

**MINUTES OF CITY COUNCIL MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
March 18, 2024
6:30 PM**

Present Mayor Derek Easterling
 Mayor Pro Tem Antonio Jones
 Councilmember Madelyn Orochena
 Councilmember Tracey Viars
 Councilmember Pat Ferris
 Deputy City Clerk Christie Burgner
 City Manager Jeff Drobney
 City Attorney Randall Bentley, Sr.

1. Invocation

City Attorney Randall Bentley led the invocation.

2. Pledge of Allegiance

City resident Lewis Bramlett led the Pledge of Allegiance.

3. Call to Order

Mayor Easterling called the meeting to order at 6:32 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

6:33 p.m. Floor Open for Public Comments

ANTHONY GUTIERREZ [Candidate for City Council, Post 5]: Mr. Gutierrez provided his contact information for anyone who may want to speak with him. Further, he advised he did not believe there were enough "quality third spaces" in Kennesaw, which is how you spend your time other than home or work. Although there is much new housing, self storage and car washes, there are not enough "third spaces." Mr. Gutierrez stated the city could possibly attract more businesses with small tax incentives, as Kennesaw residents need places to go in Kennesaw to enjoy themselves.

JASON ACREE [Candidate of City Council, Post 5]: Mr. Acree provided his contact information for anyone who may want to speak with him. He advised of his early years within Kennesaw, his love of the city and the wonderful things to do here, and is looking forward to the opportunity to serve the citizens of Kennesaw.

7. Old Business

8. New Business

A. Resolution: Master Fee Schedule Update

Consideration for approval of a resolution to update various portions of the Master Fee Schedule.

Deputy City Clerk Christie Burgner presented updates for the Master Fee Schedule from the Events Committee, the Southern Museum, Parks & Recreation, and Smith-Gilbert Gardens. Councilmember Ferris thanked Ms. Burgner for the new document created with only the updates listed as the original is a 40-page document. There were no further council questions or comments.

Mayor Pro-Tem Jones moved to approve [RESOLUTION NO. 2024-13, 2024](#) Master Fee Schedule Updates as provided. Councilmember Orochena seconded the motion. Vote taken, motion unanimously approved (4:0). Motion passed.

9. Committee and Board Reports

10. Public Hearing(s)

A. Ordinance: Charter Amendment to Section 3.04 "Oath of Office"

FINAL PUBLIC HEARING

Consideration for approval of an ordinance to amend the City of Kennesaw Charter § 3.04, "Oath of Office."

Deputy City Clerk Christie Burgner presented information on the proposed amendment to the City of Kennesaw Charter § 3.04, "Oath of Office" with the addition of the Oath of Office, the Loyalty Oath, and the Statutory Oath, additionally after the official oaths are taken by municipal officers, those oaths shall be filed in the office of the judge of the probate court. Ms. Burgner explained that this charter amendment must be read at two regular consecutive meetings of the Mayor and City Council. The first public hearing was held on March 4 and the final public hearing on March 18.

Motion by Councilmember Ferris to approve [ORDINANCE NO. 2024-05, 2024](#) to

update Charter Sec. 3.04 as presented. Seconded by Councilmember Viars.

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 4-0. Motion passed.

B. Ordinance: Rezoning Request for 2573 Summers Street

Consideration for approval of an ordinance authorizing a rezoning request submitted by Jackson Webb for the property located at 2573 Summers St (parcel number 20016700410). Case #RZ2024-01.

Assistant Zoning Administrator Chanelle Campbell provided information for Ordinance 2024-06, 2024 for a rezoning request submitted by Jackson Webb for the property located at 2573 Summers Street from Light Industrial to Central Business District (CBD), Case #RZ2024-01 Sherwin Williams. Ms. Campbell provided the boundaries for the property, and discussed the owner's intent to remodel and refurbish the existing building to align with surrounding businesses. The City's land use policy and Comprehensive Plan supports the rezoning request as the flexibility of the zoning district allows for diverse development that will serve the residential and commercial needs of citizens. Planning Commission approved unanimously with outlined stipulations at their March 6 meeting. Staff recommends approval with the five conditions provided.

Mayor Pro-Tem Jones moved to approve [ORD NO. 2024-06, 2024](#) rezoning request for 2573 Summers Street with outlined conditions. Councilmember Viars seconded.

6:46 p.m. Floor Open for Public Comment

No comments.

6:47 p.m. Floor Closed for Public Comment

Councilmember Ferris inquired if only contractors could utilize this Sherwin Williams. Ms. Campbell advised that while it is geared toward contractors, residents would not be turned away. Councilmember Ferris asked if the Historic Preservation Commission had heard this request. Ms. Campbell advised they had heard the request as a CBD item and approved with conditions.

Vote taken, motion approved unanimously (4:0). Motion passed.

11. Consent Agenda

Councilmember Orochena asked that Item C [Revenue Bonds: URA Series 2014A and 2014B] be removed from the Consent Agenda as she had questions regarding the item.

Mayor Easterling called for a motion on Consent Agenda items A, B and D.

