

**MINUTES OF CITY COUNCIL MEETING
CITY OF KENNESAW
Council Chambers
(2529 J.O. Stephenson Avenue, Kennesaw, GA 30144)
April 15, 2024
6:30 PM**

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

Rabbi Zalman Charytan 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 6:33 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

- A. **Proclamation: Education and Sharing Day**
Presentation of a proclamation declaring April 19, 2024, as Kennesaw

Education and Sharing Day.

Mayor Easterling presented a proclamation declaring April 19, 2024, as Kennesaw Education and Sharing Day to Rabbi Zalman Charytan.

B. Proclamation: Georgia Cities Week

Presentation of a proclamation recognizing April 21 - 27, 2024, as Georgia Cities Week.

Mayor Easterling presented a proclamation recognizing April 21 - 27, 2024, as Georgia Cities Week to Communication Specialist Rachel Mikell.

6. Public Comment/Business from the Floor

Prior to public comment, Mayor Easterling requested that agenda item 8. A be postponed to a special meeting called on April 29, 2024, at 6:00 p.m. Councilmember Ferris will be abstaining from the vote due to the location of his residence in relation to the Sardis Street Extension and Overpass project.

Motion by Councilmember Viars to remove agenda item 8. A from the agenda. Seconded by Councilmember Orochena. Vote taken, motion approved 3-0-1 (Councilmember Ferris abstained). Motion passed.

Motion by Councilmember Viars to postpone the item to a special meeting called April 29, 2024, at 6:00 p.m. Seconded by Councilmember Orochena. Vote taken, motion approved 3-0-1 (Councilmember Ferris abstained).

Mayor Easterling requested agenda item 12. A move to follow agenda item 6 to accommodate a time constraint for the representative from Mauldin and Jenkins, LLC. Motion by Councilmember Viars to move agenda item 12. A to follow agenda item 6. Public Comment/ Business from the Floor. Seconded by Councilmember Ferris. Vote taken, motion unanimously approved 4-0. Motion passed.

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

No comments.

6:44 p.m. Floor Closed for Public Comments

12. General and Administrative

A. Audit Report: Fiscal Year ended September 30, 2023

Consideration to accept the Audit Report for Fiscal Year Ended September 30, 2023, for the City of Kennesaw as presented by Mauldin and Jenkins, LLC.

Finance Director Gina Auld introduced Christopher McKeller from Mauldin and Jenkins, LLC to present the Audit Report for Fiscal Year ended September 30, 2023, for the City of Kennesaw. Mauldin and Jenkins, LLC issued an unmodified or clean opinion as the respective financial statements presented fairly the financial position and results of operations for the city for the fiscal year ending September 30, 2023.

7. Old Business

8. New Business

A. Resolution: Support for the Atlanta Regional Commission's (ARC) Transportation Improvement Program (TIP) Grant Application

Consideration for approval of a Resolution acknowledging support of the ARC's TIP grant application, along with the required local match, for the Sardis Street Extension and Overpass Project.

[This item was removed and postponed to a special meeting called on April 29, 2024, at 6:00 p.m. Please see agenda item 6].

9. Committee and Board Reports

10. Public Hearing(s)

A. Land Use Permit: 4299 Brighton Way

Consideration for approval of a Land Use Permit application for property located at 4299 Brighton Way as submitted by Maria Balzan. Case #LU2024-02.

Assistant Zoning Administrator and Planner Chanelle Campbell presented a land use permit application for property located at 4299 Brighton Way to obtain a home occupation business license to create and sell floral arrangements. The property is surrounded by single-family detached units and is zoned Planned Unit Development. Staff believes the use is low in commercial intensity and should not cause a nuisance to adjacent properties. The Zoning Administrator recommended approval with the following conditions: the land use permit is limited to, exclusive to, and only valid for the current applicant and the life of this particular business and use, and it is not transferrable. Any changes would require additional review and approval; there shall be no clients, customers or employees at this location. Nor shall there be any evidence of a home-based business visible from the public right-of-way; and the land use permit is valid for 24 months after the date of approval.

Motion by Mayor Pro Tem Jones to approve the land use permit application for property located 4299 Brighton Way submitted by Maria Balzan as presented, including conditions as outlined. Seconded by Councilmember Orochena.

6:58 p.m. Floor Open for Public Comments

No comments.

6:59 p.m. Floor Closed for Public Comments

Vote taken, motion unanimously approved 4-0. Motion passed.

11. Consent Agenda

Mayor Pro Tem Jones requested 11.G be removed from the Consent Agenda.

Motion by Councilmember Ferris to remove item 11. G from the Consent Agenda.
Seconded by Mayor Pro Tem Jones.

