

**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/
October 27, 2025
6:30 PM**

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

1. Invocation

2. Pledge of Allegiance

3. Call to Order

Mayor Pro Tem Ferris called the meeting to order at 6:30 p.m.

4. Announcements

5. Presentations

6. Old Business

7. New Business

A. Resolution: Settlement Agreement with Lance Oil Company

Consideration for approval of a Resolution authorizing a Settlement Agreement and Mutual Release of Claims between the City of Kennesaw and A.R. Brooks Enterprises, Inc. d/b/a Lance Oil Company.

City Attorney Sam Hensley, Jr. presented a Resolution authorizing a Settlement Agreement and Mutual Release of Claims between the City of Kennesaw and A.R. Brooks Enterprises, Inc. d/b/a Lance Oil Company.

Mr. Hensley explained that Lance Oil Company had been erroneously charged occupational tax certificate fees for a period of five years, and a settlement agreement had been mutually reached to resolve the matter.

Councilmember Gutierrez-Leon clarified for the record that the error was an

unintentional oversight by both parties, made without ill intent. Once identified, both parties worked promptly to correct it.

Mr. Hensley confirmed and emphasized that the settlement agreement expressly states there is no admission of liability from either party, and that the matter resulted from a good faith error now being resolved in good faith.

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

8. Committee and Board Reports

9. Public Hearing(s)

A. Ordinance: Chapter 22 Amendments

Consideration for approval an Ordinance to amend Chapter 22, entitled, "Businesses" of the Code of Ordinances of the City of Kennesaw, Georgia.

Mr. Hensley, Jr. presented an Ordinance to amend Chapter 22, entitled "Businesses," of the Code of Ordinances of the City of Kennesaw, Georgia. He informed the Council that the proposed amendments are part of an ongoing effort to comprehensively revise Chapter 22. Most of the revisions focus on clarifying the distinctions between occupational tax certificates and privileged licenses.

Mr. Hensley noted that staff had originally advertised this public hearing for the November 3, 2025, meeting at 6:30 p.m.; however, at that meeting, staff will request a motion from the Council to postpone the item indefinitely, as the review and revision process is still underway for this approximately 100-page chapter of the City's Code.

10. Consent Agenda

A. Minutes: October 13, 2025 Work Session

Approval of the October 13, 2025, City Council work session minutes.

B. Minutes: October 13, 2025 Executive Session

Approval of the October 13, 2025, City Council executive session minutes.

C. Minutes: October 20, 2025 Regular Meeting

Approval of the October 20, 2025, City Council regular meeting minutes.

D. Minutes: October 20, 2025 Executive Session

Approval of the October 20, 2025, City Council executive session minutes.

11. General and Administrative

12. Public Safety

A. Crime Stats: September 2025

Consideration to accept the September 2025 crime statistics.

Chief Bill Westenberger presented September 2025 crime statistics [See **Exhibit A**].

13. Information Technology

14. Public Works and Building Maintenance

A. Resolution: Stormwater and Sewer Easements

Consideration for approval of a Resolution authorizing stormwater and sewer easements with Delta Performance, LLC.

Public Works Director Ricky Stewart presented a Resolution authorizing stormwater and sewer easements with Delta Performance, LLC. He explained that Delta Performance, an automotive company relocating to the wooded lot adjacent to the former Sonic on Cobb Parkway, requires access to connect to the Cobb County Water Authority sanitary sewer line. To do so, the company must cross a portion of City-owned property located behind their site.

Mr. Stewart further explained that the stormwater easement is being requested by the City. While Delta Performance could discharge stormwater on their property, doing so would allow runoff to enter City property uncontained, potentially leading to erosion along the banks of the regional pond. To mitigate this concern, the City has requested that the company extend its stormwater pipe further into the pond, which will require a 20-foot easement.

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

B. Purchase Authorization: Vehicles and Equipment

Consideration to authorize the purchase of vehicles and equipment approved in the FY26 Budget.

Mr. Stewart requested authorization to purchase vehicles and equipment previously approved in the FY 2026 Budget. The vehicle purchases include a 2026 Ford Explorer 4x4 in the amount of \$39,770.00 and a 2026 Ford Escape in the amount of \$29,955.00. The equipment purchase includes a 2025 Trac Vac 288 Leaf Vacuum.

Mayor Pro Tem Ferris inquired whether these purchases were being made directly or through the Georgia Municipal Association (GMA) leasing program. Mr. Stewart confirmed that all items would be purchased directly.

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

15. Recreation and Culture

A. Resolution: Chalker Park

Consideration for approval of a Resolution to award a contract with Gay Construction as the Construction Manager at Risk (CMAR) for Chalker Park.

