



# 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, June 2, 2025

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/89028911974>**

**Meeting ID: 890 2891 1974 Dial: 1-929-205-6099**

#### **1. Call to Order**

#### **2. Invocation and Pledge of Allegiance**

#### **3. Approval of Minutes**

- [2025 -034](#) City Council Work Session Minutes 05/14/2025
- [2025 -037](#) City Council Agenda Minutes 05/19/2025
- [2025 -038](#) Special Called City Council Agenda Minutes 05/27/2025
- [2025 -035](#) City Council Work Session Minutes 05/28/2025

#### **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

[2025 -036](#) Proclamation – Thomas Jefferson Henderson

Attachments: [Proclamation Thomas Jefferson Henderson](#)

## 7. City Attorney

### A. Consent Agenda

[RES0 25-101](#) A RESOLUTION AUTHORIZING THE ACQUISITION OF RIGHT OF WAY NEEDED TO COMPLETE THE POWDER SPRINGS SAFETY IMPROVEMENTS / FOREST HILL KNOWN AS PROJECT NO. 1476.013; FOR AN AMOUNT OF \$16,300.00; AUTHORIZING THE USE OF CONDEMNATION TO ACQUIRE THE RIGHT OF WAY, IF NEEDED; 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 2025 - 101 Condemnation Petition Parcel 1](#)  
[APPENDIX C TO EXHIBIT A PARCEL 1 FULLY EXECUTED](#)  
[P001 final offer appraisal 2025-03-10 Redacted](#)

[RES0 25-102](#) A RESOLUTION ACCEPTING THE DEDICATION OF STREETS AND OTHER ITEMS CONTAINED WITHIN SWEETWATER LANDING TOWNHOUSE RESIDENTIAL DEVELOPMENT; EXPRESSLY DISCLAIMING THE ACCEPTANCE OF OTHER ITEMS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2025 - 102 Sweetwater Townhouse acceptance](#)  
[Sweetwater Landing Townhomes ROW Deed](#)

[RES0 25-103](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A CHANGE ORDER TO THE AGREEMENT WITH BH GREGORY LLC TO COMPLETE INTERIOR FLOORING AT THE CITY OF POWDER SPRINGS POLICE DEPARTMENT IN THE AMOUNT OF \$26,355.63; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2025 - 103 Additional flooring PD](#)  
[25-008 Powder Springs PD Additional Carpet Replacement 5.27](#)

[RES0 25-104](#) A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION RELATING TO MAINTENANCE BY THE CITY OF CERTAIN SAFETY IMPROVEMENTS INSTALLED BY THE DEPARTMENT AT AND NEAR THE FINCH ROAD RAILROAD CROSSING; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2025 - 104 GDOT WORK at Finch city mtce](#)  
[Final MOA with Cover - DOT 719821V - Finch Road - GDOT PI No 0020744.pdf Red](#)  
[Attachment A - DOT #719821V - Finch Rd](#)  
[RE NS - GDOT Safety improvement project at DOT #719821V - Finch Rd](#)  
[PI 0020744 Local Government Memorandum of Agreement for DOT# 719821V CR 20](#)

[RES0 25-105](#) A RESOLUTION OF THE CITY OF POWDER SPRINGS, GEORGIA, AUTHORIZING LEGAL ACTION TO RESOLVE A DISPUTE REGARDING THE SERVICE DELIVERY STRATEGY FOR COBB COUNTY; ESTABLISHING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Attachments: [RESOLUTION 2025 - 105 Legal Action SDS](#)

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

[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:**[Motion to Table to July 21, 2025](#)[Site Plan. 2025-3-16. NELSON - POWDER SPRINGS](#)[Creekwood Meeting Notes](#)[Tabled Motion 06-02 PZ 24-029](#)[Tabled PZ 24-029](#)[Signed Table to Motion 02-03-25](#)[Signed table to Dec 2nd](#)[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](#)[Public Opposition. CREEKWOOD SUBDIVISION PETITION](#)[Rezoning Application. 3716 & 3720 Powder Springs Road Redacted](#)[Signed PZ 24-029 Tabled Motion to 11-04](#)[Signed Motion to table to Apr 7](#)

**The recommendation is to table PZ 24-029 to the July 21, 2025 Council Agenda.**

[PZ 25-004](#)

Rezoning - To consider a change in the zoning conditions of PZ22-012. The property is Villas on Powder Springs Creek, located at 4975 and 5001 Hill Road, within land lot 953 of the 19th District, 2nd Section, and Cobb County, Georgia. PINs: 19095300070 & 19095300060.

**Attachments:**[Draft Motion to Table August 18](#)[Tabled PZ 25-004](#)[PZ 2025-004 Signed Tabled to April 4](#)[Rezoning Application \(Change of Conditions\) Redacted](#)[DB16089 PG2748 LWD](#)[Exhibit A - MIJS Representatiion Redacted](#)[HILL ROAD TRACT - ALTA UPDATE 09.09.24 Redacted](#)[Legal Description](#)[Site Plan - Hill RD Stamped 24.10.11 Redacted](#)[Site Vicinity Map](#)

**The recommendation is to table PZ 25-004 to the August 18, 2025 Council Agenda.**

**ORD 25 -010**

Annexation of a 9.3-acre tract, to rezone from R-20 (county) to PUD-R (city). The property is located at Old Horse Shoe Bend Road at Barrett Pwky., within land lot 691, 2nd section, Cobb County Georgia. PIN: 19069100070 and 19069100010. Applicant: Traton, LLC.

