

Mayor
Derek Easterling
City Manager
Jeff Drobney
City Clerk
Lea Alvarez



Council
Mayor Pro-Tem, Pat Ferris
James Eaton
Tracey Viars
Chris Henderson
David Blinkhorn

**City Council
Meeting Agenda
December 7, 2020 6:30 PM
Council Chambers**

I. INVOCATION

II. PLEDGE OF ALLEGIANCE

III. CALL TO ORDER

IV. ANNOUNCEMENTS

- A. Pursuant to Governor Kemp's Executive Order Number 03.14.20.01 declaring a Public Health State of Emergency and in accordance with O.C.G.A. §50-14-1 et seq., as may be amended or extended, 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.

V. PRESENTATIONS

VI. PUBLIC COMMENT/BUSINESS FROM THE FLOOR

VII. OLD BUSINESS

VIII. NEW BUSINESS

- A. Approval of Special Purpose Local Option Sales Tax (SPLOST) 2016 and SPLOST 2022 reallocation.

Recommendation is for SPLOST 2016 and SPLOST 2022 reallocation for

funding to complete Phase 2 of Recreation Center and move forward with Depot Park Phase 8, including amphitheater design. By moving forward with Phase 2 of Recreation Center in 2021, the City will save approximately \$470,000. City Manager recommends approval.

2016 Reallocation: \$6,000,000 from 310.0000.39.115800 Sardis Street Overpass - \$2,000,000 to 310.0000.39.116600 Economic Development (Depot Park) & \$4,000,000 to 310.0000.39.117000 Recreation Center.

2022 Reallocation: \$6,000,000 from Recreation Center - \$6,000,000 to Sardis Street Extension and Overpass.

- B. Approval of moving forward with Recreation Center Phase 2 and for the Mayor to execute the Change Order from Gay Construction.

Recommendation is for the Council to Authorize the Mayor to sign the Change Order from Gay Construction for Phase 2 of the Recreation Center. Phase 2 will include multi-sport court and gymnastics gym. Construction to be completed December 2021. By moving forward with Phase 2, the City will save approximately \$470,000 in construction costs and the entire facility will be completed several years in advance of previous timelines. City Manager and Parks and Recreation Director Recommend approval.

310.0000.39.117000 SPLOST 2016 Recreational Center - \$3,604,738.00

- C. Approval of Civil Engineering and Architectural Services related to the Recreation Center Phase 2 and for the Mayor to execute the proposal.

Phase 2 will include a multi-sport court and gymnastics gym. Construction is to be completed by December 2021. By moving forward with Phase 2, the City will save approximately \$470,000 in construction costs and the entire facility will be completed several years in advance of previous timelines. Croy Engineering will update the Civil Construction Documents to include Phase 2 of the building in sufficient detail for permitting with the authorities having jurisdiction and for construction. This will include updates to the site plan, utility plans, grading plan, erosion and sediment control. Best Management Practice (BMP) Design will incorporate Phase 2 and permitting assistance. Croft will prepare construction documents in sufficient detail for permitting with the authorities having jurisdiction for construction of Phase 2 and Construction Administration. Recommendation is for the Council to authorize the Mayor to sign the proposal. City Manager and Parks and Recreation Director recommend approval.

310.0000.39.117000 SPLOST 2016 Recreational Center - \$80,817

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 November 9, 2020 Mayor and Council work session minutes.
- B. Approval of the November 9, 2020 Mayor and Council executive session minutes.
- C. Approval of the November 16, 2020 Mayor and Council regular meeting minutes.
- D. Receipt of the October 2020 MetroAtlanta activity report.
- E. Approval of RESOLUTION authorizing a contract with ProofPoint Cyber security Email, Anti-Spam, and Phishing training Software.

This request is to obtain approval for the purchase of the ProofPoint software. It is a cyber-security email threat detection and anti-phishing training software. The City will add this state of the art software to our current programs of antivirus protection, anti-spam, content filters, and multiple firewalls. Furthermore, it will enhance and bolster the protection of our users against ongoing cyber threats and attack. This software is in the approved Fiscal Year 2021 budget, and the cost is \$33,498.69. The Information Technology Department recommends approval.

100.102054.245000.00000
- F. Approval of RESOLUTION authorizing an Intergovernmental Agreement (IGA) between the Kennesaw Development Authority (KDA) and the City of Kennesaw relating to the Walton Ridenour project.