Parks and Recreation Director Bill McNair presented a Resolution to award a contract to Gay Construction Company as the Construction Manager at Risk (CMAR) for the Chalker Park project. A Request for Qualifications (RFQ) for CMAR Pre-Construction and Construction Services was advertised in the Marietta Daily Journal. Two qualification packages were received on September 19, 2025, and were subsequently reviewed and ranked by a Selection Committee. Gay Construction Company was selected and has proposed to provide services in the amount of \$246,025.

Councilmember Orochena noted that while reviewing the AIA contract forms, she observed that much of the standard language had been stricken.

Zach Buffington of Patterson & Dewar Engineers explained that the AIA is a standard contract template used across various projects and may be modified to meet specific project or client needs. The edits referenced by Councilmember Orochena were made in consultation with legal counsel to tailor the document to this particular project.

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

16. Community Development

A. DISCUSSION ONLY: Accessory Dwelling Units (ADU)

Zoning Administrator Darryl Simmons presented data collected regarding community outreach on Accessory Dwelling Units (ADUs) [See **Exhibit B**]. The data was gathered through town hall meetings, an online survey, and social media interactions (Facebook only). Mr. Simmons reported that community sentiment was mixed: some residents supported ADUs for their flexibility and affordability, while others expressed concerns about neighborhood character and long-term impacts.

Mr. Simmons stated that, based on the feedback and prior Council discussion, he needed direction on whether to proceed with drafting an ADU ordinance.

After discussion, the Council directed staff to draft an ordinance without a buffer requirement. Additionally, Mayor Pro Tem Ferris requested that Mr. Simmons revisit the definition of “family” in the Unified Development Code, increasing it from three unrelated persons to five.

B. DISCUSSION ONLY: Standards for Home Occupation

Mr. Simmons reported that Zoning had submitted a rough draft in the agenda packet regarding amendments to the Home Occupation standards. While the draft has not yet been reviewed by legal, staff wanted to provide an update on the current draft, which aims to address Council concerns and ease the renewal process for home-based businesses.

Mayor Pro Tem Ferris asked whether the draft would be ready for Council consideration at the next meeting. Mr. Simmons explained that it still must be reviewed by legal, advertised, and heard before the Planning Commission. If approved to proceed, the ordinance could be considered by the Council on December 15.

Councilmember Orochena inquired about the processes for home-based businesses in surrounding cities. Mr. Simmons responded that each jurisdiction differs, but the community feedback he has received is that residents want to be informed about activities in their neighborhoods and have the opportunity to provide input.

17. Public Comments

7:15 p.m. Floor Open for Public Comments

MICHELLE NEWMAN [Cemetery Preservation Foundation President]: Ms. Newman provided an update on the Foundation's annual fundraiser, "Life in the Cemetery." This year's theme highlighted Kennesaw residents who have notable local landmarks named after them, such as roads, schools, or buildings. The event featured three tours per night from Friday through Sunday, with a total attendance of 185 people, which is 50 more than previous years. Ms. Newman expressed her gratitude to the Mayor and Council, staff, and the Cemetery Preservation Commission for their continued support.

DONOVAN GIARDINA [City Council Candidate for Post 3]: Mr. Giardina commended the City for the success of the Candy Crawl, noting that he personally gave out over 12 pounds of candy. He also thanked attendees of the recent town hall event, specifically recognizing Councilmember Gutierrez-Leon for asking thoughtful questions. Mr. Giardina encouraged residents to participate in those types of events and vote in the upcoming election on Tuesday, November 4.

MARY MILLER [City Resident]: Ms. Miller commented on the data presented regarding Accessory Dwelling Units (ADUs). She referenced Pew Research Center statistics, noting that 59% of people over age 65 use Facebook, but pointed out that other social media platforms like Instagram and Reddit were not included. Ms. Miller suggested that the presentation overstated negative sentiment at 60%, emphasizing that the younger population may have been underrepresented in the data presented.

7:20 p.m. Floor Closed for Public Comments

18. City Manager's Report

A. Reports, Discussions, and Updates

Dr. Drobney participated via Zoom and stated that all was well.

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 Orochena recognized all the actors and actresses who participated in the Life in the Cemetery tours. Despite the rain during her tour, she found it very entertaining. She also noted that the Candy Crawl was enjoyable and expressed appreciation for the movie event.

Councilmember Viars attended Life in the Cemetery on Sunday. Although she has attended every year, this was the first year that the event was impacted by rain and cold, requiring participants to sit under a tent. She commended the Foundation for making "lemonade out of lemons" and stated she really enjoyed the event. She also agreed that the Candy Crawl was a success and thanked the Downtown Merchants for their contributions.

Councilmember Jones reported receiving positive community feedback regarding the repaving of roads.

Councilmember Gutierrez-Leon thanked all participants and organizers involved with the Candy Crawl and expressed excitement for next year's event.

