

Mayor

Derek Easterling

City Manager

Jeff Drobney, ICMA-CM

City Clerk

Lea Alvarez, CMC



Council

Mayor Pro Tem, James Eaton

Tracey Viars

Pat Ferris

Antonio Jones

Trey Sinclair

**City Council
Work Session Meeting Minutes
January 31, 2022 6:30 PM
Council Chambers**

I. INVOCATION

II. PLEDGE OF ALLEGIANCE

III. CALL TO ORDER

Mayor Easterling called the regularly scheduled Work Session to order at 6:30 PM from the Council Chambers and via Facebook Live. Mayor Pro Tem Eaton, Councilmember Viars, Councilmember Ferris, Councilmember Jones and Councilmember Sinclair were present in the Chambers. Staff present: City Attorney Randall Bentley, Sr., City Manager Jeff Drobney, Assistant City Manager Marty Hughes, City Clerk Lea Alvarez, Zoning Administrator Darryl Simmons, Assistant Zoning Administrator Albert Treviño, Finance Director Gina Auld, Economic Development Director Luke Howe, and Police Chief Bill Westenberger.

IV. 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/>

V. PRESENTATIONS

VI. PUBLIC COMMENT/BUSINESS FROM THE FLOOR

VII. OLD BUSINESS

VIII. NEW BUSINESS

IX. COMMITTEE AND BOARD REPORTS

X. PUBLIC HEARING(S)

Swearing-in of any witnesses or individuals offering comments on any of the following items.

XI. CONSENT AGENDA

- A. Approval of the January 10, 2022 Mayor and Council work session minutes.
- B. Approval of the January 18, 2022 Mayor and Council meeting minutes.

DEPARTMENT REPORTS

XII. GENERAL AND ADMINISTRATIVE

GINA AULD, Finance Director

- A. Consideration for approval of an Alcohol Manufacturer License for The Burnt Hickory Brewery LLC d/b/a The Burnt Hickory Brewery located at 2260 Moon Station Ct. Suite 210, Kennesaw, GA 30144. Applicant: Brandon Baessler

The applicant has completed the required alcohol workshop per Sec. 6-69. Signs have been posted and it has been properly advertised per Sec. 6-36. Current application, background check and fingerprint results are on file. Finance Director recommends approval.

100.0000.32.1100 Application Fee \$350.00

Finance Director Gina Auld presented an alcohol manufacturing license application for The Burnt Hickory Brewery LLC d/b/a The Burnt Hickory Brewery located at 2260 Moon Station Court, Suite 210. The applicant has completed all requirements. Ms. Auld recommended approval.

Councilmember Sinclair asked for clarification regarding the manufacturing license costing \$1,000.00 but the agenda item showing \$350.00. Ms. Auld clarified the application fee is \$350.00; however, once the license is approved the fee will be \$1,000.00.

- B. Consideration for approval of an Alcohol License for Liquor Sales for PPK Kennesaw, Inc. d/b/a Pisano's Pizzeria & Italian Kitchen located at 2740 Summers Street, Kennesaw, GA 30144. Applicants: Joseph Hsiao, Matthew Hsiao and Mindaugas Judvytis.

This business currently has a Beer, Wine and Sunday Sales Alcohol license and is applying for a Liquor Alcohol license. The applicant has completed the required alcohol workshop per Sec. 6-

69. Signs have been posted and it has been properly advertised per Sec. 6-36. Current application and background check results are on file. Sec. 6-42 refers to all locations within 300 feet of a private residence. This location is within 300 feet of a private residence. Sec. 6-42 states the Mayor and Council may waive the distance requirement if the quiet enjoyment of the premises by the residents thereof shall not be adversely affected and the granting of such license shall not have any adverse effect on the private residence. This location is within 600 feet of a school. Sec. 6-43 refers to all locations within 600 feet of a school or college campus building. Sec. 6-43 states the Mayor and Council may waive the distance requirement if satisfactory evidence shall be produced that no adverse effect to property values or the use of the facilities for the aforesaid purposes would occur if a license was granted. Finance Director recommends approval.

