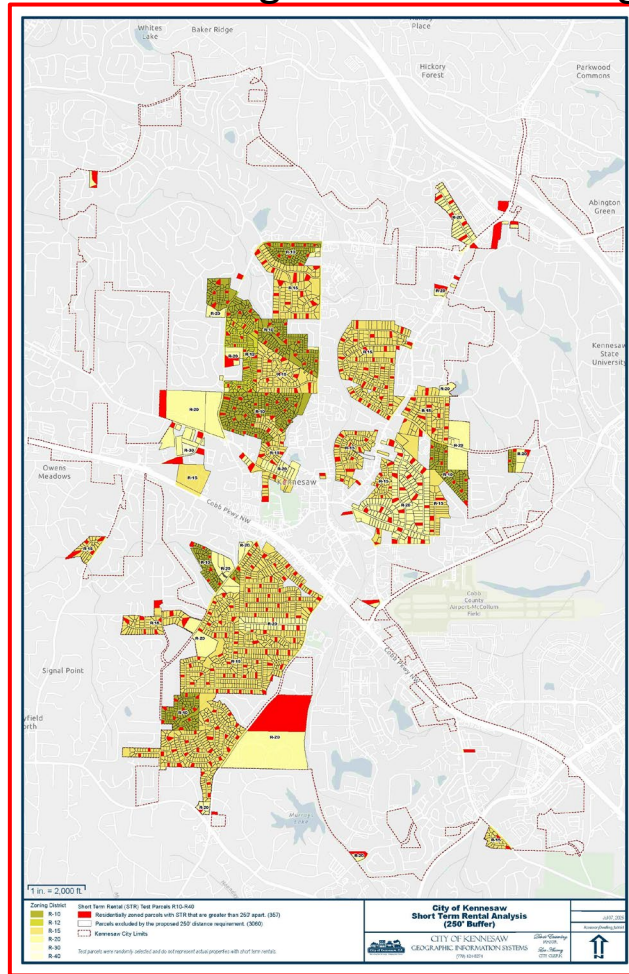
- Maximum of 150 STR license permitted citywide
- Licenses are issued on a first-come, first-served basis
- Once the cap is reached, applications will be waitlisted
- 250-foot separation required between licensed STR properties
- Licensing limits to be revisited 6 months post-implementation with actual demand and compliance data

Ownership Restrictions

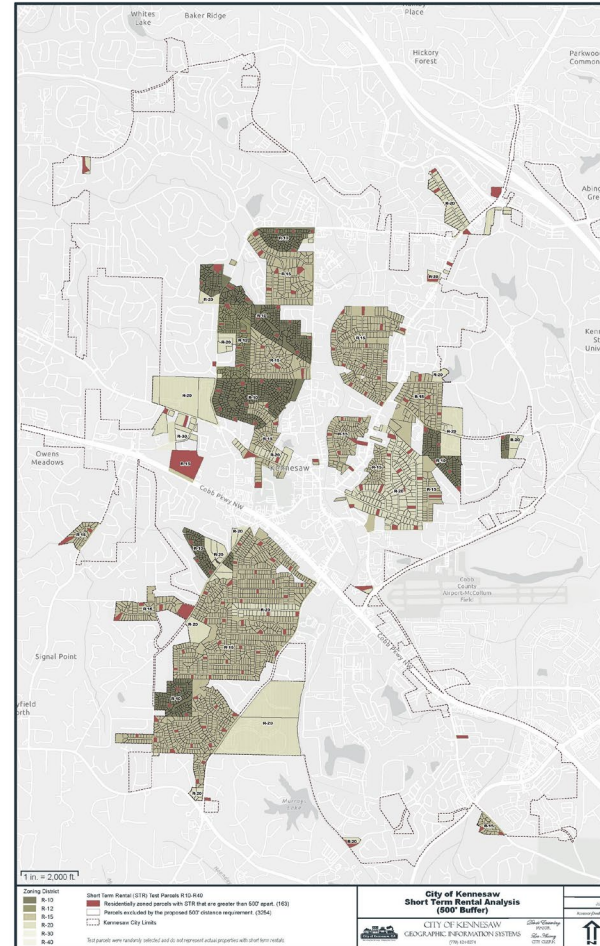
- An individual or entity may hold no more than two active licenses
- Ownership includes any direct ownership interest or named member of an LLC or business entity
- Properties with legal nonconforming status are exempt from the two-license cap and buffer, but must meet all other requirements
- License is non-transferable and tied to the specific property and owner

Buffer Scenarios:

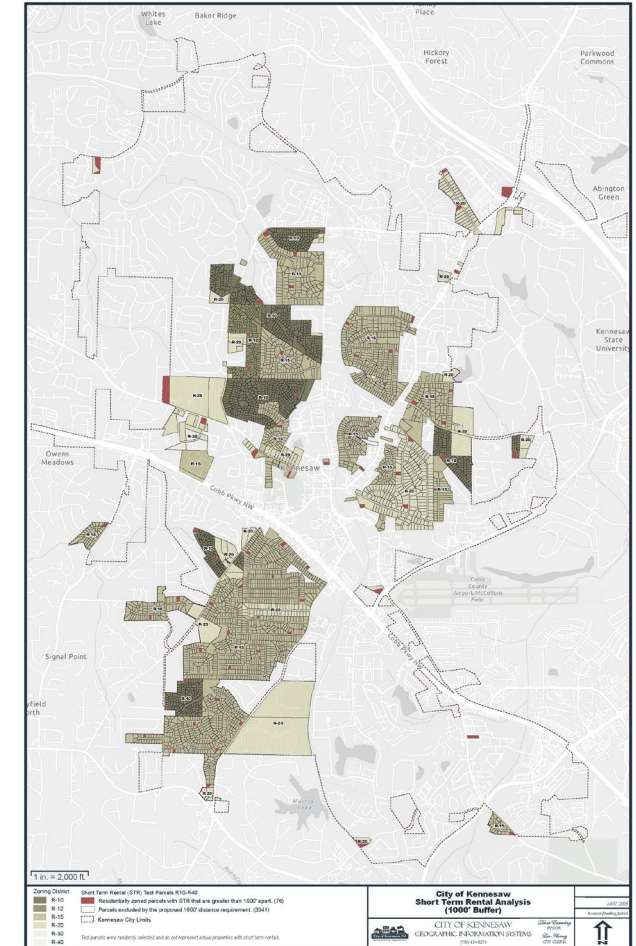
These figures reflect zoning and spacing compatibility only – license cap remains at 150



250 ft buffer
357 potential parcels



500 ft buffer
163 potential parcels



1000 ft buffer
76 potential parcels

Operational Standards

These standards ensure that STRs remain compatible with residential neighborhoods while offering clear accountability for owners and agents.

STR Agent Duties

- Must reside in Cobb County
- Serves as a 24-hour contact for complaints and emergencies
- Responsible for ongoing compliance with city codes
- Contact info must be posted inside the unit and on all listings

Advertising Requirements

- Valid STR license number
- Maximum occupancy
- Maximum number of vehicles allowed
- Notice of noise regulations
- No external signage allowed

Use Restrictions

- STRs may not host events such as weddings, receptions, parties, or corporate events
- STRs must comply with noise standards (Sec. 18-78)
- STRs must comply with parking, sanitation, and code regulations

Parking, Occupancy & Safety Compliance

Intent

This section of the ordinance ensures:

- Preservation of neighborhood aesthetics and access
- Safe and legal occupancy limits
- Consistent enforcement of core safety standards



PARKING

- Guest and visitor parking must occur on the STR property (driveway, garage, carport)
- Must be on a hardened surface
- Street parking or overflow onto neighboring properties is prohibited
- No parking on lawns, easements, or shared access areas



OCCUPANCY

- Maximum occupancy is based on number of bedrooms
- Common areas do not count toward occupancy
- Occupancy information must be posted on-site and in all advertisements
- Occupancy limits are verified using Cobb County tax records and city building files



LIFE & SAFETY

- STR properties must comply with Building codes, Fire safety regulations, and Health and sanitation standards
- Proof of liability insurance is required as part of the application
- The city may inspect properties and review supporting documentation at any time

Licensing Process

Application Requirements

- Completed application
- \$250 Application Fee
- Proof of property ownership
- Valid photo ID of property owner and rental agent
- Proof of liability insurance
- Notarized agent acknowledgement
- Parking plan & occupancy declaration
- Proof of notice to surrounding properties
- HOA consent, if applicable

Review & Approval Process

- Application reviewed for completeness, accuracy, and zoning compliance
- Inspections required before issuance to verify zoning, safety and building code compliance
- Licenses issued within 30 days if requirements are met
- False or misleading information may result in denial/revocation
- Property must be compliant with city codes and be up to date on all city payments

Renewal & Changes

- Licenses must be renewed annually
- Changes in ownership must be reported in 30 days and a new license applied for
- Change of agent must be reported in 5 business days, with updated ID, acknowledgement form, and proof information posted inside of unit
- Failure to report changes may result in noncompliance or suspension