Vote taken, motion approved 3-1 (Councilmember Viars opposed). Motion passed.

Motion by Mayor Pro Tem Jones to approve items 11. A-F, and H. Seconded by Councilmember Viars.

Vote taken, motion unanimously approved 4-0. Motion passed.

Motion by Councilmember Viars to approve item 11. G. Seconded by Councilmember Ferris.

Vote taken, motion approved 3-1 (Mayor Pro Tem Jones opposed). Motion passed.

A. **Minutes: March 25, 2024, Work Session**

Approval of the March 25, 2024, City Council work session minutes.

B. **Minutes: March 28, 2024, CIE-STWP Overview Minutes**

Approval of the March 28, 2024, Capital Improvement Element and Short Term Work Program Overview minutes.

C. **Minutes: April 1, 2024, City Council Meeting**

Approval of the April 1, 2024, City Council regular meeting minutes.

D. **Minutes: April 1, 2024, Executive Session**

Approval of the April 1, 2024, City Council executive session minutes.

E. **Resolution: Transfer 2011 SPLOST Funds**

Consideration for approval of a Resolution to transfer remaining funds from the 2011 SPLOST Pine Mountain Road project to the 2011 SPLOST Cherokee Street project.

RESOLUTION 2024-17, 2024

F. **Road Closures: Amphitheater Events**

Consideration for approval of Cherokee Street closures for the 2024 Concert Series at the amphitheater at Depot Park.

H. **Resolution: Naming Rights for the Amphitheater at Depot Park**

Consideration for approval of a Resolution authorizing the Mayor to sign the Naming Rights Agreement with The Piedmont Bank regarding the new amphitheater.

RESOLUTION NO. 2024-18, 2024

G. Resolution: Depot Park Security Cameras

Consideration for approval of a Resolution authorizing the use of Parks and Recreation impact fee funds and to have the Mayor execute a quote with NetPlanner Systems, Inc. for the installation of security cameras in the amphitheater side of Depot Park.

RESOLUTION NO. 2024-19, 2024

13. Public Safety

A. Crime Statistics: March 2024

Consideration to receive the March 2024 crime statistics.

Captain Ricky Shumpert presented the March 2024 crime statistics (See **Exhibit A**).

Motion by Mayor Pro Tem Jones to receive the March 2024 crime statistics as presented. Seconded by Councilmember Orochena.

Vote taken, motion unanimously approved 4-0. Motion passed.

14. Information Technology

15. Public Works

16. Recreation and Culture

17. Community Development

18. Public Comment/Business from the Floor

7:02 p.m. Floor Open for Public Comments

ANTHONY GUTIERREZ [Candidate for City Council Post 5]: Anthony Gutierrez wanted to discuss Accessory Dwelling Units, also known as ADUs. ADU is an umbrella term used to describe extra living spaces built on an already established residential property. Housing supply isn't meeting current demands, causing the cost of living and housing prices to skyrocket, becoming unaffordable for most. By allowing homeowners to invest in these types of properties, Anthony stated the city would create opportunities for families to stay together, generate new revenue streams, and take advantage of the land they already own. The City of Kennesaw does not have specific regulations for ADUs, which creates a legal gray area. Anthony would like to have ADUs addressed in the city's code.

SAM FOSTER [County Resident]: Sam Foster is a part of a local advocacy group known as A Better Cobb, which advocates for a resilient, equitable, and productive Cobb County. The county overall is dealing with a housing shortage and a response to that shortage could be accessory dwelling units. Sam stated that ADUs are a great way to increase and diversify housing stock, which empowers homeowners to use land they already own. The problem with this idea in Kennesaw is that there is not anything in the code that explicitly states whether a homeowner can have an ADU. The Zoning

Administrator shared in an email that there is not an ordinance in the city's code regulating ADUs. A Better Cobb is proposing that an ordinance is passed allowing ADUs in all residential zoning categories (See **Exhibit B**).

MARTY HUGHES [Assistant City Manager]: The Assistant City Manager stated an email was sent to kennesawcouncil@kennesaw-ga.gov from Sam Foster about Accessory Dwelling Units (See **Exhibit C**).

ALEX CURRAN [Kennesaw Resident]: Alex Curran remarked that homeowners should be able to put ADUs on their property, which would allow families to stick together without paying a corporate land lord.

LEWIS BRAMLETT [City Resident]: Lewis Bramlett presented a local history story about the Kennesaw Book Club (See **Exhibit D**).

RICHARD HEYING [City Resident]: Richard Heying invited the public to attend Cobb County Water System's open house of the Northwest Water Reclamation Facility this weekend.