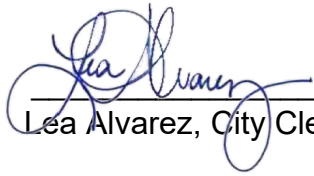
Mayor Pro Tem Ferris described Life in the Cemetery as magnificent. He noted that, despite the weather, nearly all ticket holders attended the event. He also highlighted recent improvements on North Main Street, including new streetlights and road paving, emphasizing that the City is reinvesting in infrastructure.

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 Pro Tem Ferris adjourned the meeting at 7:26 p.m. The regular meeting will be held on Monday, November 3, 2025 at 6:30 p.m. in the Council Chambers. The public is encouraged to attend.



Lea Alvarez, City Clerk

September 2025 Crime Statistics



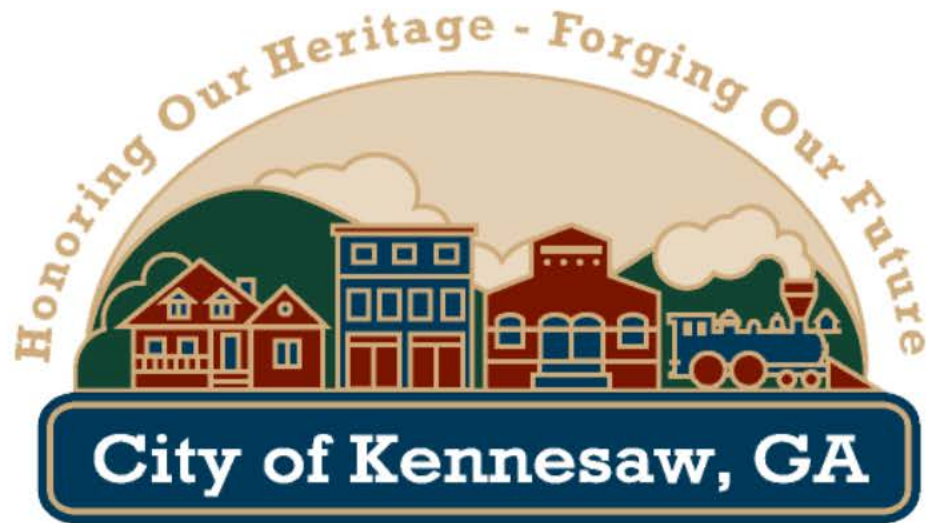
Group A Crimes	Sep 2025	Sep 2024	YTD 2025	YTD 2024
AGGRAVATED ASSAULT	6 (+3)	3	39 (+7)	32
ANIMAL CRUELTY	0 (+0)	0	0 (+0)	0
ARSON	0 (+0)	0	1 (+1)	0
BRIBERY	0 (+0)	0	0 (+0)	0
BURGLARY	2 (-4)	6	25 (-3)	28
DRUG/ NARCOTICS OFFENSES	32 (+8)	24	273 (-4)	277
EMBEZZLEMENT	0 (+0)	0	3 (+1)	2
EXTORTION	0 (-4)	4	9 (-7)	16
FORGERY	1 (+1)	0	12 (-3)	15
FRAUD OFFENSES	14 (+3)	11	128 (+12)	116
HOMICIDE OFFENSES	0 (+0)	0	0 (-2)	2
INTIMIDATION	7 (+1)	6	92 (+44)	48
KIDNAPPING	1 (-1)	2	10 (-2)	12
LARCENY/ THEFT OFFENSES	16 (+3)	13	126 (+20)	106
MOTOR VEHICLE THEFT	2 (+0)	2	25 (+4)	21
PORNOGRAPHY OBSCENE MATERIAL	0 (-1)	1	2 (-6)	8
ROBBERY	0 (+0)	0	4 (+2)	2
SEX OFFENSES	4 (-3)	7	25 (-3)	28
SIMPLE ASSAULT	16 (+5)	11	123 (-37)	160
STOLEN PROPERTY OFFENSES	0 (-2)	2	11 (-5)	16
VANDALISM	3 (-3)	6	52 (-6)	58
WEAPONS LAW VIOLATIONS	3 (+1)	2	39 (+9)	30
Totals	107	100	999	977

	Sep 2025	Sep 2024	YTD 2025	YTD 2024
Dispatched Calls for Service	823 (+69)	754	6,871 (+734)	6,137
Self-Initiated Activity	1,690 (+578)	1,112	12,993 (+3,305)	9,688
Traffic Citations	777 (+326)	451	5,687 (+725)	4,962
Traffic Warnings*	930 (+277)	653	7,174 (+1,761)	5,413
Arrests**	85 (+26)	59	733 (+7)	726

	Sep 2025	Sep 2024	YTD 2025	YTD 2024
Auto Accidents	104 (-1)	105	934 (+100)	834
Accident w/ Injury	8 (-4)	12	86 (+15)	71
Hit and Run	16 (+5)	11	117 (+33)	84
Hit and Run w/ Injury	0 (+0)	0	3 (+0)	3
Person Hit by Auto w/ Injury	2 (+2)	0	5 (+2)	3

