

**MINUTES OF CITY COUNCIL MEETING
CITY OF KENNESAW
Council Chambers
December 4, 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

City Attorney Randall Bentley, Sr. led the Invocation.

2. Pledge of Allegiance

The North Cobb High School Lady Warriors volleyball team led the Pledge of Allegiance.

Mayor Easterling introduced the Class 7A State Champions in volleyball, the North Cobb High School Lady Warriors, as well as staff, including Principal Matthew Moody, Athletic Director Matt Williams, and Coach Stephen Sansing. The Lady Warriors brought the 7th state title to North Cobb High School. Mayor Easterling declared December 5, 2023, as North Cobb High School Warrior Volleyball Championship Day in Kennesaw. Congratulations!

3. Call to Order

Mayor Easterling called the meeting to order at 6:33 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

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

No comments.

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

7. Old Business

8. New Business

9. Committee and Board Reports

A. Summary and Findings: Kennesaw Enrichment and Enhancement Program.

Assistant to the City Manager James Friedrich introduced the item to the Mayor and City Council. Mr. Friedrich explained the Kennesaw Enrichment and Enhancement Program (KEEP) committee spent long hours reading through the city's codes, analyzing city policies, and exploring alternative procedures. Members made a genuine effort to see where we came from, where we are now, and where we are heading as a city. Mr. Friedrich expressed his appreciation for the dedication of the volunteers' time and talents, and for sharing what they had learned with other Kennesaw residents and business owners.

Kennesaw Enrichment and Enhancement Program Chair Mitch Philips shared that this committee was ratified at the January 3, 2023, City Council meeting. Assessing current issues, garnering feedback from individuals and businesses about living and working in Kennesaw, specifically in the Central Business District, and presenting their findings to the Mayor and City Council were the goals the committee established. Mr. Philips explained at their first meeting, the committee created a list of top items they liked and disliked about living and working in Kennesaw. The list of likes included safety, downtown events, the amphitheater, parks and green space, restaurants, and the entertainment district. Common dislikes included vacant and run-down looking buildings, traffic congestion, and a lack of parking.

Mr. Phillips stated the committee focused on the dislikes by becoming familiar with the Unified Development Code and Historic Preservation Standards. The Planning and Zoning Administrator Darryl Simmons met with members to answer questions and to address any concerns. The group looked at statutes for businesses and determined that staff are upholding building codes. The KEEP Committee understood that the city could not force a business out if they are following all the statutes, even if citizens do

not agree with that business. He mentioned that they reviewed Historic Preservation Standards, and while some seemed dated, the Historic Preservation Commission is undergoing an evaluation with a consultant to bring the standards up to date.

Next, the committee focused on what appeared to be abandoned and undeveloped buildings in the downtown area. Upon further investigation, it was discovered that they are all either in some state of development or are city-owned as part of a larger road project. Economic Development Director Luke Howe attended one of their meetings to discuss ways the city can incentivize business owners to begin their redevelopment process.

Mr. Phillips shared that the group also believed that parking downtown was an issue and with the upcoming amphitheater, it would only get worse. They had discussions with Cornerstone Parking Group about how to incorporate private business parking into a city-managed traffic safety plan. He said this would ensure the event is a cohesive, safe, and enjoyable experience for our guests. The KEEP committee explored an ordinance and application process to ask businesses to apply to have paid event parking like Cobb County. They held a public forum with downtown businesses to get their input and feedback. However, business were not receptive to the idea, and the number of spaces for events is somewhat limited. The KEEP committee recommends the use of a private parking management company to coordinate event parking, including private spaces, be tabled to a later time until the amphitheater traffic can be better quantified.

Finally, other items such as walkability and bike-friendly roads were discussed, but are being addressed in the city's comprehensive plan.

In conclusion, Mr. Philips stated the areas identified as needing improvement or attention are currently being addressed by the city through various means. As chair, he appreciated the citizens who volunteered to serve on the committee. They are great examples of public engagement with positive and supportive attitudes.

10. Public Hearing(s)

11. Consent Agenda

- A. Approval of the November 13, 2023 City Council work session minutes.
- B. Approval of the November 20, 2023 City Council regular meeting minutes.

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

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

12. General and Administrative

- A. Approval of RESOLUTION to authorize investment in Georgia Fund 1 Local

Government Investment Pool and authorize the Mayor to sign the e-Resolution required by the Office of the State Treasurer.

Assistant Finance Director Jennifer Gordy presented a resolution to authorize investment in the Georgia Fund 1 Local Government Investment Pool and to authorize the Mayor to sign the e-Resolution requirement by the Office of the State Treasurer. Ms. Gordy explained the City of Kennesaw meets the criteria as defined in O.C.G.A. § 36-83-3 to participate and deposit funds from time to time in the manner prescribed by law and in accordance with the applicable policies and procedures for the local government investment pool. The City of Kennesaw meets the criteria as defined in O.C.G.A. § 36-83-3 to participate and deposit funds from time to time in the manner prescribed by law and in accordance with the applicable policies and procedures fo

Motion by Councilmember Sinclair to approve [RESOLUTION NO. 2023-51, 2023](#) authorizing investment in the Georgia Fund 1 Local Government Investment Pool and authorizing the Mayor to sign the e-Resolution requirement by the Office of the State Treasurer, as presented. Seconded by Councilmember Jones.