Councilmember Viars moved to approve Consent Agenda items A, B and D. Seconded by Mayor Pro-Tem Jones. Vote taken, motion unanimously approved (4-0). Motion passed.

A. Minutes: February 26, 2024, City Council Work Session

Approval of the February 26, 2024, City Council work session minutes.

B. Minutes: March 4, 2024, City Council Regular Meeting

Approval of the March 4, 2024, City Council regular meeting minutes.

C. Revenue Bonds: URA Series 2014A and 2014B

Approval to authorize the Refunding of the Urban Redevelopment Agency Series 2014A and 2014B Revenue Bonds

Councilmember Orochena asked for clarification of Item C and why there was a three million dollar bond and a two million dollar bond. City Manager Drobney advised of the two original bonds and that one was tax exempt and one was not. Mayor Easterling explained that refinancing the bonds would equate to savings for the City of \$275,000. Councilmember Orochena asked that the item be tabled or postponed to the next meeting so she could understand it better and asked about a payout date. Mayor Easterling advised again of refinancing and savings, and added that there is an annual payment. City Attorney Bentley advised the interest rate was lower. Councilmember Orochena advised she had clarity on the matter. Motion by Councilmember Ferris to approve the refunding of the Urban Redevelopment Agency Series 2014A and 2014B Revenue Bonds as presented in the packet. Seconded by Councilmember Orochena. Vote taken, motion unanimously approved (4:0). Motion passed.

D. Proposed road closures for 2024 City events.

Approval of the proposed road closures pertaining to the Kennesaw Grand Prix Series, Salute to America, and Day with Santa.

12. General and Administrative

13. Public Safety

A. February 2024 Crime Statistics

Receipt of the February 2024 Crime Statistics.

Chief Westenberger provided crime statistics for the month of February 2024 [See Exhibit A]. Mayor Pro-Tem Jones thanked Chief Westenberger for all that his department does along with the Real Time Crime Center. Chief Westenberger advised that staff had worked hard this week. Motion by Mayor Pro Tem Jones to receive the February 2024 crime statistics, as presented. Seconded by Councilmember Viars. Vote taken, motion unanimously approved (4-0). Motion passed. Mayor Easterling also thanked Chief Westenberger for inviting Georgia Insurance Commission Supervisory Special Agent Bill Baker to the work session on March 11.

14. Information Technology

15. Public Works

16. Recreation and Culture

17. Community Development

A. Final Plat Application: 1740 & 1750 Old 41 Highway

Consideration for approval of a final plat application submitted by Kennesaw RE Investors, LLC d/b/a Gaines Park Senior Living for 1740 & 1750 Old 41 Hwy (parcel numbers 20021200310 and 20021200030); this plat intends to adjust the property lines, as the building and parking lot currently occupy two parcels. Case #FP2024-01.

Before presentation began, Councilmember Viars advised Mayor and Council that she would abstain from the conversation and recused herself from the vote for this agenda item.

Planning and Zoning Administrator Darryl Simmons presented information for the final plat application submitted by Kennesaw RE Investors, LLC d/b/a Gaines Park Senior Living for 1740 & 1750 Old 41 Hwy to adjust the rear lot line to bring the parcels into compliance. The property will remain with the same zoning district. Planning and Zoning and Cobb Water and Sewer have reviewed and approved the application. Motion by Mayor Pro Tem Jones to approve the final plat application. Seconded by Councilmember Ferris. Vote taken, motion unanimously approved (3-0). Motion passed.

Mayor Easterling asked that the record reflects Councilmember Viars did not participate in the vote or discussion.

B. Central Business District Application: 2573 Summers Street

Consideration to review a Central Business District (CBD) project application to remodel the vacant property located at 2573 Summers St (parcel number 20016700410) for a proposed Sherwin-Williams paint store. Case #CBD2024-01.

Planning and Zoning Administrator Darryl Simmons presented information for the Central Business District application for 2573 Summers Street which is associated with Public Hearing Agenda Item 10.B Rezoning Request. This application was reviewed and approved by the Historic Preservation Commission on March 15, and while it is outside the typical historic district the applicant is committed to using materials to compliment the area. Staff and the Planning and Zoning Commission approved application as well. There were no questions from Council. Motion by Councilmember Viars to approve the project application to remodel the vacant property located at 2573 Summers Street. Seconded by Councilmember Orochena. Vote taken, motion unanimously approved (4-0). Motion passed.

18. Public Comment/Business from the Floor

ANDREW BRAMLETT [City Resident]: Mr. Bramlett presented a follow-up to a previous story about Dr John Ellis who was a Kennesaw mayor in 1906, 1916, 1917 and 1923 (See Exhibit B). Mayor Pro-Tem Jones asked about the length of the Mayor's terms at that time. Mr. Bramlett advised that terms for mayors were one year.