* Warnings do not include verbal warnings
Arrests do not include juvenile arrests

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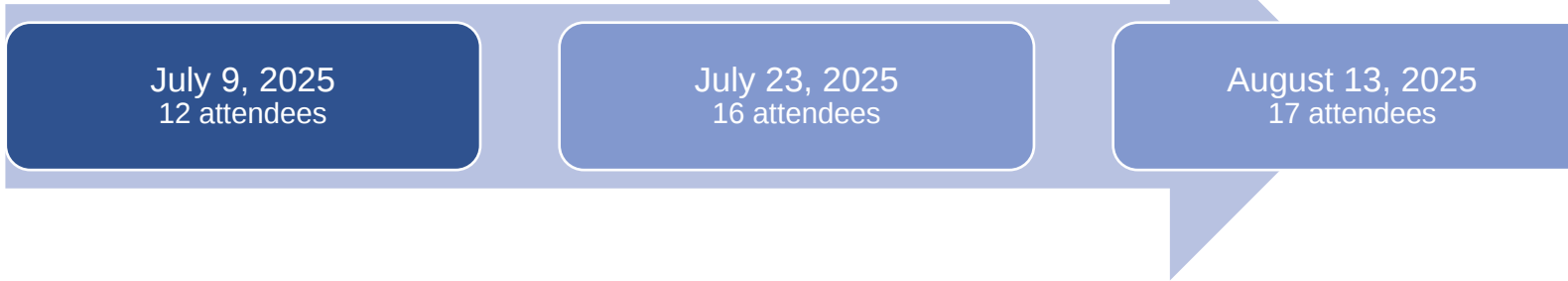


Accessory Dwelling Units (ADU) Findings

Participation Results

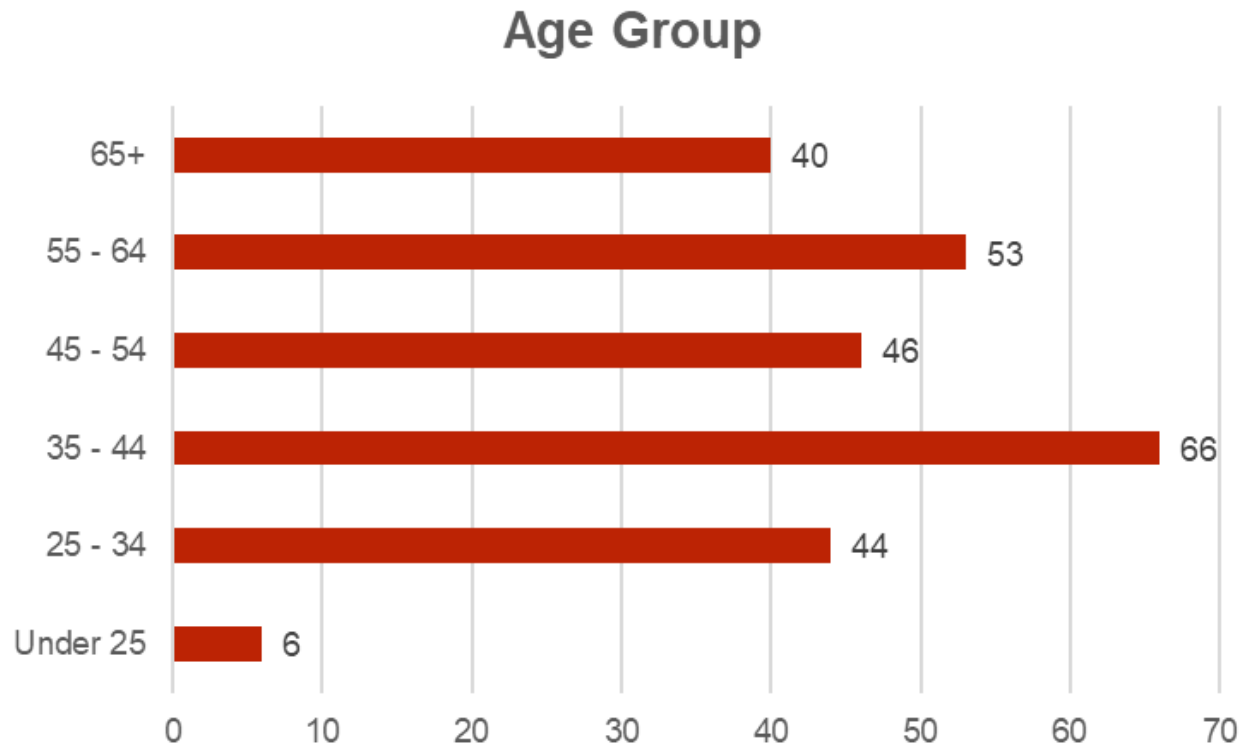


- Staff held a series of town hall meetings



- Online survey collecting data from July 9th – September 19th
- Total unique responses = 255
 - Online survey response: 212
 - *Paper survey response: 6
 - *Townhall survey response (Menti): 37
- *Not all questions had full participation*
- Social Media interactions and comments

