

**MINUTES OF CITY COUNCIL MEETING
CITY OF KENNESAW
Council Chambers
August 7, 2023
6:30 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.
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1. Invocation

City Attorney Randall Bentley, Jr. led the invocation.

2. Pledge of Allegiance

City Clerk Lea Alvarez led the Pledge of Allegiance.

3. Call to Order

Mayor Easterling called the meeting to order at 6:30 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

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

agenda].

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

No comments.

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

7. Old Business

8. New Business

9. Committee and Board Reports

10. Public Hearing(s)

- A. Approval of ORDINANCE to amend the Code of Ordinances of the City of Kennesaw, Georgia, Section 2-101, "Appeals"; Section 2-115, "Established"; Section 22-8, "Application; Review and Approval or Denial of Application"; Section 22-24, "Inspection of Books and Records"; Section 22-399, "Issuance of License"; Section 22-404, "Hearing; Revocation and Suspension; Appeal"; Section 46-12, "Administrative Remedy"; Section 46-225, "Judicial Review"; Section 46-462, "Administrative Appeal and Judicial Review; Section 62-9, "Community Redevelopment Tax Incentive Program"; Section 74-38, "Required Service; Fees; Security Deposit"; Section 74-39, "Fee Waiver for Active Duty Military."

City Clerk Lea Alvarez presented an ordinance to amend various sections of the code regarding appellate procedures for administrative decisions. The amendments will reflect the changes set forth in O.C.G.A, Chapter 3, Title 5, which went into effect on July 1, 2023. This public hearing was duly advertised in the Marietta Daily Journal on July 28, 2023 and on August 4, 2023. The City Clerk recommends approval.

Motion by Mayor Pro Tem Viars to approve [ORDINANCE NO. 2023-14, 2023](#) to amend the Code of Ordinances of the City of Kennesaw, Georgia, Section 2-101, "Appeals"; Section 2-115, "Established"; Section 22-8, "Application; Review and Approval or Denial of Application"; Section 22-24, "Inspection of Books and Records"; Section 22-399, "Issuance of License"; Section 22-404, "Hearing; Revocation and Suspension; Appeal"; Section 46-12, "Administrative Remedy"; Section 46-225, "Judicial Review"; Section 46-462, "Administrative Appeal and Judicial Review; Section 62-9, "Community Redevelopment Tax Incentive Program"; Section 74-38, "Required Service; Fees; Security Deposit"; Section 74-39, "Fee Waiver for Active Duty Military," as presented. Seconded by Councilmember Sinclair.

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

No comments.

6: 34 p.m. Floor Closed for Public Comments

Vote taken, motion unanimously approved 5-0. Motion carried.

- B. Third and Final Public Hearing on the proposed RESOLUTION to adopt the Maintenance and Operation (M&O) Millage Rate.

Property Tax Administrator Latisha Gunn presented the third and final public hearing on the proposed resolution to adopt the Maintenance and Operation (M&O) Millage Rate. The city has proposed a rate of 7.75 mills, which is .25 mills lower than last year. The dates of the public hearings, the current 2023 Tax Digest and the Five Year History of the Levy were properly advertised in the Marietta Daily Journal on July 22, 2023 and July 29, 2023. In accordance with O.C.G.A. 48-5-32, the first and second public hearings were held on July 31, 2023 at 6 p.m. and August 7, 2023 at 10:30 a.m. The Finance Director recommends approval.

Motion by Councilmember Burnette to approve [RESOLUTION NO. 2023-32, 2023](#) to adopt the Maintenance and Operation (M&O) Millage Rate, as presented. Seconded by Mayor Pro Tem Viars.

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

No comments.

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

Vote taken, motion unanimously approved 5-0. Motion carried.

- C. Third and Final Public Hearing on the proposed RESOLUTION to adopt the Bond Millage Rate.

Property Tax Administrator Latisha Gunn presented the third and final public hearing on the proposed resolution to adopt the Bond Millage Rate. The City of Kennesaw is proposing a millage rate of 1.5 for the bond, which is the same as last year. Ms. Gunn noted that the bond millage rate is levied to fund the debt service on the \$15 million Recreation and Traffic Safety Bonds that were approved by the voters on September 21, 2004. The dates of the public hearings, the current 2023 Tax Digest and Five Year History of Levy were properly advertised in the Marietta Daily Journal on July 22, 2023 and then again on July 29, 2023, in accordance with O.C.G.A. 48-5-32. Ms. Gunn also noted that the second and third public hearings took place July 31, 2023, at 6:30 p.m. and August 7, 2023, at 10:30 a.m., respectively. The Finance Director recommends approval.

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

No comments.

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

Motion by Councilmember Sinclair to approve [RESOLUTION NO. 2023-33, 2023](#) to adopt the Bond Millage Rate, as presented. Seconded by Councilmember Jones.

Vote taken, motion unanimously approved 5-0. Motion carried.

11. Consent Agenda

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

Vote taken, motion unanimously approved 5-0. Motion carried.

- A. Approval of the July 10, 2023 City Council work session minutes.
- B. Approval of the July 10, 2023 Special Called FY 2023-2024 Budget work session minutes.
- C. Approval of the July 17, 2023 City Council regular meeting minutes.
- D. Approval of RESOLUTION to adopt findings on proposed local amendment to Plumbing Code for Water Efficiency Submission of proposed amendment to the Department of Community Affairs.

