

Mayor

Derek Easterling

City Manager

Jeff Drobney, ICMA-CM

City Clerk

Lea Alvarez, CMC

**Council**

Mayor Pro-Tem Tracey Viars

Lynette Burnette

Pat Ferris

Antonio Jones

Trey Sinclair

City Council Work Session**Meeting Agenda**

July 10, 2023 6:30 PM

Council Chambers

1. Invocation**2. Pledge of Allegiance****3. Call to Order****4. Announcements**

A. This public meeting is being conducted via the use of real-time telephonic technology allowing the public simultaneous access to the public meeting. You may also attend in person with limited seating available at both the Council Chambers and the Ben Robertson Community Center, if needed.

Mayor and Council will be conducting their meeting via real-time telephonic technology using Zoom Meeting and Facebook Live. You can access the meeting via the following link: <https://www.facebook.com/CityofKennesaw/>

B. 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. **Facebook Live is not monitored for public comment.**

5. Presentations**6. Public Comment/Business from the Floor****7. Old Business****8. New Business**

A. Authorization to fund a "Practices for Successful Meetings" class through the Carl Vinson Institute of Government for the City's boards, committees, and

commissions out of the Mayor and Council Contingency Fund for \$3,100.

9. Committee and Board Reports

10. Public Hearing(s)

11. Consent Agenda

- A. Approval of the June 26, 2023 City Council work session minutes.
- B. Approval of the July 5, 2023 City Council regular meeting minutes.

12. General and Administrative

13. Public Safety

- A. Receipt of the June 2023 Crime Statistics.

14. Information Technology

15. Public Works

- A. Approval of RESOLUTION for a design services proposal and agreement with Croy Engineering and CSC Design, Inc for the Smith-Gilbert Garden's restroom and trail project.

16. Recreation and Culture

17. Community Development

18. Public Comment/Business from the Floor

19. City Manager's Report

- A. Reports, Discussions, and Updates
- B. Recommendation of the City Manager to ratify the appointment of Information Technology Director, Robert Mayes

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

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



Item Report

TO: The Honorable Mayor and City Council

FROM: Lea Alvarez, City Clerk

DATE: July 10, 2023

TITLE: Authorization to fund a "Practices for Successful Meetings" class through the Carl Vinson Institute of Government for the City's boards, committees, and commissions out of the Mayor and Council Contingency Fund for \$3,100.

Summary:

City staff is in the process of coordinating a class through the Carl Vinson Institute of Government regarding best practices to run a successful meeting. The class, "Practices for Success Meetings," will be taught by Jim Elliot, of Butler Snow LLP, with topics ranging from Robert's Rules of Order to the Open Meetings Act. The City would like to open this opportunity to all members of our various boards and commissions, including their respective staff and Council liaisons. Staff is still coordinating the date of the class, but plans to hold it in mid-August with two, 2-hour classes being offered at 9:30 a.m. and 2:00 p.m. The cost is \$3,100 for the day.

Recommendation:

The City Clerk recommends approval to authorize the funding of the class, "Practices for Successful Meetings," for \$3,100 to be paid for out of the Mayor and Council Contingency Fund.

Fiscal Impact:

\$3,100 - 100-1100-55-105000-00000

Attachments:

1. Class Cost - Carl Vinson Institute of Government

Lea Alvarez

From: David Key <dkey@uga.edu>
Sent: Wednesday, April 12, 2023 3:49 PM
To: Lea Alvarez
Subject: RE: Special Topics Workshops Inquiry

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lea, We only have daily rates. That rate is \$3100. So you can take as long as you need on that one day. Thanks. Let me know if you want to set it up.

