

**MINUTES OF CITY COUNCIL WORK SESSION MEETING
CITY OF KENNESAW
Council Chambers
November 13, 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 City Clerk Lea Alvarez City Manager Jeff Drobney City Attorney Randall Bentley, Sr.
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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

- A. Approval of RESOLUTION authorizing the Mayor to sign an intergovernmental agreement between Cobb County, the Cities of Marietta, Smyrna, Powder Springs, Austell, Kennesaw and Acworth and Balli Law, LLC for Service Delivery Strategy consulting matters.

City Manager Jeff Drobney presented a resolution authorizing the Mayor to sign an intergovernmental agreement between Cobb County, the cities of Marietta, Smyrna, Powder Springs, Smyrna, Kennesaw, Acworth, and Balli Law, LLC for Service Delivery Strategy consulting matters. Dr. Drobney mentioned every city is moving through their respective processes to get this agreement approved.

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

9. Committee and Board Reports

10. Public Hearing(s)

- A. Consideration for approval of a variance application submitted by Piedmont Residential, LLC for the property located at 1651 McCollum Parkway (20009900010). Case #ZV2023-03.

[Items 10. A and 10. B were presented concurrently. At the regular meeting, the floor will be opened for public comment and a vote taken for each item separately].

Planning and Zoning Administrator Darryl Simmons presented a variance and rezoning application submitted by Piedmont Residential, LLC for property located at 1651 McCollum Property. Planning and Zoning staff have been working with the developer for months on this project. The final site plan that will be discussed at the regular meeting on Monday is a direct result of collaboration between Piedmont Residential and city staff. Mr. Simmons explained he wanted several key things from this project: 1) to reduce the number of units than what was originally presented; 2) to improve the internal flow of the development with the use of rear alleys and rear driveways (particularly, to not have all units front loaded with garages); and 3) to collaborate and create a level of affordability with some of the units. Mr. Simmons went on to say that if this project is considered next Monday, it will be the first development where a zoning condition is put in place to guarantee that 14 units will be affordable or attainable. From a housing standpoint, staff has been trying to accomplish this for years, but it is hard to accomplish it because of market factors. Piedmont Residential was willing to work with staff, and they did exactly what was asked of them.

Mr. Simmons mentioned there is a necessity for a variance due to an off-site stream to the west of the property. The buffer flows onto the west side, and this is where the rear drives are located. The encroachment was because of what the city asked Piedmont Residential to create.

In the agenda packet, there is a stipulation letter dated October 27, 2023. Mr. Simmons noted that the stipulation letter would change between now and next week. Piedmont Residential revised the site plan to add more parking. The parking count went up to 269 spaces, whereas the original site plan had 245 spaces. Further, guest parking spaces increased from 14 spaces to 24 spaces. Again, Mr. Simmons reiterated that staff and the developer discussed how this development could be improved, and he believes every box has been checked.

Mayor Easterling said in all of our discussions on affordability and attainability, he wondered if the term "workforce" was a better word? Mr. Simmons agreed. He mentioned that in the stipulation letter, it states, "... in order to make more affordable for police officers, teachers, firefighters, or first-time home buyers." Mayor Easterling wanted to clarify that it is workforce housing, as he doesn't want it to be misunderstood or misinterpreted.

Councilmember Jones loved the idea of Piedmont Residential redoing the park. He appreciates the developer using the property for single-family homes.

Mayor Pro Tem Viars asked Mr. Simmons to repeat the total parking for the development, which is 269 spaces. She stated that there are almost four spaces per family. Mr. Simmons said that something to keep in mind is that the 14 units that are workforce housing will not have garages. Those units will be dependent on on-street parking directly across the street from their units. The developer and staff wanted to make sure there was enough parking for those units and their guests. Mr. Simmons stated that is why the parking numbers increased.

Councilmember Ferris mentioned it looks as though the development was close to 14 units per acre as far as density is concerned. Mr. Simmons responded it was 13.26 units per acre. Councilmember Ferris asked what the density was for the adjoining properties? Mr. Simmons stated in that area, it ranges from four to 16 units per acre. He would provide the Council with a map of the various developments for comparison. Councilmember Ferris stated that since this development is nestled in between two existing neighborhoods, he does not want to see the density be higher than either one. Since the garages were taken away from the affordable units, he is appreciative of the additional parking. Councilmember Ferris' final question was what makes the 14 units affordable. He would like to hear something about the price points and what they actually mean by "affordable."

Parks Huff, of Sams, Larkin & Huff, LLP, attorney for Piedmont Residential, stated the 14 units have dedicated parking. However, it is uncovered parking. Additionally, the units will have the same level of finish as the other units, but the sizing and lack of garages allow them to reduce the price. A potential buyer will not be receiving a cheaper product by purchasing one of the 14 units, they will be getting a more affordable product compared to the others within the subdivision. Mr. Huff pointed out the proposed subdivision has three or four different product types, which creates variations in their pricing.

