

**MINUTES OF CITY COUNCIL MEETING
CITY OF KENNESAW
Council Chambers
November 20, 2023
6:30 PM**

Present Mayor Derek Easterling
 Mayor Pro Tem Tracey Viars
 Councilmember Lynette Burnette
 Councilmember Pat Ferris
 Councilmember Antonio Jones
 City Clerk Lea Alvarez
 City Manager Jeff Drobney
 City Attorney Randall Bentley, Sr.

Councilmember Trey Sinclair participated via Zoom

1. Invocation

City Attorney Randall Bentley, Sr. 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 6:33 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

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

No comments.

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

7. Old Business

8. New Business

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. However, the floors for public comment were opened and a vote was taken for each item separately].

Zoning Administrator Darryl Simmons presented a variance and rezoning application submitted by Piedmont Residential, LLC for the property located at 1651 McCollum Parkway. Mr. Simmons noted that with any rezoning or variance process, our code outlines several public notification requirements that must be met. There are three phases to the city's public notification process, including the publishing of a legal ad in the Marietta Daily Journal, posting of the property, and a certified mailing to all properties within 200 feet of the subject property. Mr. Simmons stated it was brought to his attention that the certified letters that were sent out contained the wrong City Council hearing date. Because of that, one of the public notification requirements has not been met, and staff will be requesting to postpone the hearing with enough time to start the public notification process over again. Mr. Simmons pointed out that since the Planning Commission hearing date was correct, and that they held their meeting and provided recommendations, only the City Council hearing date would need to be postponed. After looking at the ordinance, Mr. Simmons recommended the hearing be postponed to the January 2, 2024 City Council meeting to allow the developer and staff time to complete what is necessary to meet the public notification requirements.

Attorney for Piedmont Residential, Parks Huff, stated on the record that Piedmont Residential is fine with the January 2, 2024 City Council meeting postponement date.

Motion by Mayor Pro Tem Viars to postpone the variance application submitted by Piedmont Residential, LLC for the property located at 1651 McCollum Parkway (20009900010) to the first meeting on January 2, 2024 City Council meeting at 6:30 p.m. Seconded by Councilmember Burnette.

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

No comments.

6:40 p.m. Floor Closed for Public Comments

Vote taken, motion unanimously approved 5-0 (Councilmember Sinclair verbally voted in the affirmative). Motion passed.

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

Motion by Councilmember Jones to postpone the rezoning application submitted by Piedmont Residential, LLC for the property located at 1651 McCollum Parkway (20009900010) to the first meeting on January 2, 2024 City Council meeting at 6:30 p.m. Seconded by Councilmember Burnette.

6:40 p.m. Floor Open for Public Comments

No comments.

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

Vote taken, motion unanimously approved 5-0 (Councilmember Sinclair verbally voted in the affirmative). Motion passed.

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.
- C. 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.

RESOLUTION NO. 2023-48, 2023

- D. 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.

RESOLUTION NO. 2023-49, 2023

- E. Approval of RESOLUTION to ratify the certified election results of the November 7, 2023 City of Kennesaw election for Mayor, Council Post 1, and Council Post 2, as provided by the Cobb County Board of Elections and Registration.

RESOLUTION NO. 2023-50, 2023

Motion by Councilmember Jones to approve the Consent Agenda engross. Seconded

by Mayor Pro Tem Viars.

Vote taken, motion unanimously approved 5-0 (Councilmember Sinclair verbally voted in the affirmative). Motion passed.

12. General and Administrative

13. Public Safety

A. Receipt of the October 2023 Crime Statistics.

Chief Bill Westenberger presented the October 2023 crime statistics (See Exhibit B).

Motion by Councilmember Ferris to receive the October 2023 crime statistics, as presented. Seconded by Councilmember Jones.

Vote taken, motion unanimously approved 5-0 (Councilmember Sinclair verbally voted in the affirmative). Motion passed.

14. Information Technology

15. Public Works

16. Recreation and Culture

17. Community Development

18. Public Comment/Business from the Floor

6:43 p.m. Floor Open for Public Comments

MARY MILLER [City Resident]: Ms. Miller said that Legacy Park had a water main break over the weekend. She expressed appreciation for how quickly it was handled.