David W. Key, Sr.
Carl Vinson Institute of Government | *Public Service Faculty*
University of Georgia

201 N. Milledge Avenue | Athens, GA 30602
Phone: (706) 534-4814
dkey@uga.edu | www.cviog.uga.edu
My pronouns are He/Him/His



From: Lea Alvarez <lalvarez@kennesaw-ga.gov>
Sent: Wednesday, April 12, 2023 1:20 PM
To: David Key <dkey@uga.edu>
Subject: RE: Special Topics Workshops Inquiry

[EXTERNAL SENDER - PROCEED CAUTIOUSLY]

Good afternoon –

I wanted to circle back and see if this is something we can still pursue. If so, do you have an estimated cost I could provide my Council?

Thank you,



Lea Alvarez, MPA, CMC
City Clerk
City of Kennesaw, GA
2529 J.O. Stephenson Ave. Kennesaw, GA 30144
770-429-4546 (o) | 404-931-3549 (c)
www.kennesaw-ga.gov

From: Lea Alvarez
Sent: Monday, April 10, 2023 4:58 PM

Present

Mayor Derek Easterling
Mayor Pro Tem Tracey Viars
Councilmember Lynette Burnette
Councilmember Pat Ferris
Councilmember Antonio Jones
Councilmember Trey Sinclair
Deputy City Clerk Lily Smith
City Manager Jeff Drobney
City Attorney Randall Bentley, Sr.

- Page 6 of 27

9. Committee and Board Reports

10. Public Hearing(s)

- A. FINAL PUBLIC HEARING: Approval of an ORDINANCE to amend the Charter of the City of Kennesaw, Georgia, Part I, Article VI, "Municipal Court," Section 6.04, "Right of Appeal."

City Clerk Lea Alvarez presented an amendment to the Charter of the City of Kennesaw, Georgia, Part 1, Article VI, "Municipal Court," Section 6.04, "Right to Appeal". The final public hearing for this item will be Wednesday, July 5, 2023 at 6:30 p.m. at the regularly scheduled City Council meeting. Ms. Alvarez noted the proposed changes represent the appellate procedures from decisions of the municipal courts to superior court, as amended by the Georgia Legislature. The public hearings were duly advertised in the Marietta Daily Journal, and a copy of the ordinance was mailed to the Clerk of Superior Court for public viewing. The City Clerk and City Attorney recommend approval.

11. Consent Agenda

- A. Approval of the June 19, 2023 City Council regular meeting minutes.

12. General and Administrative

13. Public Safety

14. Information Technology

15. Public Works

- A. Approval of RESOLUTION granting a Sanitary Sewer Easement Agreement with Cobb County Water System

Public Works Director Ricky Stewart presented a resolution granting a sanitary sewer easement agreement with Cobb County Water System. Mr. Stewart explained this agreement was regarding an existing sanitary sewer line that goes through a portion of Depot Park. Cobb County Water is requesting that the City of Kennesaw grant them an easement for this line that is 20 feet total with 10 feet on either side.

Councilmember Ferris asked if this project would affect the concession stands that are in place at Depot Park. Mr. Stewart answered that it would not affect the concession stands and that it is located in the plaza near the back of the amphitheater.

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

16. Recreation and Culture

17. Community Development

18. Public Comment/Business from the Floor

19. City Manager's Report

A. Reports, Discussions, and Updates

City Manager Jeff Drobney had a few housekeeping items to announce, including reminding everyone to attend the Salute to America event on July 3rd. Dr. Drobney shared the City's Moody's credit rating had improved from an AA3 to an AA2. He further explained the positive impact that this would have when the city needed to borrow money.

B. City Councilmember Items Requested for Discussion

1. Councilmember Antonio Jones

Councilmember Jones requested to postpone his discussion items until the July 10, 2023 City Council work session to allow those items to be placed on the agenda as submitted. Councilmember Jones met with Senator Warnock's office earlier in the day and shared that they are working together to come up with a list of initiatives to fund. Senator Warnock is open to helping with police or recreational initiatives and would like to discuss more in the future.