1st Reading 5/5/25 2nd Reading 5/19/25

Motion to Table 1st reading to June 2, 2026

**Attachments:**

[Survey - 02-18-2025 \(1\)](#)

[Legal Description - Tract 2 \(Brown\)](#)

[Legal Description - Tract 3 \(Brown\)](#)

[Legal Description - Tract 4 \(Garrett Estate\)](#)

[Legal Description - Tract 1 \(Garrett Estate\)](#)

**The recommendation is to table ORD 25-010 to the July 21, 2025 Council Agenda. ORD 25-010 is related to PZ 25-005.**

[PZ 25-005](#)

Rezoning. For a 9.3-acre tract, to rezone from R-20 (county) to PUD-R (city). The property is located at Old Horse Shoe Bend Road at Barrett Pwky., within land lot 691, 2nd section, Cobb County Georgia. PIN: 19069100070 and 19069100010. Applicant: Traton, LLC.

Request to table to June 30, 2025 Planning and Zoning Commission  
Request to table to July 21, 2025 Mayor and Council

**Attachments:**

[Draft Motion to Table to July 21](#)

[Tabled Motion 06-02 PZ 25-005](#)

[TSW and Staff Recommended Site Plan](#)

[Rezoning Application Redacted](#)

[Site Plan \(Revised\) - 03-24-2025](#)

[List of Requested Variances](#)

[Survey - 02-18-2025](#)

[Site Map \(Overall\)](#)

[Constitutional Challenge Redacted](#)

[2024 Cobb Tax Receipt \(Brown\)](#)

[2024 Cobb Tax Receipt \(Garrett\)](#)

[Deed \(Brown\)](#)

[Deed \(Garrett\)](#)

[Exhibit A - Contact Information Redacted](#)

[Legal Description - Tract 1 \(Garrett Estate\)](#)

[Legal Description - Tract 2 \(Brown\)](#)

[Legal Description - Tract 3 \(Brown\)](#)

[Legal Description - Tract 4 \(Garrett Estate\)](#)

[Letters of Administration \(Garrett Estate\)](#)

[Site Map \(Brown\)](#)

[Site Map \(Garrett Estate\)](#)

**The recommendation is to table PZ 25-005 to the July 21, 2025 Council Agenda. PZ 25-005 is related to ORD 25-010.**

[PZ 25-007](#)

Rezoning. For a 6.26-acre tract, to rezone from CRC to PUD-R. The property is located at 3200 Powder Springs Road, within land lots 866 and 867, 2nd section, Cobb County Georgia. PIN: 19086700050. Applicant: Kenneth Ellsworth

Motion to Table to June 2, 2025 Council Meeting

**Attachments:**

[Draft Motion to Table to July 21](#)

[Tabled Motion PZ 25-007](#)

[Revised Site Plan 05082025](#)

[TSW and Staff Recommended Site Plan](#)

[Rezoning Request Application and attachments Redacted](#)

**The recommendation is to table PZ 25-007 to the July 21, 2025 Council Agenda.**

[PZ 25-008](#)

Variance. To allow development in the floodplain, future conditions flood and/or adjacent area. The property is located at 5525, 5535 and 5500 Elliott Road within land lots 598, 599, 660, 661, 19th district, 2nd Section, Cobb County, Georgia. PIN: 19067400030, 19066000050 and 19066000060.

Request to table to June 30, 2025 Planning and Zoning Commission

Request to table to July 21, 2025 Mayor and Council

**Attachments:**

[Draft Motion to Table to July 21](#)

[24003 Floodplain Exhibit](#)

[Flood Plain NO-RISE STUDY - FUTURE fpPSC 3-9-25](#)

[Site Map - 5500 Elliott Road](#)

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

[Variance Application - 04-22-2025 Redacted](#)

[Comments from Dewberry Engineering Redacted](#)

**The recommendation is to table PZ 25-008 to the July 21, 2025 Council Agenda.**

[ORD 25 -011](#)

AN ORDINANCE OF THE CITY OF POWDER SPRINGS (“CITY”) TO REPEAL SECTION 8-45 OF THE CITY OF POWDER SPRINGS MUNICIPAL CODE RELATED TO TERMINATION OF THE HOTEL/MOTEL TAX; AND FOR OTHER PURPOSES.

1st Reading 05/19/2025    2nd Reading 06/02/2025

**Attachments:**

[ORD 2025 - 011 Excise Tax on Lodging](#)

[ORD 25 -012](#) AN ORDINANCE TO AMEND THE BUDGET FOR FISCAL YEAR 2025 TO TRANSFER CERTAIN FUNDS FROM GENERAL FUND TO THE CAPITAL FUND AS ONE TIME EXPENDITURES; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

1st Reading 05/19/2025 2nd Reading 06/02/2025

Attachments: [ORDINANCE 2025 - 012 Budget Amendment transfer GF to Capital](#)  
[Proposed Budget Amendment 5-19-25 and 6-2-25](#)

[ORD 25 -013](#) AN ORDINANCE TO ADOPT THE BUDGET FOR FISCAL YEAR 2026; TO ESTABLISH AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

1st Reading - 6/2/25 2nd Reading - 6/16/25

Attachments: [ORDINANCE 2025 - 013 Budget Adoption for FY 2026](#)  
[FY 26 Draft Budget Listing 5-14-25](#)

## **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.*