ANN PRATT [City Resident]: Ms. Pratt jokingly advised that she had made herself Park Superintendent for the city and noted that when she was at Swift Cantrell over the

weekend she saw people there from Bartow, Cherokee and Paulding counties. She recounted meeting a 90 year old woman in a wheelchair who was delighted to use the wheelchair swing. Ms. Pratt stated she had been a resident of the city for 40 years and tries to make friends with everyone. This wonderful city continues to grow and she did not move here for restaurants. She stated there may be too many apartments, but the city is good and have good people. There is no reason for people to bash the city just because they do not agree with everything the city does. Ms. Pratt advised the police department, mayor and city manager are great, and while no one is perfect, she appreciates all they do.

19. City Manager's Report

A. Reports, Discussions, and Updates

Dr. Drobney advised there are a lot upcoming city activities this weekend including the Bunny Breakfast and preparations are beginning for the Big Shanty Festival. He encouraged people to check out the investment the city has made with Depot Park and how it will be transformational and will increase downtown activities. His trip to downtown last weekend showed it was packed and there is more to come.

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

Mayor Pro-Tem Jones stated he was able to bring one of his sons home from the hospital this week. He stated the new plants that have gone in around the city look nice, and he hopes they take root.

Councilmember Ferris recognized what a wonderful job the Parks and Recreation Department does with its activities, as well as the Public Works Department which is in pothole season.

Councilmember Orochena had no comment.

Councilmember Viars advised the countdown is 33 days to Big Shanty Festival! Ms. Viars stated she was at the Ben Robertson Community Center when she came across a brochure with senior programs on Tuesdays, of which there are a lot, and she wanted to get the word out about them.

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 7:12 p.m. and thanked attendees for loving their city and being engaged. The next regular work session will be held on Monday, March 25, 2024, at 6:30 p.m. in the Council Chambers. The public is encouraged to attend or view via Facebook Live.

DRAFT



February 2024 Crime Statistics

Summary

February 2024 Group A Offenses (108) decreased by 19% compared to February 2023 (133). A vast majority of the crimes reported in February 2024 were Assault Offenses (29). This trend is also present in the data collected for crimes reported in February 2023. Assault Offenses account for approximately 27% (29) of the crimes that have occurred within our jurisdiction in February 2024. Out of the 644 traffic stops in February 2024, (1,044) resulted in Citations and (849) Warnings. There was a total of 90 Adult Arrests that took place during the month, which is a 15% increase from February 2023 (78).

There were 226 traffic accidents YTD, 23 of which were classified as Hit and Run. Of the 226 accidents 16 had injuries, and 2 involved a pedestrian. YTD 2024 total accidents (226) are down compared to 271 YTD 2023.

Crimes	February 2024	February 2023	YTD (01/01/2024) – (02/29/2024)	YTD (01/01/2023) – (01/28/2023)
Assault Offenses	29	26	65	57
Motor Vehicle Theft	1	1	3	1
Burglary	3	4	6	6
Homicide	0	0	0	0
Larceny	15	25	46	49
Sex Offenses	2	3	5	3
Robbery	0	2	0	2
Total	50	61	125	118

	February 2024	February 2023	YTD (01/01/2024) – (02/29/2024)	YTD (01/01/2023) – (02/28/2023)
Dispatched Calls for Service	649 (-122)	771	1,029 (-540)	1,569
Self-Initiated Activity	1,002 (-153)	849	1,941 (-17)	1,958
Traffic Citations	1,044 (+206)	838	2,085 (+180)	1,905
Traffic Warnings*	511 (+310)	201	975 (+483)	492
Arrests*	90 (+12)	78	176 (+1)	175

*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

KENNESAW HISTORY

Dr. John W Ellis

Last year, I shared about the early life of Dr. John W. Ellis, who moved to Kennesaw in 1900 to start his medical practice. He soon became a fixture of the community. Today, I have several additional anecdotes about his life found in historic editions of the *Marietta Daily Journal* and *Cobb County Times*.

In 1906, he attended a Valentine's Day Party hosted by B. H. Hill. While playing "pin the tail on the donkey" it was the "surgical skill of Dr. Ellis [that] enabled him to re-tail the donkey."

Dr. Ellis was very involved with the medical community in Cobb County. In 1935, he hosted a meeting of the Cobb County Medical Society at his house. The chicken pie Ellis served was so large it made the front page of the *Marietta Daily Journal*. The paper described it as "tremendous, colossal, immense, huge, etc." At the same meeting, a presentation was given on heart disease.

Later in life, Dr. Ellis purchased a television set and he "watched constantly. Milton Berle was his favorite entertainer." He was a big enough fan of Berle that it was mentioned in his obituary when he passed away in 1950.



Dr. John W. Ellis

Local doctor and Mayor of Kennesaw (1906, 1916-1917, and 1923)

Presented by Andrew J. Bramlett at the March 18, 2024,
City of Kennesaw Mayor & Council Meeting

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

3/18/2024

Public Comment Sign-in

	Name	Address	Topic
1	Andrew J. Brant	2490 Summerhill Ct, Kennesaw	Local history
2	Jason Apple	2803 Summer Street Dr Kennesaw	- Campaign
3	Anthony Gutierrez	4016 Palmyra Dr	candidate
4	Ann Pratt	Kennesaw, Ga	
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