2. Mayor Pro Tem Tracey Viars

Mayor Pro Tem Viars wanted to discuss business license options for individuals working in multi-family developments. She started the discussion by giving some background on this item. Mayor Pro Tem Viars noted the city has a lot of younger people that use Kennesaw as a home base for their online businesses through cellphones and laptops. However, those who do not have a physical address or are not a home owner struggle to find ways to apply for a business license due to current requirements. She stated there are a lot of luxury apartments that attract people who do not tend to commute or work traditional jobs. Many apartment complexes in the area do not allow business owners to use their apartments as a business location due to liabilities. Whenever a person has a particular occupation such as a therapist, consultant, or a retailer that does not keep inventory, they have the opportunity to sign an affidavit explaining that they will not have visitors, have excessive shipping, or take up parking. People living in rental properties or apartments do not have that opportunity. She proposes that the city comes up with a business license process that would allow it to track a person's digital/ e-commerce footprint in rentals and apartments.

Councilmember Jones lent his support and mentioned he had come across this issue in the past as well with a P.O. Box for a business he had. Councilmember Sinclair thought it was a great idea and added he would like to see some research done to see if this issue is being resolved elsewhere. Councilmember Burnette also lent her support and said it was a wonderful initiative. Councilmember Ferris mentioned the business world has changed and there is no longer a need for expansive office space. He wondered what would need to be done from a property owner's perspective. Mayor Pro Tem Viars continued the conversation by informing council that individual property owners could

sign off on their renters' business affidavits, but apartment complexes are not so willing. Mayor Pro Tem Viars said she wants to come up with a system that allows residents with an online or virtual business to have proper licensing if they are renting and do not have a physical address.

C. DISCUSSION ONLY: Financial Management Policies

City Manager Jeff Drobney introduced this discussion item and Finance Director Gina Auld.

Ms. Auld went over the specifics of the city's proposed Budget and Fund Balance policy. She mentioned the city has ordinances addressing the budget, but nothing at this time to dictate the operating reserves that should be kept at any one time. She spoke about the policies put into place in accordance with state law that were approved by the Mayor and Council for a balanced budget. Additionally, Ms. Auld noted that this new policy will be adopted to ensure that the budget is balanced overall, but also at the departmental level. The Finance department has to go before the Mayor and Council in order to transfer from one budget to another, which is usually done toward the end of the year. The budget is always balanced at the city level, but there may be some departments that go over at times, resulting in the need to shift funds.

Ms. Auld then discussed the fund balance portion of the policy by recommending the city adopt a twelve month reserve policy. She was happy to share that the city currently has twelve months' worth of funds in the reserve fund, which amounts to 20 million dollars. By putting proper policies in place in the past, the city budgeted to have excess left over every year in order to save. These reserve funds will be vital when there is an unexpected project that needs to be done, especially when the American Rescue Funds are not available. Ms. Auld reminded everyone that the city used to be in such a financial situation that it would have to borrow money in the summer in order to cover payroll until the taxes went out in the fall months, but that it is no longer the case.

In the final portion of the budget and fund balance policy, Ms. Auld discussed contingencies. The city has been budgeting for contingencies for the Mayor and Council, but not city wide. Ms. Auld proposed a contingency fund of five percent, which would equal to \$100,000 for operations. Then, in addition to the contingency fund, she suggests a capital fund that features one percent, which would equal \$400,000. These funds would be held with the city's special-purpose local-option sales tax (SPLOST) funding, which is currently exceeding projections.

Councilmember Jones took the time to thank the city staff for their hard work in regulating the budget. Councilmember Ferris congratulated the staff for their hard work as well. Councilmember Ferris asked what was the purpose of the contingency funds.

Ms. Auld responded that the contingency funds are in place for any unexpected expenditures that might come up within the current budget. Councilmember Ferris agreed this fund would be needed for things like rising inflation. Councilmember Sinclair followed up with how the municipal code would be updated with this information. Ms. Auld said the Finance Department will advertise and then adopt the changes formally

after the Council votes on them.

