

**MINUTES OF CITY COUNCIL WORK SESSION MEETING
CITY OF KENNESAW
Council Chambers
October 9, 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.

Councilmember Antonio Jones arrived at 6:34 p.m.

1. Invocation

2. 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

7. Old Business

8. New Business

9. Committee and Board Reports

10. Public Hearing(s)

- A. Consideration to approve a Land Use Permit application for the property located at 2800 Dominion Lane submitted by applicant Ali Jackson. Case #LU2023-02.

Zoning Administrator Darryl Simmons presented a land use permit application for the property located at 2800 Dominion Lane submitted by applicant Ali Jackson. Mr. Simmons explained that Ms. Jackson would like to bake and decorate cookies in her townhome. During the Planning Commission meeting on October 4, 2023, residents of the development spoke at the meeting regarding internal issues with their Home Owners Association's communication. Mr. Simmons explained that the city could not get involved in those issues. The HOA submitted a letter of approval for the proposed use. Mr. Simmons concluded all public notification requirements have been met.

- B. Approval of an ORDINANCE to amend the Unified Development Code, Appendix A, Chapters 4 and 5. Case #MISC2023-08

[Councilmember Jones arrived at 6:34 p.m.]

Zoning Administrator Darryl Simmons presented an ordinance to amend the Unified Development Code, Appendix A, Chapters 4 and 5. Mr. Simmons clarified that Chapter 4 was regarding additional language for the home occupation and business license process and Chapter 5 was a proposal from staff to amend the sign ordinance primarily giving exemptions to religious institutions for temporary signs. After legal review, there were issues with the proposed language, so Chapter 5 amendments will be withdrawn.

Councilmember Ferris saw the Planning Commission meeting last week, and the Commissioners brought up several issues. He asked if Mr. Simmons had done something to address the issues. Mr. Simmons replied there was some confusion regarding the two categories (Category A and Category B) in the Chapter 4 amendments and how the requirements will be regulated. The language talks about prohibiting a certain amount of deliveries. The question was raised as to how the city could regulate the amount of deliveries. Mr. Simmons responded the city would have to look at the volume of deliveries. There is a difference between getting a Rooms-To-Go delivery versus large, raw materials being delivered. Further, a question was raised about regulating the visiting hours for businesses that fall under Category B, such as a counselor or piano teacher. There is a set time for visitation from 8:00 a.m. to 8:00 p.m.

Councilmember Ferris said the term "deliveries" is too broad of a term for the Type A category. He asked Mayor Pro Tem Viars for some insight on how the deliveries are handled for Revival. Mayor Pro Tem Viars said Revival has a package room and every carrier knows how to get to the package room. She said she has never seen anyone

get an obscene number of deliveries. She is excited for Kennesaw to be so progressive. There is no other municipality that is doing this. She called and tried to find language and it did not exist. Mayor Pro Tem Viars stated that from a virtual office standpoint, deliveries are not a part of their business. She stated if you have to touch inventory, it needs to be coming from a warehouse somewhere, with you being in between, but it should not be coming to your house.

Mayor Easterling mentioned "bulk delivery" to describe the broad term "deliveries".

Mr. Simmons stated he would get with legal and come up with a term that is measurable.

11. Consent Agenda

- A. Approval of the September 25, 2023 City Council work session minutes.
- B. Approval of the October 2, 2023 City Council regular meeting minutes.

12. General and Administrative

- A. Consideration for approval of a Massage License for Huajian, LLC d/b/a A1 Feeling Massage located at 2839 Cherokee Street NW STE D Kennesaw, GA 30144. Applicant: Bangqiong Li.

Business License Manager LaMaya Edmonds presented a massage license for Huajian, LLC dba A1 Feeling Massage located at 2839 Cherokee Street NW, Suite D. Ms. Edmonds stated the applicant has a completed application on file and has met all requirements. The applicant was also notified regarding attendance at the regular meeting.

13. Public Safety

- A. Receipt of the September 2023 Crime Statistics.

Kennesaw Police Chief Bill Westenberger presented the September 2023 crime statistics.

14. Information Technology

15. Public Works

16. Recreation and Culture

- A. Consideration to approve the Day With Santa road closure extension.

Parks and Recreation Director Bill McNair presented a road closure extension for the Day of Santa event. The city's annual Day with Santa is on December 5, 2023. Parks and Recreation staff is requesting to extend the Watts Drive road closure from Little General Cloggers Lane to Dallas Street. This closure will be from 10:00 a.m. to 8:00 p.m. Before, the road was closed from Little General Cloggers Lane to Main Street. Residents should be able to get in and out of Revival.

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

17. Community Development

18. Public Comment/Business from the Floor

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.

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.

Motion by Councilmember Burnette to enter into Executive Session as allowed by O.C.G.A. Sec. 50-14-3 for the purpose of discussing personnel. Motion seconded by Mayor Pro Tem Viars.

After receiving visual and verbal confirmation from the Council, the motion was approved unanimously, 5-0. Motion carried.

6:46 p.m. Recess to Executive Session

The Mayor, City Council, and City Attorney attended the Executive Session.

6:53 p.m. Reconvene to Open Session

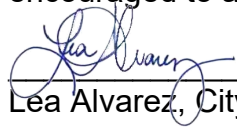
Councilmember Burnette read the Board back into Open Session and directed the Mayor and City Council to execute an affidavit in compliance with O.C.G.A. Sec. 50-14-4. Motion seconded by Mayor Pro Tem Viars.

After receiving visual and verbal confirmation from the Council, the motion was approved unanimously, 5-0. Motion carried.

23. Adjourn

Mayor Easterling adjourned the meeting at 6:53 p.m. The regular meeting will be held

on Monday, October 16, 2023 at 6:30 p.m. in the Council Chambers. The public is encouraged to attend or view via Facebook Live.

A handwritten signature in blue ink, appearing to read "Lea Alvarez", is positioned above a horizontal line.

Lea Alvarez, City Clerk