



# 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 McMurtry,  
Patricia Wisdom*

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Monday, December 2, 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/85398696388>**

**Meeting ID: 853 9869 6388    Dial: 1-929-205-6099**

**1. Call To Order**

**2. Invocation and Pledge of Allegiance**

**3. Approval of Minutes**

[2024 -086](#)

City Council Agenda Minutes 11/18/2024

**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 24-173](#) A RESOLUTION ADDING MEMBERSHIP IN A FUND OF GEORGIA INTER LOCAL RISK MANAGEMENT AGENCY (GIRMA); AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS AND AGREEMENTS TO EFFECTUATE SAME; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 173 GIRMA](#)  
[GIRMA Fund C Enrollment Package- Existing Members](#)  
[PTSD Quote Proposal - GMA GIRMA Fund C Redacted](#)

[RES0 24-175](#) A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AGREEMENTS TO SELL AND CONVEY TO NORFOLK SOUTHERN CERTAIN PROPERTY LOCATED ADJACENT TO THE NORFOLK SOUTHERN RAILBED ON MURRAY AVENUE NEAR ITS INTERSECTION WITH LEWIS ROAD; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 175 Norfolk Southern](#)  
[Austell Intermodal Lead and Storage Track Extension Overview Plans Redacted](#)  
[Austell Switching Lead - City of Powder Springs](#)  
[Exhibit A - City of Powder Springs - Fee Acquisition - Entire Parcel - 0.15 acres](#)  
[Option Agreement - City of Powder Springs](#)

[RES0 24-176](#) A RESOLUTION AUTHORIZING REVERSAL OF THE REDEMPTION AND ACQUISITION OF REAL PROPERTY IDENTIFIED AS COBB COUNTY TAX PARCEL #19076100540 LOCATED AT 3200 PALOMINO DRIVE ACCEPTING THE PAYMENT OF \$28,082.07 AND LEGAL FEES ASSOCIATED WITH THE PRIOR REDEMPTION AND PAYMENT OF A DEMOLITION LIEN IN THE AMOUNT OF \$18,000; AUTHORIZING THE MAYOR TO EXECUTE DEEDS OR OTHER DOCUMENTS NEEDED TO COMPLETE SAID THE REVERSAL OF THE REDEMPTION AND THE CONVEYANCE OF PROPERTY TO THE PURCHASER OF THE TAX DEED; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 176 Resale of 3200 Pallomino](#)  
[Copy of Parcel 19076100540 Lien amt with interest](#)  
[RESO 2024-176 EXH A3200 Palomino Dr - AGREEMENT](#)

[RES0 24-177](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THAT CERTAIN PROFESSIONAL SERVICES AGREEMENT WITH WAYNE WRIGHT TO MANAGE THE AMERICAN RESCUE PLAN ACT PROGRAM; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments:

[RESOLUTION 2024- 177 ARPA Wright PMA amendment](#)

[RESO 2024-177 EXH A 2nd Amendment to Agreement for SLFRF Program Managem](#)

[RES0 24-178](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT WITH PACER.AI FOR \$17,280 TO ACCESS LOCATION INTELLIGENCE SOFTWARE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments:

[RESOLUTION 2024 - 178 Pacer.ai](#)

[RES0 24-179](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH HOWARD'S WRECKING SERVICE AND ALL IN ONE TOWING, INC. TO PROVIDE ON-CALL WRECKER SERVICES TO THE CITY OF POWDER SPRINGS; AUTHORIZING A CERTAIN FEE SCHEDULE; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments:

[RESOLUTION 2024 - 179 Wrecker Services](#)

[2024 Howards submission Redacted](#)

[2024 All in Towing submission Redacted](#)

[Wrecker Contract Fee Schedule 2024](#)

[2022 City Contract approved by City Attorney revised 101023 Howards Redacted](#)

[2022 City Contract approved by City Attorney revised 101023 All In Towing Redacted](#)

[RESO 2024-179 EXH A](#)

[RES0 24-180](#) A RESOLUTION ACCEPTING THE QUOTE FROM ARAMSCO(DBA) TRAN SAFE TO PURCHASE TRUCK ROUTE SIGNS FOR \$8,147.50 TO HELP MINIMIZE TRUCK TRAFFIC IN DOWNTOWN POWDER SPRINGS AND RESIDENTIAL NEIGHBORHOODS.