Ms. Auld then discussed the city's proposed Cash and Investment policy. The city currently mirrors state law when it comes to handling cash and investments. House Bill 531, which is in the works, advises on municipal cash and investment policies. Despite the bill not yet being passed, the City of Kennesaw has decided to get ahead of the curve and start putting these types of policies in place. Ms. Auld outlined a few of the sections contained in the document, such as safety, credit risk, investment interest rate risk, liquidation, yield, prudence of care, ethics when investing, delegation of authority, safe keeping (collateralized at 110%), auditing, and types of investments allowed.

- D. Approval of RESOLUTION for a programming and schematic design proposal and agreement with Croy Engineering and Croft & Associates for the Kennesaw Public Safety Facility.

Assistant City Manager Marty Hughes presented a resolution for a programming and schematic design proposal and agreement with Croy Engineering and Croft & Associates for the Kennesaw Public Safety Facility. Mr. Hughes explained the selection process briefly and then announced that Croft & Associates was chosen because they were the best rated and most available for this project. This resolution will allow the city to move forward with the chosen schematic design for the new public safety building.

Mr. Hughes noted this is a SPLOST project that will be built next to the current Public Works facility. Mr. Hughes told Council about the internal programming committee gathering input from staff and how the next phase was to bring the design team together, which was approved by Council in March. The City Manager's Office recommends approval.

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

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 Comments

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 7:02P.M. The next regularly scheduled meeting will be held Wednesday, July 5, 2023 at 6:30 P.M. in the Council Chambers.

The public is encouraged to attend or view via Facebook Live.

Lily Smith, Deputy City Clerk

DRAFT

**MINUTES OF CITY COUNCIL MEETING
CITY OF KENNESAW
Council Chambers
July 5, 2023
6:30 PM**

Present	Mayor Derek Easterling Mayor Pro Tem Tracey Viars Councilmember Lynette Burnette Councilmember Pat Ferris Councilmember Trey Sinclair City Clerk Lea Alvarez City Manager Jeff Drobney City Attorney Randall Bentley, Sr.
Absent	Councilmember Antonio Jones

1. Invocation

City Attorney Randall Bentley, Sr. led the invocation.

2. Pledge of Allegiance

Members of Boy Scout Troop 510 led the Pledge of Allegiance.

3. Call to Order

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

Councilmember Ferris arrived to the Council Chambers at 6:35 p.m.

4. Announcements

- A. This public meeting is being conducted via the use of real-time telephonic technology allowing the public simultaneous access to the public meeting. You may also attend in person with limited seating available at both the Council Chambers and the Ben Robertson Community Center, if needed. Mayor and Council will be conducting their meeting via real-time telephonic technology using Zoom Meeting and Facebook Live. You can access the meeting via the following link: <https://www.facebook.com/CityofKennesaw/>
- B. 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. **Facebook Live is not monitored for public comment.**

5. Presentations

6. Public Comment/Business from the Floor

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

No comments.

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

7. Old Business

8. New Business

9. Committee and Board Reports

10. Public Hearing(s)

- A. FINAL PUBLIC HEARING: Approval of an ORDINANCE to amend the Charter of the City of Kennesaw, Georgia, Part I, Article VI, "Municipal Court," Section 6.04, "Right of Appeal."

City Clerk Lea Alvarez presented the final public hearing to approve an ordinance amending the Charter of the City of Kennesaw, Georgia, Part I, Article VI, "Municipal Court," Section 6.04, "Right of Appeal." Ms. Alvarez explained the current code section reflects the appellate procedures regarding the decisions of the municipal court to Cobb County Superior Court. The Georgia Legislature amended Chapter 3, Title 5 of the Official Code of Georgia Annotated (O.C.G.A), which takes effect July 1, 2023. The city's proposed changes will align its code with the amendments to Chapter 3, Title 5 of the O.C.G.A. Ms. Alvarez stated, in accordance with O.C.G.A § 36-35-3 (b) (1), two consecutive public hearings were conducted. The public hearings were duly advertised in the Marietta Daily Journal on June 9, 16, and 23, 2023. A copy of the proposed ordinance was sent to the Clerk of Superior Court for public viewing. The City Clerk recommended approval.

