



# City of Powder Springs

City of Powder Springs  
4426 Marietta Street  
Powder Springs, GA 30127  
cityofpowdersprings.org

## Meeting Agenda

### City Council

*Mayor*

*Albert Thurman*

*Council Members:*

*Henry Lust, Doris Dawkins, Dwayne Green, Dwight McMutry,  
Patricia Wisdom*

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Monday, November 4, 2024

7:00 PM

Patricia C. Vaughn Cultural Arts Center  
4181 Atlanta Street | Building 1  
Powder Springs, GA 30127

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**Onsite at Patricia Vaughn Cultural Arts Center - 4181 Atlanta Street, Bldg. 1**

**Pre-Meeting Discussion at 6:30PM**

**Join Zoom Meeting - <https://us06web.zoom.us/j/82500269375>**

**Meeting ID: 825 0026 9375    Dial: 1-929-205-6099**

**1. Call to Order**

**2. Invocation and Pledge of Allegiance**

**3. Approval of Minutes**

[2024 -079](#)      City Council Agenda Minutes 10/21/2024

[2024 -080](#)      City Council Work Session Minutes 10/30/2024

**4. Mayor's Comments**

**5. Citizens Comments**

Registration to speak at any City Council meeting, per City Charter, is the day of the meeting only beginning 20 minutes prior to the start of the meeting (6:40 - 7:00 PM). The first twelve registering to speak will be given five (5) minutes to address Mayor and Council with their comments.

Comments only - this is not a question and answer dialogue.

You can register by signing up in person at the Cultural Arts Center located at 4181 Atlanta Street - location of the on site meeting. Only on-site Citizen Comments are available. There are no virtual opportunities to provide Citizen Comments.

## 6. Public Reports | Presentations

## 7. City Attorney

### A. Consent Agenda

[RES0 24-149](#) A RESOLUTION UPDATING THE CITY OF POWDER SPRINGS FEE SCHEDULE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 149 Fee Schedule](#)  
[RESO 24-149 Construction Fees Exhibit A](#)  
[RESO 24-149 OVERALL Fee Schedule Exhibit B](#)

[RES0 24-159](#) A RESOLUTION APPROVING THE MEETING DATE SCHEDULE FOR THE PLANNING AND ZONING COMMISSION OF THE CITY OF POWDER SPRINGS FOR CALENDAR YEAR 2025; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 159 PZ Calendar](#)  
[2025 Planning and Zoning Calendar. DRAFT](#)

[RES0 24-160](#) A RESOLUTION APPROVING THE MEETING DATE SCHEDULE FOR THE MAYOR AND COUNCIL OF THE CITY OF POWDER SPRINGS FOR CALENDAR YEAR 2025; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 160 Council Calendar](#)  
[2025 City Council Meeting Calendar](#)

[RES0 24-161](#) A RESOLUTION APPROVING AMENDMENTS TO THE PERSONNEL MANUAL RELATING TO SOCIAL MEDIA, ACCRUED LEAVE, REQUIRED TRAINING AND DISCIPLINARY ACTION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 161 Personnel Manual](#)  
[Personnel Manual updates 110424.pdf](#)

[RES0 24-162](#) A RESOLUTION APPROVING AND AUTHORIZING THE PAYMENT OF BEAUTIFICATION GRANTS TOTALING \$8,180 TO RESIDENTIAL NEIGHBORHOODS MEETING PROGRAM REQUIREMENTS FOR FY25; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 162 Beautification Grants fy25](#)  
[Neighborhood Grant Master Fall 2024](#)  
[Fall 2024 Neighborhood Grant Review Summary](#)

[RES0 24-163](#) A RESOLUTION ACCEPTING THE PROPOSAL OF DAF CONCRETE FOR THE REPAIR OF CERTAIN SIDEWALKS AND CATCH BASINS AT VARIOUS LOCATIONS THROUGHOUT THE CITY FOR THE SUM OF \$41,000; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR SUCH SERVICES; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 163 DAF sidewalk catch basin repair](#)  
[Infrastructure Repairs Redacted](#)

[RES0 24-164](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS REQUIRED FOR ADDITIONAL WORK NEEDED TO COMPLETE THE NEW MUNICIPAL COMPLEX AT THE MUNICIPAL COURT PROPERTY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 164 City Hall Roof](#)

[RES0 24-165](#) A RESOLUTION APPROVING CERTAIN PROFESSIONAL SERVICES IN ADVISING MANAGEMENT ABOUT STAFFING EFFICIENCIES AND DEPARTMENTAL OPERATIONS FOR PURPOSES OF SUCCESSION PLANNING; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Attachments: [RESOLUTION 2024 - 165 Departmental operations](#)

[RES0 24-166](#) A RESOLUTION AUTHORIZING REPAIRS TO CERTAIN SIDEWALKS IN THE PUBLIC RIGHT OF WAY; AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT OR DOCUMENTS REQUIRED TO EFFECTUATE SAME; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 166 Sidewalk repairs Marietta and Murray](#)

## **B. Regular Agenda | Public Hearing**

[PZ 24-017](#) Rezoning Request of a 17.7-acre tract, and rezone from NRC (county) to LI (city). The property was previously annexed via GA General Assembly HB 1500. The property is located at 3969 & 3989 Flint Hill RD within land lot 911, of the 19th district, 2nd section, Cobb County Georgia. PINs: 19091100020, 19091100060