The Intergovernmental Agreement between KDA and the City of Kennesaw how funds received from the KDA's revenue sharing agreement with the Housing Authority of Cobb County will be used to make investments in City projects. KDA reviewed and approved the agreement at their regular meeting on October 21, 2020, and reaffirmed support of the agreement at their regular meeting on November 18, 2020. The agreement was prepared and reviewed by legal. The Economic Development Director and the Chair of the Kennesaw Development Authority recommend approval.
- G. Plat submittal for parcel split of property located on Summer Street identified in District 20, land lot 167 parcel 20. Applicant is Tim Gowens.

Plat submitted by applicant Tim Gowens to split parcel containing +/- 9.66 acres. Parcel split will create two tracts. Tract 2 will contain .91 acres and Tract 1 will contain 8.75 acres. Applicant will purchase Tract 2 from property owner identified as Pro Build Real Estate Holdings LLC in order to renovate existing showroom building that fronts Summer Street and locate a new business on Tract 2. Tract 1 will continue with existing occupants, Pro Build. All parcels are currently zoned Light Industrial. The Plan Review Committee reviewed the plat and recommends approval.

DEPARTMENT REPORTS

XII. GENERAL AND ADMINISTRATIVE

GINA AULD, Finance Director

- A. Consideration for approval of an Alcohol License for Beer, Wine, Liquor and Sunday Sales for Zodiac Productions LLC d/b/a Café Zodiac Bar and Grill located at 2500 Cobb Parkway, Kennesaw, GA 30152. Applicant: Leyland Benn.

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

- B. Consideration for approval of an Alcohol License for Liquor for Sparkles of Kennesaw, Inc. d/b/a Sparkles of Kennesaw located at 1000 McCollum Parkway, Kennesaw, GA 30144. Applicant: Ava Couey

The applicant currently has a Beer, Wine and Sunday Sales alcohol license but would like to add Liquor. 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

XIII. PUBLIC SAFETY

BILL WESTENBERGER, Police Chief

LINDA DAVIS, 911 Communications Director

- A. Receipt of the October 2020 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

- A. Approval of RESOLUTION authorizing the condemnation of Parcel 15, located at 3195 Travelers Trail, as required for the Special Purpose Local Option Sales Tax (SPLOST) Cherokee Street project.

The City has been working diligently to acquire rights of way and easements needed for the SPLOST Cherokee Street project. However, right-of-way Agents have been unable to acquire the properties required for the project from the property owners of Parcel 15 located at 3195 Travelers Trail. In order to avoid costly delays, the City is in a situation where it must use the condemnation process to get the necessary right-of-way, permanent easement, and temporary construction easements. The Public Works staff recommend the Mayor and City Council determine circumstances are such that it is necessary to proceed with condemnation proceedings by Declaration of Taking under O.C.G.A. §32-3-4, et seq. Public Works staff also recommends Mayor and Council authorize the commencement of condemnation proceedings on the property for the Cherokee Street project, adopt the resolution and order approving said condemnation, and authorize the Mayor to execute the necessary documents.

The Public Works Director recommends approval.

310.4228.54.148400.0000 SPLOST 2011 Cherokee Street

- B. Approval of RESOLUTION authorizing the condemnation of Parcel 55, located at 3461 Cherokee Street, as required for the Special Purpose Local Option Sales Tax (SPLOST) Cherokee Street project.

The City has been working diligently to acquire rights of way and easements needed for the SPLOST Cherokee Street project. However, right-of-way Agents have been unable to acquire the properties required for the project from the property owners of Parcel 55, located at 3461 Cherokee Street. In order to avoid costly delays, the City is in a situation where it must use the condemnation process to get the necessary right-of-way, driveway easements, and temporary construction easements. The Public Works staff recommend the Mayor and City Council determine circumstances are such that it is necessary to proceed with condemnation proceedings by Declaration of Taking under O.C.G.A. §32-3-4, et seq. Public Works staff also recommends Mayor and Council authorize the commencement of condemnation proceedings on the property for the Cherokee Street project, adopt the resolution and order approving said condemnation, and authorize the Mayor to execute the necessary documents.

The Public Works Director recommends approval.

310.4228.54.148400.0000 SPLOST 2011 Cherokee Street

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

XVIII. PUBLIC COMMENT/BUSINESS FROM THE FLOOR

XIX. CITY MANAGER'S REPORT (Jeff Drobney)

- A. City Manager reports, discussions and updates.