Motion by Mayor Pro Tem Viars to approve [ORDINANCE NO. 2023-13, 2023](#) to amend the Charter of the City of Kennesaw, Georgia, Part I, Article VI, "Municipal Court," Section 6.04, "Right of Appeal," as presented. Seconded by Councilmember Ferris.

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

No comments.

6:37 p.m. Floor Closed for Public Comments

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

11. Consent Agenda

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

by Councilmember Sinclair.

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

- A. Approval of the June 19, 2023 City Council regular meeting minutes.
- B. Approval of RESOLUTION granting a Sanitary Sewer Easement Agreement with Cobb County Water System

RESOLUTION NO. 2023-29, 2023

- C. Approval of RESOLUTION for a programming and schematic design proposal and agreement with Croy Engineering and Croft & Associates for the Kennesaw Public Safety Facility.

RESOLUTION NO. 2023-30, 2023

12. General and Administrative

13. Public Safety

14. Information Technology

15. Public Works

16. Recreation and Culture

17. Community Development

18. Public Comment/Business from the Floor

6:38 p.m. Floor Open for Public Comments

ANDREW BRAMLETT (City Resident): Mr. Bramlett shared the history of the Windsor Motel, which used to be located on Cobb Parkway, and was replaced by the Windsor shopping center (**See Exhibit A**).

6:39 p.m. Floor Closed for Public Comments

19. City Manager's Report

- A. Reports, Discussions, and Updates

City Manager Jeff Drobney did not have any updates to provide.

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 Pat Ferris apologized for being late. He enjoyed the fireworks during the Salute to America event.

Councilmember Trey Sinclair had to work on July 3rd, but he heard Salute to America was a wonderful event.

Councilmember Lynette Burnette said the turnout for Salute to America was incredible and thanked all those who worked behind the scenes to make it happen.

Mayor Pro Tem Tracey Viars said it was the most "Monday" Wednesday; however, she absolutely enjoyed the Salute to America event and thanked everyone for its success.

22 Executive Session

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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 6:43 p.m. The next regularly scheduled meeting will be held on Monday, July 17, 2023 at 6:30 p.m. in the Council Chambers. The public is encouraged to attend or view via Facebook Live.



Lea Alvarez, City Clerk

KENNESAW HISTORY

Windsor Motel

The Windsor Motel



The exact date the Windsor Motel opened on Cobb Parkway has yet to be determined, but according to the Patel family it was around 1952. It was first owned and operated by William “Bill” and Maureen Powell. Maureen’s family was from Warrington, England, and the Powells chose the business’s name because of her roots. A postcard from early in the motel’s history says it was “completely furnished with Palmer furniture, Airfoam mattresses, TV, air cooled and Central heat. Fine food.” It was connected to a restaurant, the Top Hat, which burned in a 1958 fire. The restaurant was eventually rebuilt.

In early 1979, the hotel was purchased by C. N. Patel, who, like the previous owner, was from England. He owned several similar businesses in Cobb County at the time as well. Patel’s son, R. J., began managing the Windsor in 1994. The motel was demolished in 2005 and replaced by the Windsor shopping center.