7:11 p.m. Floor Closed for Public Comments

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

Councilmember Pat Ferris is looking forward to the Big Shanty Festival this weekend.

Councilmember Madelyn Orochena shared that her daughter had her first dentist appointment this week.

Mayor Pro Tem Antonio Jones is excited about the Big Shanty Festival as well.

Councilmember Tracey Viars reminded everyone there would be a candidate forum this Wednesday at 6:00 p.m. at Lazy Guy Distillery.

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 7:13 p.m. The next regularly scheduled meeting will be held on Monday, April 29, 2024, at 6:30 P.M. in the Council Chambers. The public is encouraged to attend or view via Facebook Live.

Lea Alvarez, City Clerk



March 2024 Crime Statistics

Summary

March 2024 Group A Offenses (89) decreased by 49% compared to March 2023 (147). A vast majority of the crimes reported in March 2024 were Drug Offenses (28). This trend is also present in the data collected for crimes reported in March 2023. Drug Offenses account for approximately 31% (28) of the crimes that have occurred within our jurisdiction in March 2024. Out of the 1,074 traffic stops in March 2024, (1,225) resulted in Citations and (590) Warnings. There was a total of 88 Adult Arrests that took place during the month, which is a 12% decrease from March 2023 (100).

There were 365 traffic accidents YTD, 37 of which were classified as Hit and Run. Of the 365 accidents 26 had injuries, and 3 involved pedestrians. YTD 2024 total accidents (365) are down compared to 409 YTD 2023.

Crimes	March 2024	March 2023	YTD (01/01/2024) – (03/31/2024)	YTD (01/01/2023) – (03/31/2023)
Assault Offenses	20	26	81	83
Motor Vehicle Theft	3	1	6	2
Burglary	1	2	8	8
Homicide Offenses	1	0	1	0
Larceny	16	33	62	82
Sex Offenses	0	3	5	6
Robbery	0	0	0	2
Total	41	65	163	183

	March 2024	March 2023	YTD (01/01/2024) – (03/31/2024)	YTD (01/01/2023) – (03/31/2023)
Dispatched Calls for Service	681 (-231)	912	1,710 (-771)	2,481
Self-Initiated Activity	1,311 (+23)	1,288	3,252 (+6)	3,246
Traffic Citations	1,225 (-125)	1,350	3,312 (+57)	3,255
Traffic Warnings*	590 (+281)	309	1,566 (+765)	801
Arrests*	88 (-12)	100	267 (-8)	275

*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

April 14, 2024

Mayor Derek Easterling
 Mayor Pro Tem Antonio Jones
 Councilmember Madelyn Orochena
 Councilmember Tracey Viars
 Councilmember Pat Ferris
 2529 J.O. Stephenson Avenue
 Kennesaw, GA 30144



Advocating for Accessory Dwelling Units in Kennesaw

Dear Mayor Easterling and Councilmembers:

We are writing to advocate for an Accessory Dwelling Unit (ADU) policy to be added to the Kennesaw code of ordinances. The term ADU refers to a variety of residential structures including in-law units, garage conversions, and tiny homes. This ordinance would address the pressing needs of the community, serve as additional income sources for families, and provide affordable housing options for families young and old.

From Portland, OR to Decatur, GA, cities with ADU-friendly laws have experienced significant increases in housing numbers and diversification in types of housing. These policies can help keep families close and allow neighborhoods to grow incrementally at a neighborhood pace and scale. Through thoughtful legislation, Kennesaw can provide residents with the same opportunities.

With Kennesaw's current zoning laws there are no regulations on ADUs, creating a legal gray area and a barrier for homeowners. To harness the full potential of Kennesaw's existing neighborhoods, we recommend that the council enact the following policy changes:

1. **Explicitly Allow ADUs:** Amend zoning laws to allow ADUs on any residential property in all residential zoning categories.
2. **Make building ADUs Feasible:** Create a fast-track permitting process for ADUs to encourage homeowners to add these units legally and safely. Adding more costs such as impact fees, hurdles like minimum lot size restrictions, and complexity to permitting & building an ADU disincentivizes their construction.
3. **Ease Parking and Utility Restrictions:** Reevaluate parking requirements and utility hookup regulations - such as requiring a separate connection from the primary structure - that disproportionately impact the feasibility and dramatically increase the cost of ADU projects.
4. **Offer Financial Incentives:** Consider grants, low-interest loans, or fee waivers for homeowners looking to build ADUs, especially those who commit to renting them at affordable rates.

Given the current housing crisis that we face in Kennesaw, Metro Atlanta, and the country at large, having a diverse housing stock is important. ADUs are a great way to allow homeowners to generate rental income, stay in their homes longer, and increase housing supply by giving individuals the power to expand on a smaller scale.