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



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Pursuant to Governor Kemp's Executive Order Number 03.14.20.01 declaring a Public Health State of Emergency and in accordance with O.C.G.A. §50-14-1 et seq., as may be amended or extended, 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.
Agenda Comments:	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/
Funding Line(s)	



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

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Agenda Comments:	
Funding Line(s)	



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Approval of Special Purpose Local Option Sales Tax (SPLOST) 2016 and SPLOST 2022 reallocation.
Agenda Comments:	<p>Recommendation is for SPLOST 2016 and SPLOST 2022 reallocation for funding to complete Phase 2 of Recreation Center and move forward with Depot Park Phase 8, including amphitheater design. By moving forward with Phase 2 of Recreation Center in 2021, the City will save approximately \$470,000. City Manager recommends approval.</p> <p>2016 Reallocation: \$6,000,000 from 310.0000.39.115800 Sardis Street Overpass - \$2,000,000 to 310.0000.39.116600 Economic Development (Depot Park) & \$4,000,000 to 310.0000.39.117000 Recreation Center.</p> <p>2022 Reallocation: \$6,000,000 from Recreation Center - \$6,000,000 to Sardis Street Extension and Overpass.</p>
Funding Line(s)	



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Approval of moving forward with Recreation Center Phase 2 and for the Mayor to execute the Change Order from Gay Construction.
Agenda Comments:	Recommendation is for the Council to Authorize the Mayor to sign the Change Order from Gay Construction for Phase 2 of the Recreation Center. Phase 2 will include multi-sport court and gymnastics gym. Construction to be completed December 2021. By moving forward with Phase 2, the City will save approximately \$470,000 in construction costs and the entire facility will be completed several years in advance of previous timelines. City Manager and Parks and Recreation Director Recommend approval.
Funding Line(s)	310.0000.39.117000 SPLOST 2016 Recreational Center - \$3,604,738.00

ATTACHMENTS:

Description	Upload Date	Type
Change Order Number 2 (City of Kennesaw, Croy Engineering, & Gay Construction)	12/3/2020	Backup Material



AIA[®] Document G701[™] – 2017

Change Order

PROJECT: *(Name and address)*
Kennesaw Recreation Center - Phase I
Adams Park
2600 Park Drive, N.W.»
Kennesaw, Georgia 30144

CONTRACT INFORMATION:
Contract For: General Construction

Date: July 6, 2020

CHANGE ORDER INFORMATION:
Change Order Number: Two

Date: December 1, 2020

OWNER: *(Name and address)*
City of Kennesaw, Georgia
2529 J.O. Stephenson Avenue
Kennesaw, Georgia 30144

ARCHITECT: *(Name and address)*
Croy Engineering
200 North Cobb Parkway
Building 400, Suite 413
Marietta, Georgia 30062

CONTRACTOR: *(Name and address)*
Gay Construction Company
2907 Log Cabin Drive
Atlanta, Georgia 30339

CONTRACTOR'S PROJECT NUMBER:
3028

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

This Change Order serves to incorporate the following into your Contract:

Add Phase 2 work to the project. Reference attached GMP Estimate dated November 2020.

Total Amount This Change Order \$3,604,738.00

The original Guaranteed Maximum Price was	\$ 7,009,984.00
The net change by previously authorized Change Orders	\$ -62,405.00
The Guaranteed Maximum Price prior to this Change Order was	\$ 6,947,579.00
The Guaranteed Maximum Price will be increased by this Change Order in the amount of	\$ 3,604,738.00
The new Guaranteed Maximum Price including this Change Order will be	\$ 10,552,317.00

The Contract Time will be increased by One Hundred Fifty One calendar (151 calendar) days.

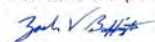
The new date of Substantial Completion will be December 31, 2021.

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Croy Engineering

ARCHITECT *(Firm name)*



SIGNATURE

Zach Buffington, Program Mgr.