Presented by Andrew J. Bramlett
at the July 5, 2023,
City of Kennesaw Mayor &
Council Meeting

KENNESAW
HISTORICAL
SOCIETY

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

7/8/2023

Public Comment Sign-in

	Name	Address	Topic
1	Andrew D. Braslett	2880 Summerfield Ct.	Local history
2			
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June 2023 Crime Statistics

Summary

June 2023 Group A Offenses (109) decreased by 12% compared to June 2022 (124). A vast majority of the crimes reported in June 2023 were Assault Offenses (24). This trend is also present in the data collected for crimes reported in June 2022. Assault Offenses account for approximately 22% (24) of the crimes that have occurred within our jurisdiction in June 2023. Out of the 700 traffic stops in June 2023, (909) resulted in Citations and 37% (339) Warnings. There were a total of 67 Adult Arrests that took place during the month, which is a 23% decrease from June 2022 (87).

Crimes	June 2023	June 2022	YTD (01/01/2023) – (06/30/2023)	YTD (01/01/2022) – (06/30/2022)
Assault Offenses	24	32	182	160
Motor Vehicle Theft	2	3	6	16
Burglary	2	2	14	14
Homicide	0	0	0	0
Larceny	17	27	135	141
Sex Offenses	3	0	14	15
Robbery	1	0	6	2
Total	49	64	357	348

	June 2023	June 2022	YTD (01/01/2023) – (06/30/2023)	YTD (01/01/2022) – (06/30/2022)
Dispatched Calls for Service	446 (-433)	879	3,960 (-1,148)	5,108
Self-Initiated Activity	903 (-302)	1,205	6,338 (+368)	5,970
Traffic Citations	909 (-142)	1,051	6,427 (+1,036)	5,391
Traffic Warnings*	339 (-36)	375	1,853 (-703)	2,556
Arrests*	90 (-3)	93	519 (+5)	514

*Warnings do not include verbal warnings

*Arrest statistics does not include juveniles

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



Bayleigh Brown
Crime/ Intelligence
Analyst



Item Report

TO: The Honorable Mayor and City Council

FROM: Robbie Balenger, Building & Facilities Manager

DATE: July 10, 2023

TITLE: Approval of RESOLUTION for a design services proposal and agreement with Croy Engineering and CSC Design, Inc for the Smith-Gilbert Garden's restroom and trail project.

Summary:

State and Local Fiscal Recovery Funds have been allocated to accommodate construction of a new restroom facility and paved pathways at the Smith-Gilbert Garden. Croy Engineering and CSC Design, Inc will provide architectural and civil engineering services in the amount of \$95,280 with an additional \$4,000 covered pavilion expansion listed as an add-alternate. Scope of services includes the following:

- 1.) Topographic Survey (Trails)
- 2.) Design Document Phase (Restroom)
- 3.) Final Construction Documents Phase and Permitting (Restroom and Trails)
- 4.) Bidding Administration
- 5.) Construction Administration Services (Restroom and Trails)

Recommendation:

The Building & Facilities Manager recommends approval of the proposal and for Council to authorize the Mayor to sign the agreement as shown in Attachment A.

Fiscal Impact:

State and Local Fiscal Recovery Funds Site Improvements-SGG: 230-6171-54-120000-00000

Attachments:

1. RESOLUTION - Croy-CSC Design Inc Services SGG Restrooms and Trails
2. Attachment A

**CITY OF KENNESAW
GEORGIA**

RESOLUTION NO. 2023-__, 2023

**RESOLUTION TO APPROVE A PROPOSAL AND AGREEMENT WITH CROY
ENGINEERING AND CSC DESIGN, INC FOR DESIGN SERVICES RELATED TO
THE SMITH-GILBERT GARDEN'S RESTROOM AND TRAIL SYSTEM PROJECT**

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF KENNESAW, COBB
COUNTY, GEORGIA, AS FOLLOWS:**

WHEREAS, State and Local Fiscal Recovery Funds have been allocated to accommodate construction of a new restroom facility and paved pathways at the Smith-Gilbert Garden; and

WHEREAS, the restroom facility and trail system require architectural and civil engineering services needed for the creation of construction documents and the bidding process; and

WHEREAS, Croy Engineering and CSC Design, Inc have the qualifications and experience to perform said services for \$95,280 with an additional \$4,000 covered pavilion expansion listed as an add-alternate.