Demographic



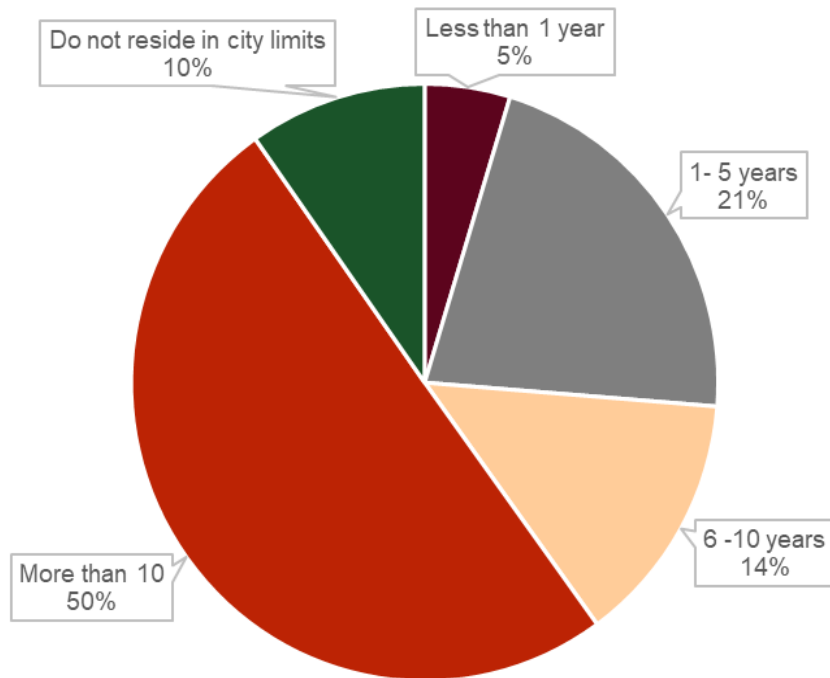
Participant Age Distribution

- 35–44 is the largest age group represented (66 participants)
- Followed by:
 - 55–64: 53 participants
 - 45–54: 46 participants
 - 25–34: 44 participants
 - 65+: 40 participants
- Under 25 is the smallest group (6 participants)

Demographic



Kennesaw Residency



Resident Tenure & Housing Type

- 50% of participants have lived in Kennesaw for over 10 years
 - 92% reside in single-family homes
 - 6% live in a townhome or duplex
 - 2% live in an apartment or condo