[RESOLUTION NO. 2023-34, 2023](#)

- E. Approval of road closures for the 2023 Taste of Kennesaw.
- F. Approval of RESOLUTION to adopt the City of Kennesaw's Budget & Fund Balance Financial Management Policy.

[RESOLUTION NO. 2023-35, 2023](#)

- G. Approval of RESOLUTION to adopt the City of Kennesaw's Cash & Investment Financial Management Policy.

[RESOLUTION NO. 2023-36, 2023](#)

- H. Approval of RESOLUTION authorizing the Mayor or his designee to execute a grant agreement between the City and the Department of Housing and Urban Development for the City's Neighborhood Improvement Project.

[RESOLUTION NO. 2023- 37, 2023](#)

- I. Approval of RESOLUTION to award bid and authorize the Mayor to execute a contract with Signature Tennis Courts Inc. for the Adams Park tennis court rehabilitation project.

[RESOLUTION NO. 2023- 38, 2023](#)

- J. Authorize use of ARPA funds to install conduits at the amphitheater side of Depot Park.
- K. On July 28, 2023, John and Anna Hall purchased one (1) cemetery lot in the Kennesaw City Cemetery. This lot is located in Section III, Plot 35, Lot A. Mayor to sign supporting deed for purchase of this lot. City Clerk recommends approval.

- L. On August 1, 2023, Dorothy M Quinley purchased one (1) cemetery lot in the Kennesaw City Cemetery. This lot is located in Section III, Plot 29, Lot F. Mayor to sign supporting deed for purchase of this lot. City Clerk recommends approval.
- M. On August 1, 2023, Charles W Quinley purchased one (1) cemetery lot in the Kennesaw City Cemetery. This lot is located in Section III, Plot 29, Lot G. Mayor to sign supporting deed for purchase of this lot. City Clerk recommends approval.

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

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

LEWIS BRAMLETT [City Resident]: Mr. Bramlett shared an interesting story about Dr. John W. Ellis, a well known doctor in the City of Kennesaw for fifty years (**See Exhibit A**).

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

19. City Manager's Report

- A. Reports, Discussions, and Updates

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.
- B. Accept the resignation of Travice Baldwin Obas from the Kennesaw Enrichment and Enhancement Program, Kennesaw Sister Cities Commission, and Kennesaw Art and Culture Commission.

[Mayor Easterling called for the Council to vote on items 20.B - 20.D as one item]

Motion by Mayor Pro Tem Viars to accept the resignations of Travice Baldwin Obas from the Kennesaw Enrichment and Enhancement Program, Kennesaw Sister Cities Commission, and Kennesaw Art and Culture Commission; Kimberly Watkins from the Kennesaw Art and Culture Commission; and Mike Ferguson from the Historic Preservation Commission. Seconded by Councilmember Sinclair.

Vote taken, motion unanimously approved 5-0. Motion carried.

- C. Accept the resignation of Kimberly Watkins from the Kennesaw Art and Culture Commission.
- D. Accept the resignation of Mike Ferguson from the Historic Preservation Commission.

21. Council Reports & Discussions

Mayor Pro Tem Viars was excited about up-coming events going on in the city and the amphitheater that would be completed soon.

Councilmember Ferris advised everyone to use caution as bad weather begins moving into the area. He was also thankful for the weather not being worse.

Councilmemeber Jones praised the police for their hard work when a tree fell down and blocked a road in his neighborhood during a recent storm. He commended them for their quick action in order to ensure the safety of the public.

Mayor Easterling added that all of the city's employees go above and beyond daily to help the public.

Councilmember Sinclair had nothing to add.

Councilmember Burnette noted that she was happy to see the direction that the city was going in and was looking forward to the future.

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 6:45 p.m. The next regularly scheduled meeting will be held on Monday, August 21, 2023 at 6:30 p.m. in the Council Chambers. The public is encouraged to attend or view via Facebook Live.

Lily Smith

Lily Smith, Deputy City Clerk

KENNESAW HISTORY

Dr. John W Ellis

Dr. John W. Ellis was the town doctor of Kennesaw for fifty years. He started his practice in downtown in 1900, but the road to his success was difficult.

A young Ellis attended school in Cherokee County, where he grew up, and for seven years went to Reinhardt Academy in Waleska. To pay for this schooling, he worked as a janitor.

After graduation, Ellis work on a farm for a year to pay of two years of school at the Southern Medical College (now part of Emory University). After two years of higher education, he returned to the farm to pay for two more years.

Ellis next planned on attending the Georgia College of Eclectic Medicine, and he had to pick cotton (earning 50 cents a day) to pay for two additional years of school. He graduated in 1900 and moved to Kennesaw. At the time of his death in 1950 he was one of Kennesaw's wealthiest landowners.



Dr. John W. Ellis. Image from Carolyn Kemp.

Presented by Andrew J. Bramlett
at the August 7, 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

8/7/2023

Public Comment Sign-in

	Name	Address	Topic
1	LEWIS ISRAHLET	2990 Summerfield Ct 30132 PSW	local history
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