NOW, THEREFORE, BE IT RESOLVED the Kennesaw City Council authorizes the Mayor to execute the proposal and agreement with Croy Engineering and CSC Design, Inc for design services as shown in Attachment A.

PASSED AND ADOPTED by the Kennesaw City Council on this __ day of July, 2023.

ATTEST:

CITY OF KENNESAW

Lea Alvarez, City Clerk

Derek Easterling, Mayor



June 23, 2023

Mr. Robbie Balenger
Building and Facilities Manager
City of Kennesaw
2753 Watts Drive
Kennesaw, GA 30144

RE: Smith Gilbert Gardens Restroom and Trail System – Design Services Proposal
Croy Project Number: 1260.060

Mr. Balenger:

Croy Engineering is pleased to submit this Proposal for Design Services for the Smith Gilbert Gardens Restroom and Trail System project.

We understand the City of Kennesaw intends to continue with design and construction of a new restroom facility, therefore the intent of this proposal is to provide architectural and civil engineering services, based on conceptual design drawings previously provided (CSC design drawings dated 06/20/2022), and to prepare construction documents suitable for permitting and construction of the proposed improvements for Smith Gilbert Gardens. Project to include new +/-400sf four (4) single user restrooms, +/-60' x 32' covered pavilion structure (Add-Alternate #1) and utility space. Primary structural system to be load bearing CMU walls with brick veneer with truss or stick built wood framed gable shingle roof. Foundation is proposed to be slab on grade with no deep foundation proposed (geo-technical report was not available at time of this contract, should geo-technical report recommend, or require, helical piers or deep foundations this agreement shall be amended accordingly). Individual restrooms to be provided with ventilation and heat only (no air conditioning). Restroom building will be connected to County water and sewer (site utility design by others), design of remote Sanitary Pump is included and will be coordinated with Civil Engineer. All plumbing fixtures to have hands free operation. Site access / ramps / stairs to be included within Civil design.

In addition, Croy Engineering is pleased to make part of this proposal the Civil Design Services for the Smith Gilbert Gardens Trail System project. We understand the City of Kennesaw intends to continue with design and construction of the proposed trail system at Smith Gilbert Gardens, therefore the intent of this portion of the proposal is to provide civil engineering design services, based on conceptual design drawings previously provided, and to prepare construction documents suitable for permitting and construction of the new trail system for Smith Gilbert Gardens.

Our understanding is that the Trail System project is to be designed following the approved conceptual trail design that includes approximately 1,700 linear feet of ADA accessible trails paved with concrete, with an additional 1,100 linear feet of non-ADA accessible trails paved with concrete, totaling approximately 2,800 linear feet of concrete trails that are six feet wide.

200 Cobb Parkway North | Building 400, Suite 413 | Marietta, Georgia 30062 | 770.971.5407
croyengineering.com

Scope of Services

Topographic Survey (Trails)

Croy Engineering will perform a topographic survey of the area outlined in attached "Exhibit A". The survey database will be provided in GA Plane Coordinates with 2-foot contour intervals. Deliverable to be a Civil 3-D drawing to include 3-D surface. Survey team will perform boundary research sufficient to establish the property lines for the area near the topographic areas to be surveyed.

Survey Budget: \$ 9,140

Design Document Phase (Restroom)

Based on City approved Concept Design drawings (as outlined in project outline above), the Design Team shall provide additional architectural drawings / details and structural, mechanical, electrical, plumbing, existing conditions, to describe the general system/s based on City requirements. Design Document (DD) package shall be submitted to the City for review, comment, and approval. Project coordination includes electronic transfer of information, including drawings and other pertinent or requested information, to design team members. Significant revisions to the Scope of the project during Design Document may result in additional services for the Final Design Phase.