Michael Miller, of Piedmont Residential, stated he would love to tell the Council what these homes would sell for in two years, but there is no way to know lumber prices and interest rates. The attainable units are similar to what was built in Pritchard Park. In Pritchard Park, there are two units in a building and each one has a one-car garage. What Piedmont Residential is doing with this development is having a two-car garage for one unit, and the other unit has two dedicated on-street parking spaces. In Pritchard Park, the two units sold relatively closely in price. Here, if you take the two units, and one unit has a two-car garage instead of a one-car garage, the value of this unit will increase. If the other unit has no garage instead of a one-car garage, the price is going to drop. Mr. Miller explained it is this that creates the separation in value between the two units in this proposed development. Mr. Miller assured the Council that Piedmont Residential is not selling the 14 units for less, so that an investor can come in and flip them for more money. He stated that this is an exercise where the public will see the difference in value and the 14 units will be perceived as more affordable than the others to create some price separation.

Councilmember Jones asked what the price would be for the 14 units. Mr. Miller restated that he could not predict what the units would go for, but that Pritchard Park sold, on average, for \$360,000 per unit. So, with this development, the price will move up and down to create separation.

Councilmember Jones wondered if the streets within the development would be city-owned or be owned by the Home Owners Association. Mr. Miller shared that that had not been determined yet. Piedmont Residential is prepared for them to be private streets, but that adds to the cost of the home. He pointed out that when we talk about attainable housing, it is not how much house one can afford, it is how much of a monthly payment one can afford. If all involved can figure out collectively how to make the streets public, that will make the units more affordable.

Councilmember Ferris said the term "affordable housing" has been thrown around without any metrics behind it. It drives him crazy because no one has any answers. Mr. Miller said the concept of "affordable" is relative. Piedmont Residential cannot throw out a price. The idea that Piedmont Residential is going to build a house and sell it for a fixed amount that is agreed upon today for a product that will be built two years from now is something they cannot do. Mr. Miller stated there is a lot of information that goes into whether a \$60,000 a year salary could afford one of the proposed houses, especially from a mortgage standpoint. It is impossible for Piedmont Residential to answer whether or not someone with such a salary could afford one of the homes. If you look at two people who make \$60,000 each, for one of those people, the home could be affordable. For the other person, it could be unaffordable because of various financial factors in that person's life. Mr. Miller could confirm that the units will be affordable relative to other products being offered and relative to what Piedmont Residential is currently building in other areas.

Councilmember Ferris mentioned Mr. Miller's previous statements about Pritchard Park

and its price point of \$360,000. Using Pritchard Park as an example, he asked if a Pritchard Park unit that has a one-car garage sold for \$360,000, how much less would a unit sell without a garage? Mr. Miller shared he had asked that question to a number of appraisers. One number he has heard is adding a garage adds \$10,000 in value, maybe even double that. Going from one to zero is a bigger drop than \$10,000. You are now looking at \$20,000 to \$30,000, which is approximately an 8-10% difference in value. Mr. Miller shared, however, you can ask a different appraiser and get another answer. Councilmember Ferris stated it sounds to him like "affordable units" is just a sales tool to try to get this development approved at 14 units per acre. He is trying to figure out where the real value is to the citizens and the city.

Mr. Huff noted there is no perfect solution for affordable housing. When Piedmont Residential entered this discussion, and as the Council has made it a goal in its Comprehensive Plan of creating more affordable housing, anyone who gets up here and says "we have the solution" is lying. He emphasized there is not a perfect solution. Mr. Huff noted this proposal will be a test case, but Piedmont Residential thinks it will be successful. They are going to give this an opportunity to see if it works out. Everyone is learning as they go along. The point of this proposed plan is to try to come up with a way to include 14 units within a development that will be more affordable to more people and create that price differential within the community.

Councilmember Ferris asked if the affordable units would be relatively the same square footage? Mr. Huff responded yes, the size would be 1,700 square feet. Most of the units are more of the same from a heated and controlled space standpoint.

Councilmember Ferris asked Piedmont Residential about throwing some metrics together for the next meeting. Mr. Miller said he could do that based on today's dollars.

Mr. Miller asked what Councilmember Ferris would consider affordable? Councilmember Ferris responded it would be someone that is making \$60,000 a year. Mr. Miller asked how much could that person afford? Councilmember Ferris shared he was not sure since he is not a mortgage specialist. His challenge to staff would be to share with the Council what could a person making \$60,000 or \$90,000 afford.

Mayor Pro Tem Viars mentioned it depends on interest rates and how much debt a person has.

Councilmember Jones likes this project, but asked if there needs to be an additional lane to help with traffic because of the higher-density developments going in nearby. Mr. Simmons explained that East Park, which was approved more than five years ago, is a development of regional impact, which means the Atlanta Regional Commission, Cobb Department of Transportation, and others had to review it. This development required a higher level of transportation study, which looked at McCollum Parkway and Cherokee Street as a whole, as well as our future SPLOST projects. It was determined that the maximum level of density proposed for East Park was okay for that area. Mr. Simmons shared that the City of Kennesaw is holding East Park to that maximum if not

lower. Anything being proposed will have a traffic implication. In this case, McCollum Parkway was reviewed and if there was any additional right of way needed, it would have been done already.