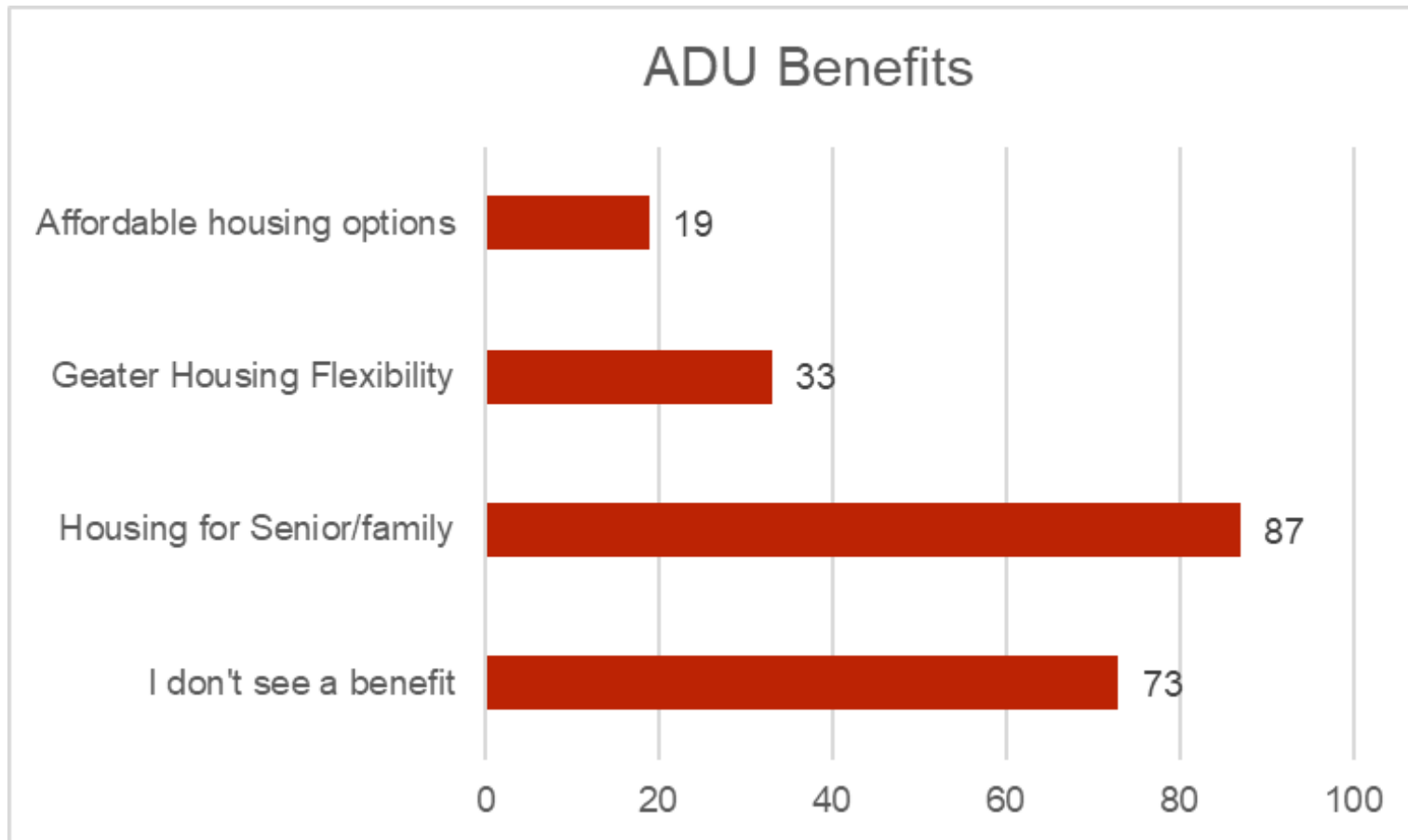
Homeownership Status

- 91% of participants own their home
- 6% (13 respondents) rent
- 3% (7 respondents) live with family or friends

[illegible]

08/13/25 Responses

Benefits of ADUs

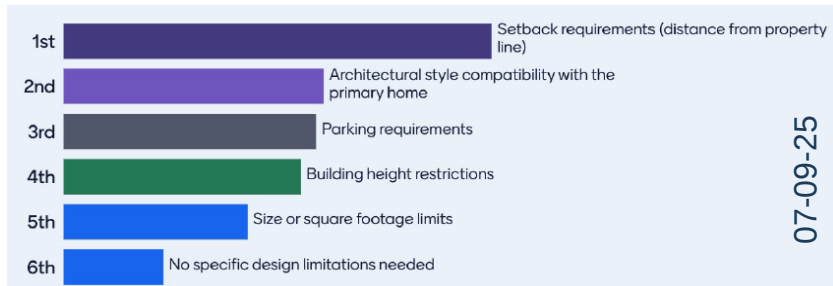


- Housing option for seniors and families
- Greater housing flexibility
- 41% did not see a benefit

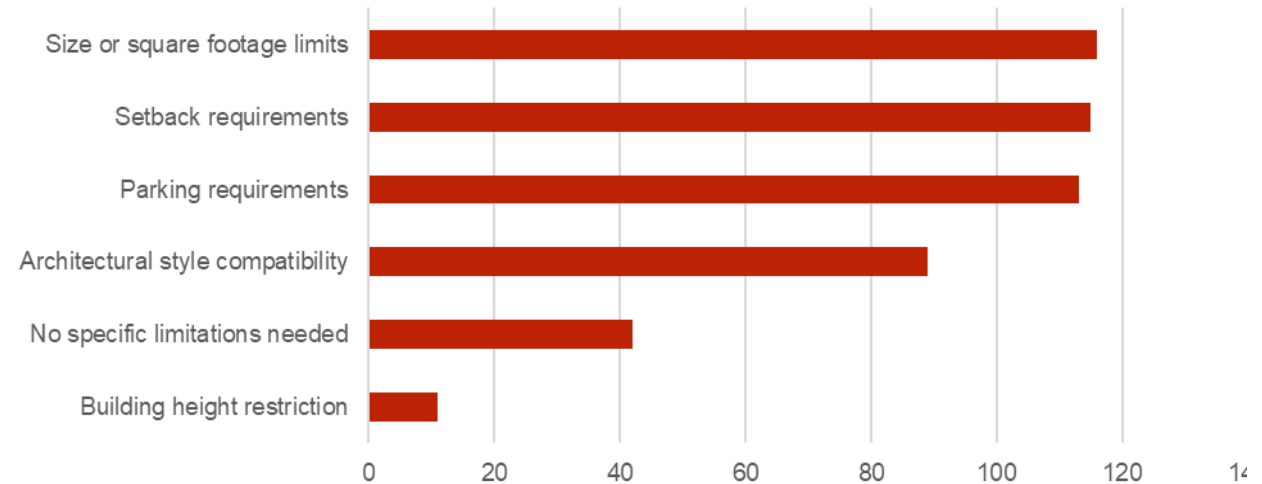
Design Consideration for ADUs



Which of the following design considerations do you believe should apply to ADUs?