CSC Budget: \$ 10,000

Design Development Phase Budget: \$ 10,000

Final Construction Documents Phase and Permitting (Restroom and Trails)

Based on City approval of the Design Development drawings, the Design Team shall prepare detailed Construction Documents (CDs) to include work and expenses incurred for architecture, structural, mechanical, electrical, plumbing, final site demolition plan, final site plan, final grading plan to include minimal erosion control BMP's, along with civil construction details for both the Restroom and the Trail system. *CD package shall be submitted to the City for review and approval. This agreement is based on permitting being limited to the City of Kennesaw building department approval only. Should Cobb Fire / Water approval be required this agreement shall be amended appropriately.

Croy Budget: \$ 30,360

CSC Budget: \$ 20,500

Construction Documents Budget: \$ 50,860

Bidding Administration

Services to be provided during this phase include coordination, assembly, and production of the legal ad, program manual/contract, and all required bid documents/CDs, on-site pre bid meeting, requests for information (RFI's), issuance of addendums, permit coordination, contract execution and contract coordination with City Attorney.

Bidding Administration Budget: \$ 7,500

Construction Administration Services (Restroom and Trails)

The Design Team will provide construction administration services including (i) issuing timely responses to contractor's Requests for Information and other requests for clarification; (ii) reviewing and approving (or taking other appropriate action in connection with) contractor's submittals and shop drawings, if any, and rejecting nonconforming work, (iii) attending Owner-Architect- Contractor (OAC) meetings, (iv) site observations of construction progress, (v) review of contractor pay application. Construction Administration assumes a four (4) month construction schedule.

1. Site Visits / Meetings: Four (4) OAC meetings; Two (2) site visits total by the Engineers as required.
2. Punch List Preparation – Construction Administration also includes preparation of a punch list at Substantial Completion and a final punch list walk-thru with the Contractor and City.

Croy Budget: \$ 11,280

CSC Budget: \$6,500

Construction Administration Budget: \$ 17,780

TOTAL Project Budget: \$ 95,280

[Add-Alternate #1 (Covered Pavilion Expansion): \$ 4,000]

**Revisions and Addendums requested after the issuance of CDs will be billed at an hourly rate of \$150/hr unless such revisions are made necessary by the Design Teams error or omission.*

Excluded from Scope of Work

- Fire flow testing
- Fire Alarm/Fire Sprinkler design
- Utility plans
- Storm Drainage System design
- NPDES Compliance plan
- Site lighting design
- Irrigation design
- Offsite infrastructure or utility design and permitting
- No stormwater management design as part of this proposal
- Traffic engineering services
- Environmental Services
- Retaining wall design
- Construction Cost Est.
- SUE Level B & A, construction staking, legal descriptions, boundary line disputes.
- Third Party testing and observation
- Full time construction inspection
- Site Lighting
- 3D renderings and/or animations
- Cobb County permitting
- Landscape Architecture
- Public hearings
- 3D renderings or animations

Invoicing

This work will be completed as an hourly not to exceed fee project. Invoicing will be progressive and will be submitted monthly for work completed to date less previous payments.

This proposal incorporates, as if fully set forth herein, the terms and conditions of the Professional Services Agreement for Engineering Services dated February 27, 2013, between Croy Engineering, LLC and the City of Kennesaw. If this proposal is acceptable to you, please sign below indicating your approval and return (1) signed copy for our files. This letter of agreement will serve as Croy Engineering's Notice to Proceed.



Thank you for this opportunity to submit this proposal. If you have any questions, please contact me at (770) 971-5407.

Respectfully,
Croy Engineering, LLC.

Roy Acree
Program Manager

cc: Marty Hughes, City of Kennesaw
Wayne McGary, Croy Engineering
Project File

Attachments: Exhibit A – Topo Survey Area

APPROVED

City of Kennesaw

Signed _____

Title _____

Name _____

Date _____

EXHIBIT A