Attachments:

[Truck Route Signage Redacted](#)

[RES0 24-181](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND CITY STAFF TO EXECUTE APPLICATION DOCUMENTS FOR FUNDING ASSISTANCE THROUGH THE STATE OF GEORGIA'S LOCAL MAINTENANCE AND IMPROVEMENT GRANT (LMIG) PROGRAM FOR THE RESURFACING OF CERTAIN ROADS; AUTHORIZING CITY STAFF TO EXECUTE CERTAIN PROJECT CLOSEOUT DOCUMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 181 LMIG FOR 2025](#)  
[2503.063-25Resurfacing\\_Est](#)

[RES0 24-182](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AND STAFF TO ISSUE WORK ORDERS TO PERFORM CERTAIN STORM WATER REPAIRS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 177 Stormwater Work Orders](#)  
[3380 Forest Hill Road](#)  
[Proposal\\_Site Eng\\_MS-202408-008\\_Forest Hills\\_11-19-24](#)

[RES0 24-183](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CHARLES LIGHT IN THE AMOUNT OF \$10,800 TO CLEAR VEGETATION SURROUNDING THE CLIMBING STRUCTURE AT THE DILLARD STREET TRAILHEAD TO MAKE IT MORE APPEALING FOR FAMILY USE AND TO INCREASE ITS VISIBILITY AS A PARK AMENITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 183 Landscape Work at climbing structure](#)  
[Charles Light Signed Contract for Climbing Structure Landscape Improvement Project.](#)  
[Climbing Structure - SOW Improvements](#)  
[Climbing Structure Estimate - Charles P Light Redacted](#)  
[Climbing Structure Landscape Award Recommendation.docx Redacted](#)  
[Climbing Structure Project Photos](#)  
[Climbing Structure-WBS](#)  
[Estimate\\_1573\\_Climbing Structure\\_Quality\\_Diversified\\_Services Redacted](#)  
[SHCreel Proposal PS Skatepark Climbing Structure Clearing 10.09.2024](#)

[RES0 24-184](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND STAFF TO SIGN A FINAL PLAT FOR NATUREWALK PHASE 1 ON STORY ROAD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 184 Nature Walk Final Plat](#)  
[NATURES\\_WALK\\_PHI\\_FINAL PLAT SET](#)

[RES0 24-185](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH JR REMODELING IN THE AMOUNT OF \$19,127 TO REFINISH THE DECKING OF THE AMPHITHEATER AND BOARDWALK IN THURMAN SPRINGS PARK; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Attachments: [RESOLUTION 2024 - 185 Amphitheater and Decking](#)  
[Charles P Light Thurman Ampitheatre Refinishing Proposal 11-12-24](#)  
[JR Remodeling Amphitheater Wood Sealing Estimate 2-13-23](#)  
[Staining Brazilian Wood Stage & Boardwalk Award Recommendation.docx](#)

[RES0 24-186](#) A RESOLUTION APPROVING AND TRANSMITTING THE 5-YEAR UPDATE TO THE CITY OF POWDER SPRINGS STORMWATER MANAGEMENT PLAN TO THE GEORGIA ENVIRONMENTAL PROTECTION DIVISION; AUTHORIZING THE MAYOR TO EXECUTE PLAN UPDATE DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 186 Stormwater Mgmt Plan](#)  
[Cert Page To Sign](#)  
[PW SWMP CL To Sign](#)  
[Powder Springs SWMP 11.27.24 DRAFT](#)

[RES0 24-187](#) A RESOLUTION APPROVING AND AUTHORIZING AN ENCROACHMENT AGREEMENT TO PLACE A SIGN IN RIGHT OF WAY NEEDED TO COMPLETE THE BROWNSVILLE ROAD IMPROVEMENTS KNOWN AS PROJECT NO. 1476.011; AUTHORIZING THE MAYOR TO EXECUTE DEEDS OR OTHER DOCUMENTS NEEDED TO COMPLETE ACQUISITION, CLOSING AND CONVEYANCE TRANSACTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024- 187 RATIFY SIGNAGE ENCROACHMENT](#)

[RES0 24-188](#) A RESOLUTION AUTHORIZING PARTICIPATION IN AN AMICUS BRIEF IN THE CHANG V. CITY OF MILTON APPEAL; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 188 Amicus Brief.doc](#)

[RES0 24-189](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH JENSEN INDUSTRIES, LLC D/B/A TWLEVE 25 LIGHTING FOR STORAGE, INSTALLATION, SETUP AND REMOVAL OF CHRISTMAS LIGHTING SUPPLIES FOR AN AMOUNT OF 19,060; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2024 - 189 Christmas Lighting.doc](#)

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

[ORD 24 -018](#) AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT CODE RELATING TO PERMITTED USES FOR COTTAGE INDUSTRY, DRIVEWAY STANDARDS, AND DEVELOPMENT CLOSEOUT PROCEDURES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st reading, Introduction: Nov 18, 2024

2nd reading and Public Hearing: Dec 2, 2024

Attachments: [ORDINANCE 2024 - 018 UDC Amendments](#)  
[Exhibits. ORD 24 -018](#)

[ORD 24 -019](#) AN ORDINANCE TO AMEND THE BUDGET FOR FISCAL YEAR 2024 TO BUDGET AN INCREASE IN ELECTION EXPENSES AND TO BUDGET FOR REVENUES AND EXPENDITURES RELATING TO THE OPIOID SETTLEMENTS; TO REPEAL CONFLICTING ORDINANCES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