PRINTED NAME AND TITLE

12/02/2020

DATE

Gay Construction Company

CONTRACTOR *(Firm name)*



SIGNATURE

Mark Whitney, Vice President

PRINTED NAME AND TITLE

December 1, 2020

DATE

City of Kennesaw, Georgia

OWNER *(Firm name)*



SIGNATURE

PRINTED NAME AND TITLE

PRINTED NAME AND TITLE

DATE

	Division	Labor	Material	Subcontractor	Equipment	Total
1	General Conditions	-	-	165,942	-	165,942
1.1	Project Requirements	-	47,281	95,505	-	142,786
2	Existing Conditions	-	-	-	-	-
3	Concrete	8,400	795	212,533	-	221,728
4	Masonry	1,260	371	79,200	-	80,831
5	Metals	-	-	461,597	-	461,597
6	Wood, Plastics, and Composites	28,805	18,326	4,400	-	51,531
7	Thermal and Moisture Protection	-	-	791,728	-	791,728
8	Openings	1,008	34,132	71,937	-	107,077
9	Finishes	-	-	474,420	-	474,420
10	Specialties	-	-	42,512	-	42,512
11	Equipment	-	-	33,183	-	33,183
12	Furnishings	-	-	1,485	-	1,485
13	Special Construction	-	-	-	-	-
14	Conveying Equipment	-	-	74,052	-	74,052
21	Fire Suppression	-	-	24,026	-	24,026
22	Plumbing	-	-	156,918	-	156,918
23	Heating, Ventilation & Air Conditioning	-	-	127,506	-	127,506
26	Electrical / Fire Alarm	-	-	183,482	-	183,482
27	Communications	-	-	-	-	-
28	Electronic Safety & Security	-	-	-	-	-
31	Earthwork	-	-	59,000	-	59,000
32	Exterior Improvements	-	-	19,500	-	19,500
33	Utilities	-	-	-	-	-
	TOTALS	39,473	100,906	3,078,926	-	3,219,305

BURDEN:

Labor	40.00%
Material Sales Tax	6.00%
General Liability Insurance	0.00%
Equipment	2.00%
Contingency	6.00%
Fee	4.50%

Building Permit	By Owner
Building License	\$250
P. E. Fee	\$13,600
State Bonds Premium	With Cost of Work
Builder's Risk Premium	\$6,800.00
General Liability	\$14,300
Subtotal	\$3,254,255
Contingency / Escalation	\$195,255
Fee	\$155,228
Total	\$3,604,738

Preconstruction	With Phase 1 Cost
Grand Total	\$3,604,738



DIVISION 1

General Conditions

Kennesaw Rec Center - Phase 2

November, 2020

[illegible]



DIVISION 1.1

Kennesaw Rec Center - Phase 2

Project Requirements

November, 2020

[illegible]



DIVISION 2

Existing Conditions

Kennesaw Rec Center - Phase 2

November, 2020

[illegible]



**WHEN
EXPERIENCE
MATTERS**

DIVISION 3

Concrete

Kennesaw Rec Center - Phase 2

November, 2020

[illegible]



DIVISION 4

Masonry

Kennesaw Rec Center - Phase 2

November, 2020

[illegible]



DIVISION 5
Metals

Kennesaw Rec Center - Phase 2
November, 2020[illegible]



DIVISION 6

Wood, Plastics, and Composites

Kennesaw Rec Center - Phase 2

November, 2020

[illegible]



DIVISION 7

Thermal and Moisture Protection

Kennesaw Rec Center - Phase 2
November, 2020[illegible]



DIVISION 8

Openings

Kennesaw Rec Center - Phase 2

November, 2020

[illegible]



Kennesaw Rec Center - Phase 2
November, 2020

[illegible]



DIVISION 10

Specialties

Kennesaw Rec Center - Phase 2
November, 2020

[illegible]



DIVISION 11 Equipment

Kennesaw Rec Center - Phase 2
November, 2020

[illegible]



DIVISION 12

Kennesaw Rec Center - Phase 2

Furnishings

November, 2020

[illegible]



DIVISION 14

Kennesaw Rec Center - Phase 2

Conveying Equipment

November, 2020

[illegible]



DIVISION 21

Fire Suppression

Kennesaw Rec Center - Phase 2

November, 2020

Description		QTY	UNIT	Labor \$	Material \$	Sub \$	Equipment \$	LABOR	MATERIAL	SUB	EQUIPMENT	TOTAL
Fire Suppression Wet pipe system	1	LS				\$24,026.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$24,026.00	\$0.00	\$24,026.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
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								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
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								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
SUBTOTALS:								\$0.00	\$0.00	\$24,026.00	\$0.00	\$24,026.00



DIVISION 22

Plumbing

Kennesaw Rec Center - Phase 2

November, 2020

[illegible]