Enforcement & Compliance Strategy

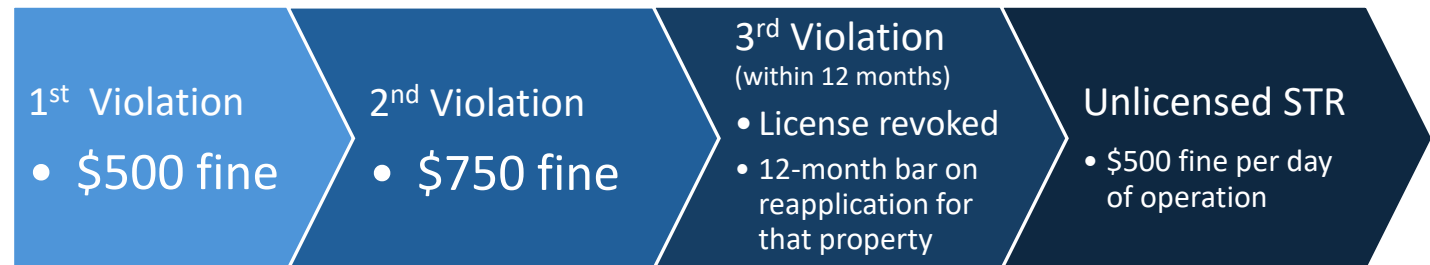
Intent

This section of the ordinance ensures:

- Early intervention
- Progressive discipline
- Protection of residential quality of life

Complaint Response & Investigation

- Complaints must be submitted in writing through the City's online code enforcement portal
- Both owner and agent will receive written notice of any complaint
- Property owners/agents have 7 business days to address issues before a citation is issued
- Investigations may include:
 - On-site inspection with 24-hour notice
 - Police or code reports
 - Neighbor-provided documentation (photo, sound, video)



Nonconforming Use & Transition Provisions

These provisions allow legitimate, previously operating STRs to transition into the new regulatory framework without penalty, while ensuring future use aligns with current standards.



QUALIFIERS

- Operating prior to Jan. 1, 2025
- Proof of state and federal tax payments
- Register with the City within 90 days of the ordinance's effective date
- Achieve full compliance by December 31, 2025



EXEMPTIONS

- 250-foot buffer requirement
- Two-license ownership requirement



LOSS OF STATUS

- Change in property ownership
- Property is damaged/destroyed by 50% or more of market value
- STR ceases for 12 consecutive months
- Failure to meet annual renewal or full compliance deadlines

Summary & Next Steps

THIS ORDINANCE ACHIEVES:

- Establishes a clear, enforceable foundation for STR regulation
- Balances property rights with neighborhood protection
- Provides tools for proactive oversight and responsive enforcement
- Supports responsible hosts through consistent processes
- Ensures alignment with Zoning, safety, and building standards with flexibility to evolve based on real-world data
- \$64k estimated annual revenue (before 8% Hotel/Motel excise tax)

IMPLEMENTATION-READY:

- Licensing, inspection, and enforcement procedures are in place
- Nonconforming properties have a structured pathway to comply
- Interdepartmental collaboration ensures consistent application
- Public communication and support resources will follow adoption
- Zoning and Licensing conditions to be revisited 6 months post-implementation to assess actual demand and outcomes
- Begin accepting applications October 1, 2025 - present current data Work Session on March 30, 2026

June 2025 Crime Statistics



Group A Crimes	Jun 2025	Jun 2024	YTD 2025	YTD 2024
AGGRAVATED ASSAULT	4 (+0)	4	22 (-1)	23
ANIMAL CRUELTY	0 (+0)	0	0 (+0)	0
ARSON	0 (+0)	0	1 (+1)	0
BRIBERY	0 (+0)	0	0 (+0)	0
BURGLARY	1 (-2)	3	15 (-3)	18
DRUG/ NARCOTICS OFFENSES	33 (-1)	34	166 (-20)	186
EMBEZZLEMENT	0 (+0)	0	2 (+0)	2
EXTORTION	0 (-1)	1	8 (-1)	9
FORGERY	4 (+3)	1	9 (+1)	8
FRAUD OFFENSES	8 (-3)	11	91 (+16)	75
HOMICIDE OFFENSES	0 (+0)	0	0 (-1)	1
INTIMIDATION	12 (+7)	5	67 (+28)	39
KIDNAPPING	2 (-1)	3	6 (-3)	9
LARCENY/ THEFT OFFENSES	21 (+8)	13	90 (+19)	71
MOTOR VEHICLE THEFT	3 (-2)	5	17 (+6)	11
PORNOGRAPHY OBSCENE MATERIAL	0 (-1)	1	1 (-5)	6
ROBBERY	0 (-1)	1	3 (+1)	2
SEX OFFENSES	4 (+1)	3	17 (-2)	19
SIMPLE ASSAULT	13 (-13)	26	78 (-44)	122
STOLEN PROPERTY OFFENSES	0 (+0)	0	7 (-1)	8
VANDALISM	8 (+2)	6	28 (-8)	36
WEAPONS LAW VIOLATIONS	4 (+1)	3	23 (+2)	21
Totals	117	120	651	666