Attachments: [PZ24-017. Motion to Approve. 11042024](#)  
[Serious Tree - Constitutional Challenge](#)  
[PZ 24-147 Tabled to Oct 7](#)  
[Signed PZ 24-017 Motion to Table to 08-19-24](#)  
[Tabled Motion to July 15th PZ 24-017](#)  
[Letter to the Council. 08.20.2024](#)  
[Prepared Statement. Serious Tree Service Redacted](#)  
[Revised Site Plan. 7-9-24](#)  
[Phase I ESA Report - Serious Tree Services - 07.25.2024](#)  
[Sound Check + Dust Suppression System schematic](#)  
[HB 1500. Annexation](#)  
[Rezoning. 3969 + 3989 Flint Hill Rd Redacted](#)  
[Site Plan. 3969 + 3989 Flint Hill Rd Redacted](#)

[PZ 24-029](#) Rezoning Request to rezone an approximate 4.9-Acre Tract from R-20 to PUD-R. The property is located at 3720 and 3716 Powder Springs Rd, within land lots 833 and 870, 19th District, 2nd Section, Cobb County, Georgia. PINs: 19087000010, 19087000150.

Attachments: [PZ 24-029. Motion to Table. 11042024](#)  
[Traffic Impact Study](#)  
[Signed PZ 24-029 Tabled Motion to 11-04](#)  
[2024-8-12 NELSON - POWDER SPRINGS](#)  
[Zoning Appl Pkg-Mike Nelson-3716 & 3720 Powder Springs Road Redacted](#)

**The recommendation is to table PZ 24-029 to December 2, 2024 Council Agenda.**

[PZ 24-031](#) Rezoning Request. To modify the conditions of Rezoning Approval PZ21-014, for Selig Enterprises (Heartwood Apartments). The property is located at 4493 Brownsville Road within Land Lots 1025,1026, 1027, 1047, 19th District, 2nd Section, and Cobb County, Georgia.

**Attachments:** [Signed PZ 24-031 Tabled Motion to 11-04](#)  
[PZ 24-031 Tabled to Oct 7](#)  
[4391 Brownsville Rd - Proposed Outparcels Site Plan 08-20-24](#)  
[4391 Brownsville Rd - Proposed Restaurants Site Plan 08-20-24](#)  
[PZ 24-031. Motion to Table. 10072024](#)

**The recommendation is to table PZ 24-031 to December 2, 2024 Council Agenda.**

[PZ 24-034](#) Variance Request. Ark Ministries requests to vary the minimum lot requirements for a church, as an accessory to a school. The property is located at 4110 Austell Powder Springs Road Suite 160, within land lots 946, 2nd section, Cobb County Georgia. PIN: 19094600260.

**Attachments:** [PZ24-034. Motion to Approve. 11042024](#)  
[ARK BLUE PRINTS](#)  
[ARK VARIANCE APPLICATION Redacted](#)  
[ARK. Mission Statement and Educational Program](#)

[PZ 24-035](#) City Initiated variance request to the UDC table 2-2 dimensional requirements for residential lots. The property is located at Buck, within land lots 831, 2nd section, Cobb County Georgia. PIN: 19083101440.

**Attachments:** [PZ24-035. Motion to Approve. 11042024](#)  
[Lot 3. Recorded Plat Redacted](#)  
[Site Plan Redacted](#)  
[House Plans Redacted](#)

[PZ 24-036](#) Variance request from New Era Learning Academy to vary the minimum parking requirements for a school. The property is located at 4640 Hiram Lithia Springs Road SW, within land lots 1046, 2nd section, Cobb County Georgia. PIN: 19104600170.

**Attachments:** [PZ24-036. Motion to Approve. 11042024](#)  
[2024-017, New Era Variance Plan, RVSD 10-25-24, HPSCANNER1223 Redacted](#)  
[Variance Application Redacted](#)  
[Variance Application Redacted](#)  
[Notice of Intent. Addendum to Variance Application Redacted](#)  
[Site Plan to add Modular Classroom Redacted](#)

[PZ 24-037](#)

Rezoning Request. Rezoning Application to consider a change in zoning conditions of PZ22-001, approved 3/21/2022. The property is the Westmont Preserve Subdivision, at Austell Powder Springs Road, Dugger Drive, Smith Drive, and Frank Aikin Road in the 19th District, 2nd Section, Land Lots 1019 and 1020, Cobb County, Georgia.

Attachments:[PZ 24-037. Motion to Approve](#)[Changes in Conditions-Meritage Redacted](#)[Site Plan](#)

## 8. City Manager and City Council Reports

## 9. Executive Session, if called for purposes of Real Estate, Litigation or Personnel Matters

## 10. Adjournment

*Following adjournment of Council Meetings, the Mayor and various Council Members often remain at the City Council meeting location podium to sign ordinances, resolutions and contracts, greet and speak with citizens, and discuss current events. To the extent this activity may be considered a meeting under the Georgia Open Meetings Law, the public is hereby notified thereof, and invited to attend.*

*For more information regarding any of actions included on this agenda, please visit [www.cityofpowdersprings.org](http://www.cityofpowdersprings.org) | Agendas & Minutes and select applicable meeting date. Clicking on the blue link will open all detail related to the action. Please note additional supporting information for the City Council Agenda may still be added up through the day of the City Council Meeting.*

*ADA Statement - Accessibility to meetings: If you need the City to provide special accommodations in order to participate in the above meeting, please call Tamara Newkirt, Deputy City Clerk, at 770-943-1666, ext.303 or [tnewkirt@cityofpowdersprings.org](mailto:tnewkirt@cityofpowdersprings.org) at least 48 hours before that meeting.*