DIVISION 23

Kennesaw Rec Center - Phase 2

Heating, Ventilation & Air Conditioning

November, 2020

[illegible]



DIVISION 26

Electrical / Fire Alarm

Kennesaw Rec Center - Phase 2

November, 2020

Description		QTY	UNIT	Labor \$	Material \$	Sub \$	Equipment \$	LABOR	MATERIAL	SUB	EQUIPMENT	TOTAL
Electrical	Lighting/Controls	1	LS			\$137,683.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Power Outlets							\$0.00	\$0.00	\$137,683.00	\$0.00	\$137,683.00
	Floor boxes							\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Equipment connections							\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	HVAC and water heater connections							\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Fire Alarm systems							\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	V/D system rough-in only							\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Temporary power & lighting							\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Permits							\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Low Voltage	Voice Data System	1	LS			\$3,113.00		\$0.00	\$0.00	\$3,113.00	\$0.00	\$3,113.00
	Access Control System	1	LS			\$6,254.00		\$0.00	\$0.00	\$6,254.00	\$0.00	\$6,254.00
	CCTV System	1	LS			\$4,303.00		\$0.00	\$0.00	\$4,303.00	\$0.00	\$4,303.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ERCC Allowance								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ERCC Testing		1	LS			\$29,629.00		\$0.00	\$0.00	\$29,629.00	\$0.00	\$29,629.00
		1	LS			\$2,500.00		\$0.00	\$0.00	\$2,500.00	\$0.00	\$2,500.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
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								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
								\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
SUBTOTALS:				\$0.00	\$0.00	\$183,482.00	\$0.00	\$0.00	\$183,482.00	\$0.00	\$183,482.00	



DIVISION 31 Earthwork

Kennesaw Rec Center - Phase 2
November, 2020

[illegible]



Kennesaw Rec Center - Phase 2

November, 2020

[illegible]



Utilities

Kennesaw Rec Center - Phase 2
November, 2020[illegible]

[illegible]



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Approval of Civil Engineering and Architectural Services related to the Recreation Center Phase 2 and for the Mayor to execute the proposal.
Agenda Comments:	Phase 2 will include a multi-sport court and gymnastics gym. Construction is to be completed by December 2021. By moving forward with Phase 2, the City will save approximately \$470,000 in construction costs and the entire facility will be completed several years in advance of previous timelines. Croy Engineering will update the Civil Construction Documents to include Phase 2 of the building in sufficient detail for permitting with the authorities having jurisdiction and for construction. This will include updates to the site plan, utility plans, grading plan, erosion and sediment control. Best Management Practice (BMP) Design will incorporate Phase 2 and permitting assistance. Croft will prepare construction documents in sufficient detail for permitting with the authorities having jurisdiction for construction of Phase 2 and Construction Administration. Recommendation is for the Council to authorize the Mayor to sign the proposal. City Manager and Parks and Recreation Director recommend approval.
Funding Line(s)	310.0000.39.117000 SPLOST 2016 Recreational Center - \$80,817

ATTACHMENTS:

Description

Upload Date Type



December 02, 2020

Jeff Drobney, PhD.
City Manager
City of Kennesaw
2529 J.O. Stephenson Avenue
Kennesaw, GA 30144

**RE: Kennesaw Recreation Center – Phase 2
Proposal for Civil Engineering and Architectural Services
Croy Project Number: 1260.048**

Dear Jeff:

CROY is pleased to submit this Proposal for Architectural & Engineering Design Services for Phase 2 of the Kennesaw Recreation Center project located at Adams Park. Services to be provided are described in further detail below.

Scope of Services

Civil Engineering Services

- **Civil Construction Documents and Permitting**

CROY will update the Civil Construction Documents to include Phase 2 of the building in sufficient detail for permitting with the authorities having jurisdiction and for construction. Items included in this task are as follows:

- Coordination with Architect for building layout, plumbing and stormwater tie-ins
- Site Plan and Utility Plans will be revised to add sidewalks and hardscape areas for Phase 2 of the building, and include water and sewer service tie-ins
- Grading Plan will be revised to reflect Phase 2 of the building, hardscape, and roof drainage connections to the stormwater system will be added
- Erosion and Sediment Control BMP Design will be revised to incorporate Phase 2, and updated to adhere to 2021 NPDES standards
- Permitting assistance with authorities having jurisdiction. Support of the permitting process is limited to addressing one round of comments from the review officials.