LEA ALVAREZ [City Clerk]: Ms. Alvarez presented a local history story about the Lewis-Collier Building on behalf of Andrew Bramlett (See **Exhibit A**).

6:46 p.m. Floor Closed for Public Comments

19. City Manager's Report

A. Reports, Discussions, and Updates

City Manager Jeff Drobney thanked Parks and Recreation and Public Works for decorating the downtown area for Christmas.

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 Mayor Pro Tem Viars to ratify the appointment of Zach Buffington to the Historic Preservation Commission with a term ending on December 2025. Seconded by Councilmember Burnette.

Vote taken, motion unanimously approved 5-0 (Councilmember Sinclair verbally voted in the affirmative). Motion passed.

21. Council Reports & Discussions

Councilmember Burnette is looking forward to a nice Thanksgiving. She hopes everyone has a safe holiday as well.

Councilmember Sinclair appreciated the ability to Zoom into the meeting tonight.

Councilmember Jones expressed Happy Thanksgiving to everyone. He recognized Chief Westenberger and his team for the increased presence in the downtown area. He requested the flags to be lowered to half-staff in honor of the passing of former First Lady Rosalynn Carter.

Councilmember Ferris wished everyone a safe and happy Thanksgiving.

Mayor Pro Tem Viars wished everyone a happy Thanksgiving. She reminded everyone to reach out to those they think they might be alone this holiday season.

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 6:50 p.m. The next regularly scheduled meeting will be held on Monday, November 27, 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

KENNESAW HISTORY

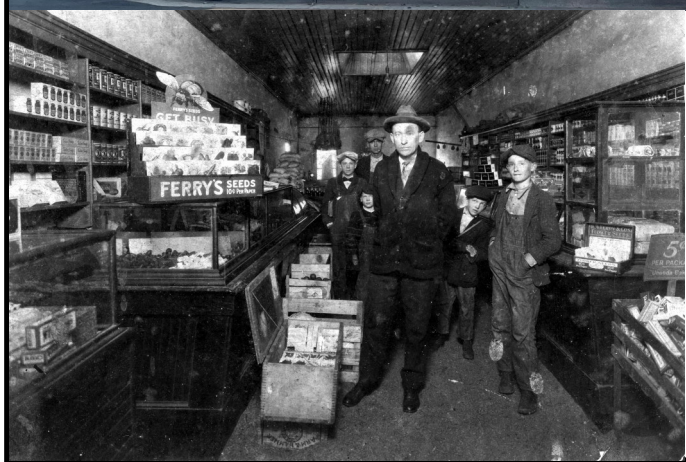
Lewis-Collier Building

At the corner of Lewis and Main Streets is the J. G. Lewis Building, also called the Collier Building. For over a century it was the tallest building in Downtown Kennesaw.

The building was built between 1903 and 1904 by J. G. Lewis, a local entrepreneur, banker, and mayor. The foundation for a two-story building was laid in October 1903, a little over 120 years ago. The first floor would be Lewis' general store, and the second floor would be the Masonic Lodge.

Partway during construction, the decision was made to add a third story, giving the general store two whole floors. The Masonic Lodge would still occupy the top floor. In February 1904, the building was completed.

Interestingly, the clay used to make the bricks was locally excavated, leaving a gapping hole on Mrs. Shumway's nearby property. The council had to order Lewis and his contractor to fill the hole.



Top: Lewis-Collier Building

Bottom: J. G. Lewis store, c. 1910
Image from *Images of America: Kennesaw*

Presented by Andrew J. Bramlett
at the November 20, 2023,
City of Kennesaw Mayor &
Council Meeting

KENNESAW
HISTORICAL
SOCIETY



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



Kennesaw Police Department
2539 J. O. Stephenson Ave., Kennesaw, GA, 30144
911 Call Center: (770) 422-2505
Criminal Investigations Division: (770) 429-4533



Bayleigh Brown
Crime/ Intelligence
Analyst

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

11/20/2023

Public Comment Sign-in

	Name	Address	Topic
1	Mary Miller	390 Scatter Trail	Water Main B.
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