100.0000.32.1100 Application Fee \$350.00

Finance Director Gina Auld presented an alcohol license for liquor sales application for PPK Kennesaw, Inc. d/b/a Pisano's Pizzeria & Italian Kitchen located at 2740 Summers Street. The applicant has completed all requirements. Ms. Auld noted the establishment is near a school and private residences but it holds a current alcohol license and recommended approval.

- C. Authorization for Council to approve Budget Adjustments and Amendments for Fiscal Year Ended September 30, 2021. These budget adjustments and amendments are necessary to record year end budget realignments for Annual Comprehensive Financial Reporting (ACFR) purposes. Finance Director recommends approval.

Finance Director Gina Auld presented annual budget adjustments needed for Annual Comprehensive Financial Reporting purposes. Ms. Auld said cities cannot be over budget at the function level in their annual reports, so dollars were moved around from one department to another. The General Fund is by itself and the other funds consist of the CARES grant and the American Rescue Plan. Ms. Auld mentioned we did not budget for those other funds initially because we did not know what dollars we would be receiving or spending. Now that we know, we are budgeting for that. She said if we do not show a budget, we will be in violation of State law.

After receiving confirmation from Council, Mayor Easterling suggested to move the item to the consent agenda.

XIII. PUBLIC SAFETY

BILL WESTENBERGER, Police Chief
RYAN SOLIS, 911 Communications Director

A. Receipt of the December 2021 Crime Statistics.

Chief Bill Westenberger presented December 2021 crime statistics.

XIV. INFORMATION TECHNOLOGY

RICK ARNOLD, Operations Specialist
JOSHUA GUERRERO, Systems Administration Specialist

XV. PUBLIC WORKS

RICKY STEWART, Public Works Director
ROBBIE BALENGER, Facilities Manager

XVI. RECREATION AND CULTURE

RICHARD BANZ, Museum Director
STEVE ROBERTS, Parks and Recreation Director
ANN PARSONS, Smith-Gilbert Gardens Director

XVII. COMMUNITY DEVELOPMENT.

LUKE HOWE, Economic Development Director
DARRYL SIMMONS, Zoning Administrator
SCOTT BANKS, Building Official

A. Approval of a letter of support to explore the planning process for a pilot bike share program led by Kennesaw State University and Town Center Community Improvement District.

The City of Kennesaw is submitting a letter of support to co-applicants Kennesaw State University (KSU) and the Town Center Community Improvement District (TCCID) for the Community Alliance grant application for the Cobb County bikeshare program through ARPA Travel, Tourism, and Outdoor Recreation funding. The purpose of the grant application is to allow participation by KSU and TCCID in planning efforts to a) identify the most advantageous locations and sites for bike share stations, b) identify the best cohesive branding and marketing approaches, and c) develop a long-term regional plan for sustainable growth of the bikeshare network in conjunction with community partners across the public, private, and non-profit networks of Cobb County. The City of Kennesaw is not committing to any financial commitments or approvals by approval of this letter of support. The Zoning Administrator

recommends approval of the letter of support.

Zoning Administrator Darryl Simmons shared the letter of support was requested by Town Center Community Improvement District (TCCID) and Kennesaw State University (KSU). The City of Kennesaw has been talking with TCCID since last year about its efforts to promote its regional plan which includes having a bike share program. This letter is to support TCCID and KSU's pursuit of a grant that will allow them to look into the planning process and any future opportunities. After they have developed a plan, they will come back to the cities to discuss potential participation. Mr. Simmons noted this support letter does not financially commit us to the program.

Councilmember Jones asked where the bike shares will be placed. Mr. Simmons stated the grant is to explore the feasibility and further planning on where the bike shares could go. If it is feasible, they will call the cities to see if they are interested in participating.

After receiving confirmation from Council, Mayor Easterling suggested to move the item to the consent agenda.

- B. Consideration of A) a memorandum of understanding with Topnor, LLC to fund and participate in a revised fiscal analysis for Kennesaw Crossing and B) a service agreement with Georgia Tech to perform said analysis. Per Georgia Tech policy, their analysis service is exclusively for local governments.

In 2019, the City awarded \$385,000 in permit fee abatements to induce Kennesaw Crossing. The original plan included multi-family, retail, office and a hotel. Citing market difficulties, the developer plans to submit a rezoning application, replacing the hotel with a storage facility. The purpose of the revised analysis is to better inform the upcoming rezoning request in addition to revisions to the incentives agreement. The Economic Development Director recommends approval.