CROY Budget: \$11,000

CROFT Budget: \$0

Civil Engineering Services Budget: \$11,000

Architectural Services

- Architectural Construction Documents and Permitting**

CROFT will prepare Construction Documents in sufficient detail for permitting with the Authorities Having Jurisdiction, for construction of Phase 2 of the Recreation Center. Services that will be performed for this phase will include:

- Permitting of Phase 2
- Addition of Reception Desk enclosure

- Architectural Construction Administration (Phase 2)**

CROFT will provide site construction administration services including the participation in biweekly Owner-Architect-Contractor (OAC) meetings, site observations of construction progress, review of shop drawings and submittals, responses/clarifications to contractor requests for information (RFI), and review of contractor pay applications. Specific service details performed during this phase are as follows:

- Site Visits/Meetings: Fifteen (15) site visits (total) to observe construction progress – Owner/Architect/Contractor (OAC) meetings; Eleven (11) visits by the Architect and one (total of 4) by the Structural Engineers and the Electrical, Plumbing and Mechanical Engineers

CROY Budget: \$0

CROFT Budget: \$69,817

Architectural Services Budget: \$69,817

Phase 2 Fee Schedule

Service	Description	Fee
Civil Engineering		\$11,000
	<i>Civil Construction Documents and Permitting</i>	<i>\$11,000</i>
Architectural		\$69,817
	<i>Architectural Construction Documents and Permitting</i>	<i>\$7,260</i>
	<i>Architectural Construction Administration (Phase 2 only)</i>	<i>\$62,557</i>
	PROJECT TOTAL	\$80,817



Invoicing

This work will be completed as an hourly not to exceed fee project. Invoicing will be progressive and will be submitted monthly for work completed to date less previous payments.

This proposal incorporates, as if fully set forth herein, the terms and conditions of the Professional Services Agreement for Engineering Services dated February 27, 2013, between Croy Engineering, LLC and the City of Kennesaw. If this proposal is acceptable to you, please sign below indicating your approval and return (1) signed copy for our files. This letter of agreement will serve as Croy Engineering's Notice to Proceed.

Thank you for this opportunity to submit this proposal. If you have any questions, please contact me at (770) 971-5407.

Respectfully,

Zach Buffington, PLS, EIT
Program Manager

APPROVED

City of Kennesaw

Signed _____

Name _____

Title _____

Date _____

cc: Marty Hughes, City of Kennesaw
Steve Roberts, City of Kennesaw
Ricky Stewart, City of Kennesaw
Project File
Reading File



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Approval of the November 9, 2020 Mayor and Council work session minutes.
Agenda Comments:	
Funding Line(s)	

ATTACHMENTS:

Description

Minutes

Upload Date Type

11/19/2020 Minutes

Mayor
Derek Easterling
City Manager
Jeff Drobney
City Clerk
Lea Alvarez



Council
Mayor Pro-Tem, Pat Ferris
James Eaton
Tracey Viars
Chris Henderson
David Blinkhorn

City Council
Work Session Meeting Minutes
November 9, 2020 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. All members of Council were present with Mayor Pro Tem Ferris participating via Zoom Meeting. Staff present: City Attorney Randall Bentley Sr., City Manager Jeff Drobney, Assistant City Manager Marty Hughes, City Clerk Lea Alvarez, Public Works Director Ricky Stewart, Economic Development Director Luke Howe, Economic Development Specialist Miranda Taylor, and Zoning Administrator Darryl Simmons.

IV. ANNOUNCEMENTS

- A. Pursuant to Governor Kemp's Executive Order Number 03.14.20.01 declaring a Public Health State of Emergency and in accordance with O.C.G.A. §50-14-1 et seq., as may be amended or extended, 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.

- A. Approval of ORDINANCE to amend selected portions of Chapter Three of the Unified Development Code relating to Flood Damage Prevention and Flood Plain

Management criteria for flood prone areas.

The proposed language and edits to Chapter Three of the Unified Development Code titled Protection of Natural Features and Resources. Following the adoption of Ordinance 2018-20, 2018, the National Flood Insurance Program Community Map Adoption Report reflected that the Federal Emergency Management Agency (FEMA) approved the City's ordinance on September 19, 2018. On September 19, 2019, the City received notice from the Federal Emergency Management Agency that the City's floodplain management ordinance needed to be amended further, notwithstanding the approval received on September 19, 2018. Since the September 19, 2019 notice from the Federal Emergency Management Agency, the City of Kennesaw's Director of Public Works and City Attorney's office have been cooperating with FEMA agents to propose additional amendments to Chapter Three of the City's Unified Development Code with the understanding that the City was still operating under and protected by the National Flood Insurance Program. Legal Ads were run in the Marietta Daily Journal on October 16 and 23, 2020. The Public Works Director and Zoning Administrator recommend approval of the amended language.