Design Considerations



Top Design Concerns Identified by Respondents

- Setback Requirements
- Architectural Compatibility
- Parking Requirements

Top Community Concerns



Housing & Density

- Increased density (Increased population) and overcrowding
- Excessive housing stock

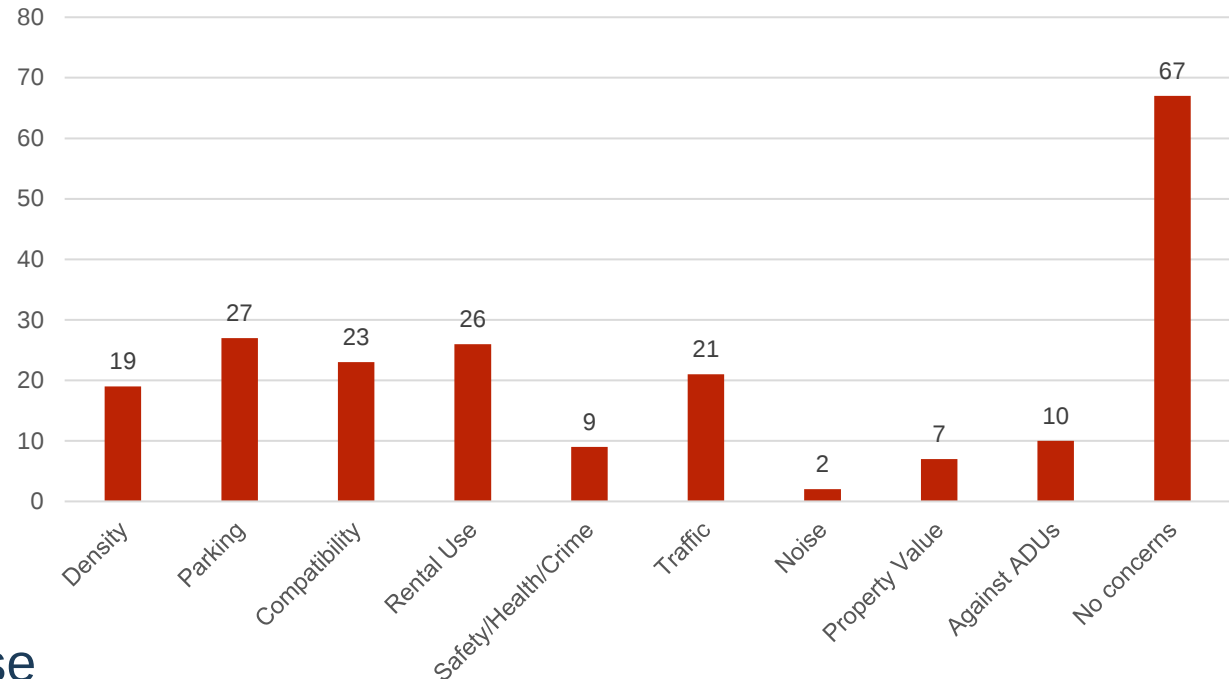
Infrastructure & Mobility

- Traffic congestion
- Limited parking availability

Neighborhood Compatibility

- Visual compatibility with existing community character
- Impact of short-term rentals (Airbnb) and rental use
- Potential effect on property values