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

13. Public Safety

14. Information Technology

15. Public Works

- A. Approval of RESOLUTION to Acquire and Ratify the Acquisition of Right of Way and Property Interests from 3239 Cherokee Street needed for the Cherokee Street Improvement Project in exchange for City owned property at 1920 Twelve Oaks Circle.

Public Works Director Ricky Stewart presented a resolution to acquire and ratify the acquisition of right of way and property interests from 3239 Cherokee Street needed for the Cherokee Street Improvement Project in exchange for city-owned property at 1920 Twelve Oaks Circle. The city purchased 1920 Twelve Oaks Circle for the purpose of realigning Twelve Oaks to meet Ben King as part of the Ben King and Cherokee Street projects. The remnant that will be left over from the road realignment is adjacent to 3239 Cherokee Street. This exchange would be of the remnant that is left of city property for property at 3239 Cherokee Street that is needed for the Cherokee Street Improvement project.

Linda Brunt, with Bentley, Bentley, and Bentley, pointed out the city as part of the project will close the Anderson's driveway. The city will build a new driveway across the remnant and that will be the Anderson's way of accessing their home. The driveway will allow them to come up to Cherokee Street with a traffic signal.

Motion by Mayor Pro Tem Viars to approve [RESOLUTION NO. 2023-52, 2023](#) acquiring right of way and property interests from 3293 Cherokee Street needed

for the Cherokee Street Improvement Project in exchange for city-owned property at 1920 Twelve Oaks Circle, as presented. Seconded by Councilmember Sinclair.

Councilmember Ferris noted Mr. and Mrs. Anderson were in attendance and wanted to make sure they were in full agreement with the terms. The Andersons acknowledged they were in agreement.

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

- B. Approval of RESOLUTION for the Real Estate Exchange Agreement between the City of Kennesaw and Harold R. Anderson, Sr. and Patricia M. Anderson. This agreement outlines the duties and obligations of the parties with respect to the exchange of City owned property at 1920 Twelve Oaks Circle for property interests from 3239 Cherokee Street needed for the Cherokee Street Improvement Project.

Public Works Director Ricky Stewart presented a resolution for the real estate exchange agreement between the City of Kennesaw and Harold R. Anderson, Sr. and Patricia M. Anderson. The agreement outlines what will take place after the property has been swapped as well as for what items each party will be responsible. Mr. Stewart explained that the city will remove the existing driveway at 3239 Cherokee Street and rebuild a new driveway through the remnant the city is exchanging. The Anderson's existing driveway will need to be removed for two reasons: 1) the Cherokee Street Improvement project, and 2) the driveway will be too close to the new intersection of Cherokee Street and Ben King Road. The new driveway will come out onto Twelve Oaks Circle farther away from the new intersection. Further, the city will remove all structures and trees that are still on the remnant. The Anderson's obligations include that they will deed the right of way and easements the city is needing for the Cherokee Street Improvement project.

Mr. and Mrs. Anderson acknowledged they were in agreement.

Motion by Councilmember Ferris to approve [RESOLUTION NO. 2023-53, 2023](#) for the real estate exchange agreement between the City of Kennesaw and Harold R. Anderson, Sr. and Patricia M. Anderson, as presented. Seconded by Councilmember Burnette.

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

16. Recreation and Culture

17. Community Development

18. Public Comment/Business from the Floor

6:48 p.m. Floor Open for Public Comments

JAMES FRIEDRICH [Assistant to the City Manager]: Mr. Friedrich read an email submitted by Patrick O'Krongly regarding downtown development (See **Exhibit A**).

LEWIS BRAMLETT [City Resident]: Mr. Bramlett shared some of the misfortunes of Mr. Joseph Lacy (See **Exhibit B**).

6:51 p.m. Floor Closed for Public Comments

19. City Manager's Report

A. Reports, Discussions, and Updates

Assistant City Manager Marty Hughes had nothing to report.

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.

Motion by Councilmember Jones to ratify the appointment of Jim Poole to the Cemetery Preservation Commission with a term ending December 2025. Seconded by Mayor Pro Tem Viars.

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

21. Council Reports & Discussions

Councilmember Burnette hoped everyone enjoyed their Thanksgiving holiday and is looking forward to the Christmas Tree lighting.

Councilmember Jones thanked Public Works for all their decorations at Depot Park.

Councilmember Ferris is looking forward to the Christmas Tree lighting this Wednesday. He also loves it when Depot Park gets lit up. It is a sight to see.