Zoning Administrator Darryl Simmons presented the ordinance to amend selected portions of Chapter Three of the Unified Development Code relating to Flood Damage Prevention and Flood Plain Management criteria for flood prone areas. Mr. Simmons shared legal has reviewed the amendments.

Mayor Easterling asked for additional language to be included in the agenda item to indicate that Monday, November 16, 2020 at 6:30 PM is the second public hearing for this ordinance. The first public hearing was at the regularly scheduled Planning Commission meeting on Wednesday, November 4, 2020 at 7:00 PM.

[Items X- B & C were presented concurrently].

- B. Approval of ORDINANCE to amend rezoning conditions of 1520 Old Highway 41. Application submitted by Walton Communities LLC. Subject property contains 3.35 acres and is currently zoned conditional RM-8 with Senior Living Overlay (SLO).

The applicant Walton Communities LLC. proposes to amend three zoning conditions that were a part of the original rezoning/variance approvals obtained on September 8, 2015 under Ordinance 2015-08, 2015. There were conditions and variances approved. Subject property is located at 1520 Old Highway 41 in land lot 212, parcel 16. The applicant is requesting to revisit three specific approved variances to request the following:

- 1) Increase number of stories from three to four stories for building height
- 2) Increase maximum number of units from 75 units to 82 units
- 3) Increase parking island ratio from one parking tree island every six spaces to one parking tree island every 15 spaces.

Staff received a letter requesting the postponement of the rezoning and variance applications from the applicant's attorney Garvis Sams, of Sams, Larkin and Huff, dated October 13, 2020. The Planning Commission at the regularly scheduled meeting on November 4, 2020 motioned to accept the letter to postpone this application to the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council meeting. Motion passed, vote 3-0. Staff Recommendation: Zoning Administrator recommends accepting the request to postpone the applications to the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council meeting.

Zoning Administrator Darryl Simmons presented an ordinance to amend rezoning conditions of 1520 Old Highway 41 as well as a variance application submitted by Walton Communities, LLC. The attorney for the applicant stated the need for postponement to prepare their case as to why the applicant qualifies for a hardship. The hearings are requested to be postponed to the December 2, 2020 Planning Commission meeting at 7:00 PM and the December 21, 2020 Mayor and Council meeting at 6:30 PM.

- C. Variance application for 1520 Old Highway 41. Application submitted by Walton Communities LLC. Subject property contains 3.35 acres and is currently zoned conditional RM-8 with Senior Living Overlay (SLO).

The applicant Walton Communities LLC proposes to amend three zoning conditions that were part of the original variance approvals obtained on September 8, 2015 under Ordinance 2015-08, 2015. There were conditions and variances approved. Subject property located at 1520 Old Highway 41 in land lot 212, parcel 16. The applicant is requesting to revisit three specific approved variances to request the following:

- i. Increase number of stories from three to four stories for building height
- ii. Increase maximum number of units from 75 units to 82 units
- iii. Increase parking island ratio from one parking tree island every six spaces to one parking tree island every 15 spaces

Staff received a letter requesting the postponement of the rezoning and variance applications from the applicant's attorney Garvis Sams, of Sams, Larkin and Huff, dated October 13, 2020. Legal Ads were run in the Marietta Daily Journal on October 16 and 23, 2020. The Planning Commission at the regularly scheduled meeting on November 4, 2020 motioned to accept the letter to postpone this application to the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council meeting. Vote passed, 3-0. Staff Recommendation: Zoning Administrator recommends accepting the request to postpone the applications to the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council meeting.

[Items X- D and E were presented concurrently].

- D. Authorization for ORDINANCE approving rezoning request for property located at 1320 Lockhart Drive. Applicant York Acquisitions, LLC. requests to rezone 7.04 acres from Office Institutional (OI) and Light Industrial (LI) to Purpose Built Student Housing (PBSH).