ADUs Concerns



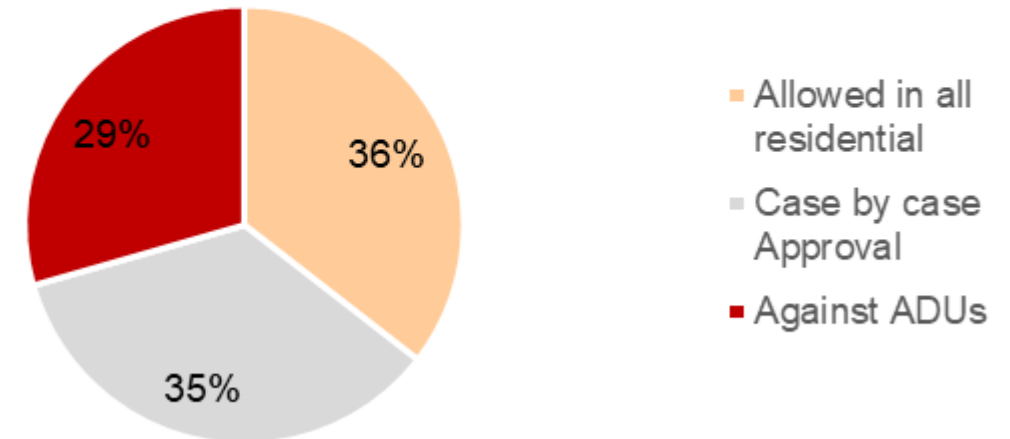
Single-family Zoning Districts and ADUs



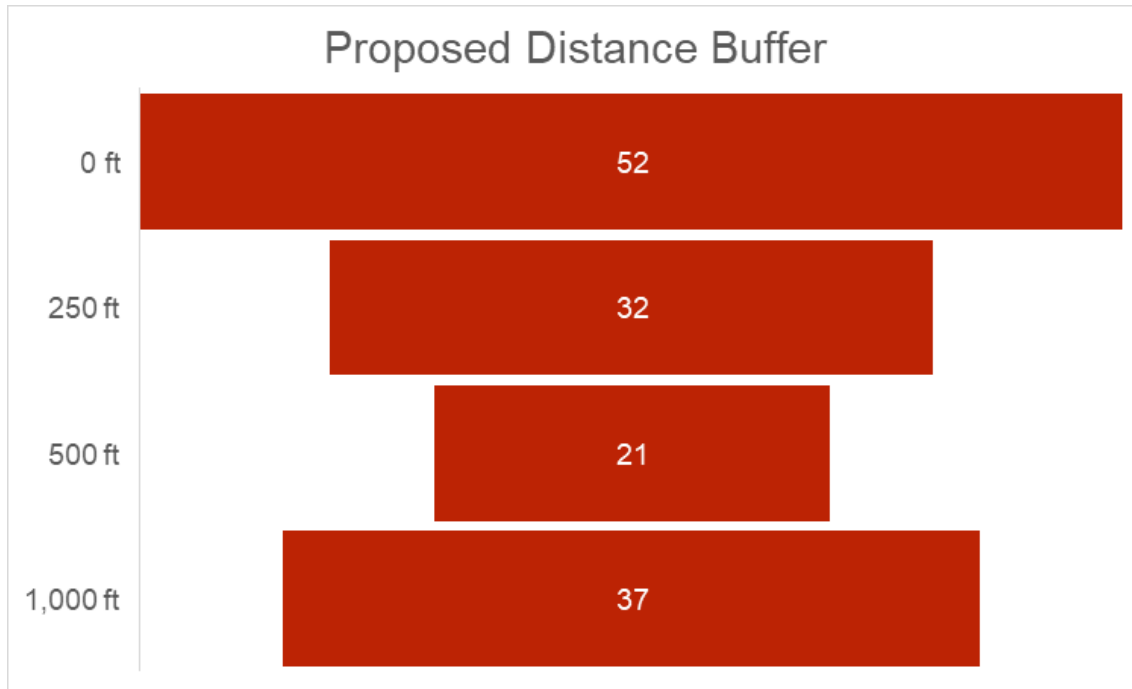
Additional comments:

- 35% suggests case by case approval to review the appropriateness on areas such as:
 - Available space (lot size)
 - Setback
 - Number of ADUs on the lot
- 36% suggests allowing ADU in all residential zoning districts
- 29% were against the presence of ADU

ADUs in Single Family Residential Districts



Distance buffer between ADUs



Additional comments

- Subject to property setback requirements
- Fire Department consultation is essential to ensure safe separation between structures
- Case by case basis with specific requirements such as lot size, lot shape, access to site, existing density in the neighborhood
- 24 survey participants did not support the implementation of ADUs

Social Media Feedback



Facebook Post (Sept 6th)

- Total Engagement: 171 comments
- 62% expressed opposition to ADUs

Key Concerns Raised by Residents

- Parking limitations and increased demand for on-street spaces
- Higher residential density and potential strain on infrastructure
- Lack of accessible information about ADU impacts and regulations
- Oversaturation of multi-use residential properties

Utility Services and Site Infrastructure



- **Load**

- A separate meter is not required.
- Project submission required to determine if the existing equipment can handle the new load.



- **Access & Placement**

- All utility-related equipment must be accessible by truck for installation, maintenance, and emergency repair.



Georgia
Power

Neighboring Jurisdictions' Experience



Jurisdiction	Ordinance Adoption	# ADUs Approved	Code Complaints	Challenges
Acworth	2018*	70*	No reported rise relating to ADUs	Utility logistics with attached ADUs
Marietta	2019	ADU construction not tracked	No reported rise relating to ADUs	Verifying "no paying guest or tenants" provision
Powder Springs	2015*	1	No reported rise relating to ADUs	No reported challenges

* Denotes estimate provided by staff

Key Takeaways from ADU Feedback



- **Mixed Community Sentiment**
 - While some residents support ADUs for flexibility and affordability, others expressed concerns about neighborhood character and long-term impacts.
- **Need for Clear Guidelines and Regulations**
- **More Information on Community Impacts**
- **Rental Use and Enforcement:** Need for clear enforcement mechanisms and monitoring.
- **Traffic, Density, and Parking Implications**



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

10/27/2025

Public Comment Sign-in

	Name	Address	Topic
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