

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
Meeting Agenda
September 18, 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. Settlement of Litigation - City of Kennesaw v. 2933 Moon Station Road CAFN 2022 1 8617 65 Cobb County Superior Court

1. to approve the terms of the agreement as presented;
2. to authorize the Mayor to execute the agreement before the City Clerk and with City seal;
3. to authorize a disbursement via wire transfer to the Bentley law firm IOLTA trust account in the amount of \$435,000 to satisfy the “Additional Funds” payment to Luxaryan under paragraphs 1.3 and 1.4 of the agreement; and
4. to authorize the City Attorney to file final disposition forms to close out the litigation

9. Committee and Board Reports

10. Public Hearing(s)

- A. FINAL PUBLIC HEARING: Consideration of RESOLUTION to adopt the Fiscal Year 2023-2024 Operating Budget for the City of Kennesaw and adopt the organizational chart.
- B. FINAL PUBLIC HEARING: Consideration of RESOLUTION to adopt the Fiscal Year 2023-2024 Capital Improvement (SPLOST) Budget for the City of Kennesaw.
- C. Consideration for approval of a variance application submitted by Jose Gomez for the property located at 2407 Pine Drive (Parcel Number 20016600640). Case #ZV2023-02.

11. Consent Agenda

- A. Approval of the August 28, 2023 City Council work session minutes.
- B. Approval of the September 5, 2023 City Council regular meeting minutes.
- C. Approval of RESOLUTION to update various portions fo the Master Fee Schedule
- D. Authorization to remove the crush and run road in Section III of the Kennesaw City Cemetery and to reclaim the lots removed to create the road for burial purposes.
- E. Consideration for approval of a final plat application submitted by Kennesaw Townhome Owner, LLC for 1885 & 1945 Duncan Dr. Case #FP2023-04.

12. General and Administrative

13. Public Safety

- A. Receipt of the August 2023 Crime Statistics.

14. Information Technology

15. Public Works

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 Dave Simpson as the Smith-Gilbert Gardens Executive Director.

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