Councilmember Sinclair circled back to the KEEP committee. He thanked the Mayor and City Council for allowing it to happen. He expressed his appreciation to Mr. Friedrich, Mr. Philips, and all the volunteers for the hard work they put in.

Mayor Easterling asked everyone on the KEEP committee to come forward after Mayor Pro Tem Viars spoke to share a little bit about their experience.

Mayor Pro Tem Viars thanked the KEEP committee members for being invested in their community. She is looking forward to the tree lighting and reminded everyone that there are a lot of business owners in Kennesaw, so while everyone is shopping, she encouraged everyone to keep it in Kennesaw.

Dennis Bradish is a KEEP Committee member and Kennesaw State University student studying Construction Management. Mr. Bradish thanked everyone for allowing him to be a part of the committee. He shared this next generation of students and leaders

need opportunities like these to learn more about their communities.

Dwayne Phelps is a KEEP Committee member and owns a retirement planning firm in Kennesaw. Mr. Phelps is not a resident, but has been working in the city for the last eight years. He wanted to do his part in making Kennesaw a great destination. When he wants to hang out, he usually goes to Marietta Square. Since joining the committee, he has been finding himself spending more time in Kennesaw.

Sharon Blandford is a KEEP Committee member and liaison for the Historic Preservation Commission. Ms. Blandford was very happy to be part of the committee and learned a lot. She shared that through this process, they had an opportunity to get ahead of the challenges that had been identified. She is a resident of Kennesaw and is grateful to have more information she can share with her neighbors about the city and its 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.

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 and legal. 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.

7:01 p.m. Recess to Executive Session

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

7:10 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 7:10 p.m. The next regularly scheduled meeting will be held on Monday, December 11, 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

Lea Alvarez

From: Patrick OKrongly [REDACTED]
Sent: Thursday, November 30, 2023 11:14 PM
To: kennesawcouncil
Subject: Downtown Development

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have been living in Kennesaw for 8 years relocating from the East Cobb area.

I was excited to see some of the new additions to the downtown area over the last few years including the new band shell. We always try to frequent local businesses to support them.

Recently, two restaurants have decided to close. Management of these businesses aside, it sends an on-going message that our downtown needs to be brought to a new level of attention. I see surrounding downtown's flourishing...Acworth, Woodstock, Marietta, etc.

We have old buildings that are vacant, buildings for sale that are critical to the development needs of the downtown area, and then the elephant in the room...the eyesore left behind by Dent Myers.

We have used so much land to build massive apartment and townhome complexes in the name of growth and it has only created more of an eyesore.

We need to pause and take a new look at the direction of the city. Why are we not acquiring these properties and then allowing developers to build best use complexes, family friendly, and yes, make an offer to Dent Myers heirs that cannot be refused. The building and the message sent by having a sign in front of the building indicating it's White History month has no place here or anywhere and sends a message that seems to have been heard by looking at our downtown and that of our sister cities in Acworth and Marietta. That business is a destination point for those seeking this type of history so relocating it elsewhere and jump starting our downtown should be a top priority.

We did things right in building a parking deck before the businesses came...now let's fill the parking spaces. It's time to wake up.

Patrick O'Krongly
3628 Foxtrot Trail
Kennesaw GA 30144
[REDACTED]

Sent from my iPhone

KENNESAW HISTORY

Joseph Lacy

Top: July 7, 1881 *Marietta Journal*

Bottom: November 5, 1903
Marietta Journal

...Mr. Joseph Lacy, who was struck by lightning, will recover, and will not lose his eye sight.

Mr. Joseph Lacy, of this county, had his pocket picked of \$38.00 in Atlanta last week.

Newspaper accounts indicate that Joseph Lacy, born on January 19, 1847, was very unlucky. There were rumors his family was connected to the Lacy Hotel, where the Great Locomotive Chase began, but there was actually no relation.

The oldest newspaper account of his life is from the July 7, 1881 *Marietta Journal*, which records that he was struck by lightning. Thankfully, he was not severely injured. Over the coming years, he would become a successful area lawyer. Bad luck struck again in 1903, when a pickpocket stole \$38 from him. Adjusting for inflation, this is around \$1000. When he passed away in 1907, the newspaper listed the wrong cemetery and had to issue a correction.

Not all in his life was unlucky. He was remembered as one of Kennesaw's best citizens, and had nine children. He was a very successful farmer, as in 1886 his five-year-old son was able to pick 58 pounds of cotton in one day.

Presented by Andrew J. Bramlett
at the December 4, 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

12/4/2023

Public Comment Sign-in

	Name	Address	Topic
1	Lewis Bramlett	2990 Summerfield Ct	local history
2	Intel Phillips	640 Tubby stone St	KEEP
3	Dennis Bradish		KEEP.
4	Dwain Phelps	4664	KEEP
5	SHARON G BLANDFOR	3626 Foxcroft Trl	KEEP
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