Economic Development Director Luke Howe said this agenda item is two-fold. The first part is a memorandum of understanding with Topnor, LLC to fund and participate in a revised fiscal analysis for Kennesaw Crossing. The second part is a service agreement with Georgia Tech to perform the analysis.

Mayor Pro Tem Eaton stated it looks like we were taken advantage of again. After \$385,000 in permit fee abatements to induce Kennesaw Crossing, we are still not going to get our hotel.

City Manager Jeff Drobney provided the Council with some context regarding the situation. The abatement was necessary to demo the old Electric Cowboy building and prepare the property for the size and scope of the new development. The Ellison was constructed and was the multi-family piece of the concept.

Varner Development was set to develop two commercial pieces, one of which has been built, office condos, and a hotel. The developer has come back and said he does not know if the hotel is feasible because of market conditions. As a result, the developer suggested having a storage unit of some kind instead. Dr. Drobney further explained one of the requirements before bringing this option back to Council is to have an economic impact analysis done that is funded by the developer. Because of how the service agreement with Georgia Tech is set up, it has to be done through the municipality, but Topnor, LLC will fund and participate in the study. Dr. Drobney emphasized Council could not have a full discussion and understanding of what the impact would mean as far as the dollar value and taxes without the analysis completed.

Darryl Simmons mentioned when the developer came back with the storage unit substitution, staff was not excited because the master plan was built on specific uses, including the hotel. The City has had separate entities come forth wanting to build hotels. The need is out there; however, we do not know what these entities are being told when the City sends them to Varner. To reiterate, Mr. Simmons stated Planning and Zoning is not happy about substituting a hotel, which would create tons of jobs, for a climate-controlled box that might generate a few jobs, and is not a part of the master plan.

Councilmember Jones asked if the analysis would be for the storage unit or the hotel to which Dr. Drobney responded it would be for the entire development.

Councilmember Sinclair asked how long it will take to complete the study. Dr. Drobney said it should take about 30 to 40 days after Georgia Tech receives the signed document. Councilmember Sinclair mentioned that if Council says yes to move forward with the study, they are essentially pausing the project. He stated the 30 to 40 days seems reasonable. Dr. Drobney shared the project is essentially already paused, so the study gives Council more information to make an informed decision.

Mayor Pro Tem Eaton asked how many storage units we have in the City of Kennesaw. Dr. Drobney said he is not sure but he can think of about 4 or 5 off the top of his head.

Councilmember Ferris asked if Economic Development has ran its own numbers. Mr. Howe shared he could do that. He has already looked at comparisons of what used to be on the property and what is there now as far as revenue. Councilmember Ferris would like to see a quick, in-house analysis done to compare with Georgia Tech's study.

Mayor Easterling asked if Council would like to move this item to Consent and Mayor Pro Tem Eaton and Councilmember Ferris stated no. Mr. Howe will have more information to share at the regular meeting.

XVIII. PUBLIC COMMENT/BUSINESS FROM THE FLOOR

XIX. CITY MANAGER'S REPORT (Jeff Drobney)

- A. City Manager reports, discussions and updates.

Dr. Drobney mentioned Councilmember Ferris wanted to discuss placing a plaque on the new Recreation Center with the names of those involved with the project. After a brief discussion, Councilmember Ferris said he would bring up the topic again at the next work session.

Dr. Drobney also updated Council on the potential for new cities in Cobb County and the impact that would have on the City of Kennesaw. He also provided updates on the mobility sales tax referendum and whether or not that will be put forth by the County. There are two options: 30-year and five-year. Mayor Easterling mentioned the City of Kennesaw sent a letter of support for the Five Year Transportation Referendum. This option focuses on roads and infrastructure and that is what our City needs right now.

XX. 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, Committees, Authority or Commission requiring an appointment to fill any vacancies, resignations, and to create or dissolve committees, as deemed necessary.

XXI. COUNCIL COMMENTS

XXII. EXECUTIVE SESSION - Land, Legal, Personnel

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.

XXIII. ADJOURN

Mayor Easterling adjourned at 7:23 P.M. The next regularly scheduled meeting will be held on Monday, February 7, 2022 at 6:30 PM in the Council Chambers.