Thank you for considering this proposal. With your support our city can take meaningful action in addressing the housing issues we all face. If you do choose to move forward with an ordinance, we would love to be a part of the process.

Sincerely,

A Better Cobb
abettercobb@gmail.com
www.abettercobb.com

This letter incorporates general insights from the following articles and suggests specific policy recommendations based on successful practices observed in other municipalities:

Decatur's ADU Policies | City of Decatur

<https://www.decaturga.com/planning/page/accessory-dwelling-units>

All About Accessory Dwelling Units | AARP

<https://www.aarp.org/livable-communities/housing/info-2019/accessory-dwelling-units-adus.html>

Making it Easier to Build ADUs | Strong Towns

<https://www.strongtowns.org/journal/2018/9/11/if-youre-going-to-allow-adus-dont-make-it-so-hard-to-build-one>

How Cities Get 'Granny Flats' Wrong | Bloomberg CityLab

<https://www.bloomberg.com/news/articles/2017-11-22/how-accessory-dwellings-can-densify-cities>

Lea Alvarez

From: Samuel Foster <samfoster@disroot.org>
Sent: Sunday, April 14, 2024 2:47 PM
To: Derek Easterling
Cc: kennesawcouncil; City Clerk
Subject: Proposal for an Ordinance to Explicitly Legalize ADUs

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.

: <https://abettercobb.com/general/open-letter-to-kennesaw-city-council-309/>

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<https://www.decaturga.com/planning/page/accessory-dwelling-units>

<https://www.aarp.org/livable-communities/housing/info-2019/accessory-dwelling-units-adus.html>

<https://www.strongtowns.org/journal/2018/9/11/if-youre-going-to-allow-adus-dont-make-it-so-hard-to-build-one>

<https://www.bloomberg.com/news/articles/2017-11-22/how-accessory-dwellings-can-densify-cities>

KENNESAW HISTORY

Kennesaw Book Club

Around 1893, Lizzie Hamilton Hardage, the wife of Kennesaw's first mayor, organized an early local book club. This was just a couple years after the community of Big Shanty was incorporated. According to Hardage, the name change to "the more musical one of 'Kinnesaw'" was a sign the town was "reaching out for nobler things." The club had members as young as three, but it is unclear if adults were also included.

Not long after the club was founded, it already had 50 members. In order to support the endeavor, Hardage wrote an article for the *North Georgia Citizen* of Dalton asking for donations of books. Interestingly, a large amount of the books requested were British, including *Swiss Family Robinson* and *The Pilgrim's Progress*. American books requested by Hardage included *Tom Sawyer* and *Little Women*.

To My Old Friends:-

In the village of Kennesaw I have organized a literary club. With us, efforts toward culture and progress were few and far apart. While we were "Big Shanty" we seemed to wish to know nothing but our neighbors' affairs and the schedule of the W. and A. railroad. But now that we have changed our name to the musical one of "Kinnesaw," we are reaching out for nobler things.

Our club, itself yet an infant in age, has grown to large proportion, numbering fifty members.

At our last meeting a sweet little tot of scarcely three, gave, with proper gestures, etc., a cunning recitation that brought down the house.

Either because "Barkin is willin'" or because I am ever a busy little do nothing, the club selected me for its president, and I have not found it necessary to call an "extra session." My senators and representatives act in concert with me. I wish to widen the influence of the club by establishing for its members a circulating library at my home. I greatly need books for girls and boys. Dear friends wont you look over your books and see what you can spare me from your abundance. I won't mind if the book is torn or back is gone, just so the kernel of the book is good. If you have a book, or even two or three to spare—for I am very greedy for my boys and girls—please send them to the home of my brother, Henry Humilton, and he will forward to me. I particularly desire copies of the following: Dickens Childs History of England, Pilgrim Progress, Swiss Family Robinson, Little Marooners, Early Dawn in Great Britain, Tom Sawyer, Mysterious Island, Little Women, Joe Boyce, books of recitation and dialogue.

LIZZIE HAMILTON-HARDAGE.

September 29, 1893 *North Georgia Citizen*

Presented by Andrew J. Bramlett at the April 15, 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

4/15/2024

Public Comment Sign-in

	Name	Address	Topic
1	LEWIS BRANLEY	2990 Summerfield Ct. KESAW	100/ history
2	Anthony Gutierrez	4446 Palomares Dr	
3	Samuel Prosser	Mentata	ADUs
4	Alex Curran	30144	ADU
5	Richard Hegging	2058 White Oak Dr	Cobb water Open House
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