Mr. Huff mentioned that the front of the homes would face McCollum Parkway instead of backyards. Councilmember Jones asked if it could be flipped. Mr. Miller said this was an intentional effort to replicate what was done with Pritchard Park on Moon Station Road. One will see a two-story home when looking at it from McCollum Parkway, but there is a rear-entry garage on the lower level. It creates a nice streetscape along the road. Mr. Simmons stated the staff did not want a cookie-cutter subdivision.

- B. Approval of ORDINANCE for rezoning application submitted by Piedmont Residential, LLC for the property located at 1651 McCollum Parkway (20009900010). Case #RZ2023-04.

11. Consent Agenda

- A. Approval of the October 30, 2023 City Council work session minutes
- B. Approval of the November 6, 2023 City Council meeting minutes.

12. General and Administrative

13. Public Safety

- A. Receipt of the October 2023 Crime Statistics.

Captain Ricky Shumpert presented the October 2023 crime statistics (**See Exhibit A**).

14. Information Technology

15. Public Works

- A. Approval of RESOLUTION authorizing the Mayor to sign a proposal with Croy Engineering and Croft & Associates for engineering and architectural services for the Kennesaw Public Safety Facility.

Building Director Robbie Balenger presented a resolution authorizing the Mayor to sign a proposal with Croy Engineering and Croft & Associates for engineering and architectural services for the Kennesaw Public Safety Facility. Mr. Balenger said this proposal is to bring a Construction Manager At Risk onboard, which will get the city our guaranteed maximum pricing for what the Public Safety Facility building will cost. The proposal also finishes design development, creates the construction documents, and land surveys.

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

Dr. Drobney was proud to say our Kennesaw Police Department and Kennesaw Acworth 911 Center received their reaccreditation through The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA). It is a huge honor for both departments to receive their reaccreditation. Dr. Drobney recognized Nikki McGraw, 911 Director, for single-handedly managing the entire process for 911 with short-staffing and illnesses in her family.

Mayor Easterling stated Chief Westenberger has a lot of experience in the reaccreditation process. For Kennesaw Acworth 911, Mayor Easterling reminded everyone that our 911 center services two cities. When Ms. McGraw took over, she had some minor deficiencies she had to work through, and CALEA was willing to work with the City of Kennesaw to allow us to move forward with our accreditation. In the amount of time Ms. McGraw had this year, she satisfied every requirement. Ms. McGraw stood up by herself in front of a commission of 17 commissioners and spoke very well.

Congratulations to the Kennesaw Police Department and Kennesaw Acworth 911!

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

Mayor Easterling adjourned the meeting at 7:15 p.m. The regular meeting will be held on Monday, November 20, 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



October 2023 Crime Statistics

Summary

October 2023 Group A Offenses (127) increased by 13% compared to October 2022 (112). A vast majority of the crimes reported in October 2023 were Assault Offenses (36). This trend is also present in the data collected for crimes reported in October 2022. Assault Offenses account for approximately 28% (36) of the crimes that have occurred within our jurisdiction in October 2023. Out of the 633 traffic stops in October 2023, (938) resulted in Citations and 40% (279) Warnings. There were a total of 91 Adult Arrests that took place during the month, which is a 40% increase from October 2022 (65).

There were 1,078 traffic accidents YTD, 153 of which were classified as Hit and Run. Of the 1,078 accidents 6 had injuries, and 5 involved a pedestrian. YTD 2022 total accidents (1,145) are up compared to 1,078 YTD 2023.

Crimes	October 2023	October 2022	YTD (01/01/2023) – (10/31/2023)	YTD (01/01/2022) – (10/31/2022)
Assault Offenses	36	32	321	270
Motor Vehicle Theft	0	2	13	22
Burglary	3	3	26	24
Homicide	0	0	0	0
Larceny	25	23	224	245
Sex Offenses	3	2	19	23
Robbery	1	0	9	4
Total	68	62	612	588

	October 2023	October 2022	YTD (01/01/2023) – (10/31/2023)	YTD (01/01/2022) – (10/31/2022)
Dispatched Calls for Service	467 (-470)	937	5,800 (-2,556)	8,356
Self-Initiated Activity	865 (+89)	776	10,076 (-700)	9,376
Traffic Citations	938 (+115)	823	10,258 (+1,549)	8,709
Traffic Warnings*	279 (-157)	436	2,587 (-1,564)	4,151
Arrests*	91 (+27)	64	912 (+109)	803

*Warnings do not include verbal warnings

*Arrest statistics does not include juveniles

Bill Westenberger
Chief of Police



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911 Call Center: (770) 422-2505
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Bayleigh Brown
Crime/ Intelligence
Analyst