	Jun 2025	Jun 2024	YTD 2025	YTD 2024
Dispatched Calls for Service	787 (+3)	784	4,484 (-78)	4,562
Self-Initiated Activity	1,306 (-46)	1,352	7,822 (+1,001)	6,821
Traffic Citations	565 (-28)	593	3,365 (+48)	3,317
Traffic Warnings*	716 (+54)	662	4,264 (+889)	3,375
Arrests**	85 (-9)	94	480 (-1)	481

	Jun 2025	Jun 2024	YTD 2025	YTD 2024
Auto Accidents	101 (+16)	85	607 (-27)	634
Accident w/ Injury	10 (+0)	10	59 (+5)	54
Hit and Run	14 (+0)	14	76 (+3)	73
Hit and Run w/ Injury	0 (+0)	0	2 (-4)	6
Person Hit by Auto w/ Injury	0 (-1)	1	3 (+1)	2

* Warnings do not include verbal warnings

**

Arrests do not include juvenile arrests

KENNESAW HISTORY

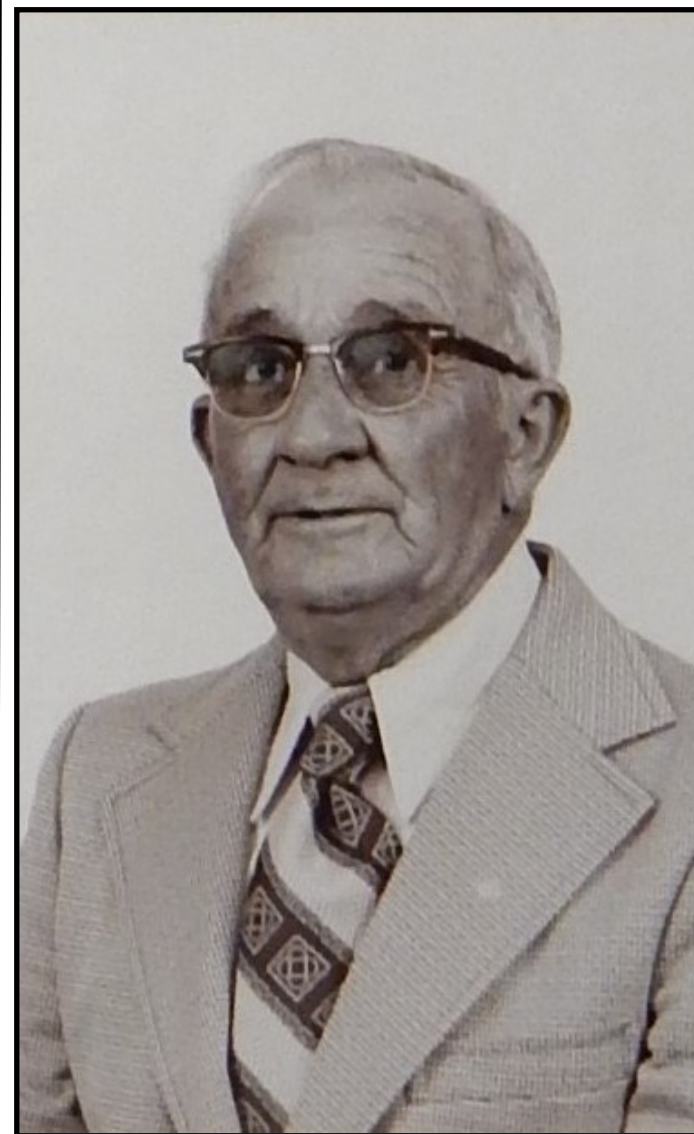
Louis Watts

Directly behind City Hall is Watts Drive, named after longtime mayor Louis Watts. Watts was born in Fairmount, Georgia in 1904, and adopted at a young age. He served in the US Army, and moved to Cleveland, Ohio in the 1920s.

After World War II, Watts and his wife Helyn moved back to Georgia, and Watts worked for the City of Smyrna and Lockheed. They moved to Kennesaw in 1952. Their house is today the Brain Station.

In 1956, Watts was elected the Mayor of Kennesaw, and he would serve until 1961. During this time, Kennesaw opened a new city hall, hired its first full-time police officer, and began to prepare for the Civil War centennial.

After several years away from local politics, Watts was reelected in 1968, and he served until 1972. Importantly, the *General* permanently returned to Kennesaw while he was in office. He retired eight months later, and passed away in 1982.



Louis Watts while Mayor
Image from the Council Chambers

Presented by Andrew J. Bramlett at the July 21, 2025,
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

**City Council Meeting
7/21/2025
Public Comment Sign-in**

	Name	Address	Topic
1	Andrew Brantlett	2990 Somersfield Dr	Local History
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