First Reading: 11/18/2024 Second Reading: 12/02/2024

Attachments: [ORDINANCE 2024 - 019 Budget Amendment](#)  
[Proposed Budget Amendments 11-18-24 and 12-2-24](#)

[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: [Site Plan. 2024-10-30 NELSON - POWDER SPRINGS](#)  
[Renderings. 28' wide th- streetscape 4-8-21 fin](#)  
[Traffic Impact Study](#)  
[Fiscal Impact Analysis. Powder Springs Road FIA\\_10\\_16\\_24](#)  
[Rezoning Application. 3716 & 3720 Powder Springs Road Redacted](#)  
[Signed PZ 24-029 Tabled Motion to 11-04](#)  
[Signed table to Dec 2nd](#)

**The recommendation is to table PZ 24-029 to February 3, 2025.**

**ORD 24 -020**

Annexation for a 30.4-acre tract, to rezone from R-20 (county) to PUD-R (city). The property is located at 5525 and 5535 Elliott Road within land lots 659 660 673 674, 2nd section, Cobb County Georgia. PIN: 19067400030 and 19066000050.

First Reading: 11/18/2024. Second Reading: 12/2/2024

**Attachments:**

[Exhibit. Legal Description Tracts 1 and 2](#)

[Site Plan \(South\) - 08-21-2024](#)

[Annexation Application - 5525 Elliott Road \(Blunski\) - 09-24-2024 Redacted](#)

[Annexation Application - 5535 Elliott Road \(Sigman\) Redacted](#)

[Applicant-Owner-MIJS Contact Info - Exh A \(1\)](#)

[Applicant-Owner-MIJS Contact Info - Exh A \(1\) Redacted](#)

[Legal Description - TRACT 1](#)

[Legal Description - TRACT 2](#)

[SIGNED ANN-12 Notice of Non-Objection 5525 5535 Elliott Rd 10 Redacted](#)

[Survey - 08-14-2024 Redacted](#)

[Tax Plat - 5525 Elliott Road \(Blunski\)](#)

[Tax Plat - 5535 Elliott Road \(Sigman\)](#)

**Related to agenda item PZ 24-038.****PZ 24-038**

Rezoning Request for a 30.4-acre tract, to rezone from R-20 (county) to PUD-R (city). The property is located at 5525 and 5535 Elliott Road within land lots 659 660 673 674, 2nd section, Cobb County Georgia. PIN: 19067400030 and 19066000050.

**Attachments:**

[PZ24-038. Motion to Approve. 12022024](#)

[Traffic Study - Res Dev on Elliot Road, Powder Springs, GA 10-16-2024](#)

[Rezoning Application - 5525 & 5535 Elliott Road - 09-24-2024 Redacted](#)

[Constitutional Challenge Redacted](#)

[Deed \(Sigman\)](#)

[Deeds \(Blunski\) Redacted](#)

[Legal Description - Overall](#)

[List of Requested Variances](#)

[Site Map - 5525 and 5535 Elliott Road](#)

[Site Map - 5525 Elliott Road](#)

[Site Map - 5535 Elliott Road](#)

[Site Plan \(South\) - 08-21-2024 Redacted](#)

[Survey - 08-14-2024 Redacted](#)

[Tax Receipts \(Cobb County\) \(2023\) Redacted](#)

**Related to agenda item ORD 24-020.**

[ORD 24 -021](#)      Annexation request by Meritage Homes of Georgia, Inc. to Annex and Rezone a parcel from R-20 in Unincorporated Cobb County to PUD-R in the City of Powder Springs to be combined with the Westmont Preserve Subdivision; Land Lot 1019, 19th District, 2nd Section, Powder Springs, Cobb County, Georgia. PIN: 19101900300.

First Reading: 11/18/2024. Second Reading: 12/2/2024

Attachments:

[Exhibit. Legal Description](#)

[SCANNED Annexation & Rezoning Pkg-Meritage Homes of Georgia, Inc. Redacted](#)

[Westmont-2 Z100 10.30.24 Redacted](#)

[SIGNED ANN-13 Notice of Non-Objection Austell PS Rd north of Smith Dr 11](#)

**Related to agenda item PZ 24-039.**

[PZ 24-039](#)      Rezoning Request. Meritage Homes of Georgia, Inc. requests to Annex and Rezone a parcel from R-20 in Unincorporated Cobb County to PUD-R in the City of Powder Springs to be combined with the Westmont Preserve Subdivision; Land Lot 1019, 19th District, 2nd Section, Powder Springs, Cobb County, Georgia. PIN: 19101900300

Attachments:

[PZ24-039. Motion to Approve. 12022024](#)

[SCANNED Annexation & Rezoning Pkg-Meritage Homes of Georgia, Inc. Redacted](#)

[Updated Site Plan. Westmont-2 Z100 10.30.24 Redacted](#)

**Related to agenda item ORD 24-021.**

**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.