Applicant filed application to rezone property from OI & LI to Purpose Built Student Housing district to construct a student housing development consisting of 424 beds. Legal ads were run in the Marietta Daily Journal on October 16 and 23, 2020. City staff received request submitted by Kevin Moore, attorney for applicant, dated October 5, 2020 to table this item to the November 4, 2020 Planning Commission meeting and the November 16, 2020 Mayor and Council meeting. This will allow the applicant to address comments and recommendations received from the Cobb DOT as well as comments from a community outreach meeting held on October 1, 2020. Staff received further request to postpone the hearings to the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council for additional time to review. The Planning Commission, at their regularly scheduled

meeting on November 4, 2020, motioned to accept the request to postpone the application. Vote taken, 4-0. Staff Recommendation: Zoning Administrator recommends accepting the request to postpone the applications to the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council meeting.

Zoning Administrator Darryl Simmons presented an ordinance for a rezoning request and a variance application for 1320 Lockhart Drive. Due to community input and the need to address traffic generation, the attorney for the applicant has requested the postponement of the hearings to the December 2, 2020 Planning Commission meeting at 7:00 PM and the December 21, 2020 Mayor and Council meeting at 6:30 PM.

- E. Variance application submitted by applicant York Acquisitions, LLC for property located at 1320 Lockhart Drive. The variances requested 1) an increase in allowable bedroom density and 2) the waiving of the requirement to access the project from a major collector or arterial street. The variances are associated with proposed construction of purpose built student housing. Subject property contains 7.04 acres.

Applicant submitted variance application for the following variances: 1) an increase in allowable bedroom density and 2) the waiving of the requirement to access the project from a major collector or arterial street. Legal ads were run in the Marietta Daily Journal on October 16 and 23, 2020. City staff received request submitted by attorney Kevin Moore, attorney for the applicant, requesting the postponement of the application to the December 2, 2020 Planning Commission and December 21, 2020 Mayor and Council meeting. The Planning Commission, at their regularly scheduled meeting on November 4, 2020, motioned to accept the request to postpone the application to the December hearing dates. Vote 4-0 to postpone the request. Staff Recommendation: Zoning Administrator recommends accepting the request to postpone the applications to the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council meeting.

XI. CONSENT AGENDA

- A. Approval of the October 26, 2020 Mayor and Council work session minutes.
- B. Approval of the October 26, 2020 Mayor and Council executive session minutes.
- C. Approval of the November 2, 2020 Mayor and Council regular meeting minutes.

DEPARTMENT REPORTS

XII. GENERAL AND ADMINISTRATIVE

GINA AULD, Finance Director

XIII. PUBLIC SAFETY

BILL WESTENBERGER, Police Chief
LINDA DAVIS, 911 Communications Director

XIV. INFORMATION TECHNOLOGY

RICK ARNOLD, Operations Specialist
JOSHUA GUERRERO, Systems Administration Specialist

XV. PUBLIC WORKS

RICKY STEWART, Public Works Director
ROBBIE BALENGER, Facilities Manager

- A. Approval of RESOLUTION For Fiber South Broadband, LLC Application For Utilization Of The Public Rights Of Way Of The City Of Kennesaw For Telecommunications Services As Authorized By Law.

Fiber South Broadband, LLC, a broadband affiliate of Cobb EMC, made application to locate its fiber optic cable on the City of Kennesaw rights of way on October 13, 2020. The City has 60 days from the date of a completed application to approve or deny the application. The City Attorney has determined that the application is complete under Title 46. The City must approve or deny the application by December 13, 2020. If the City takes no action, the application is deemed approved as a matter of law. The Public Works Director recommends approval.

Public Works Director Ricky Stewart presented a resolution for Fiber South Broadband, LLC's application for utilization of the public rights of way within the City of Kennesaw for telecommunication services.

Mayor Easterling suggested moving the item to the Consent Agenda with visual and verbal confirmation from Council.

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. Revised Final Plat for Cantrell Crossing Townhome Development submitted by Kerley Homes. Property located at 3088 Rutledge Road.

Revised Final Plat submitted showing as built and revised lot line locations for the townhome development that contains 70 townhome units and is located on 8.38 acres. The townhome development was approved for rezoning on January 16, 2018 under ordinance 2018-04, 2018. The final plat illustrates revised lot lines and as-built conditions. Plan Review committee reviewed revised plat and recommends approval.

Zoning Administrator Darryl Simmons presented the revised final plat for Cantrell Crossing Townhome Development submitted by Kerley homes. This final plat has revised lot lines and reflects as built conditions.

Mayor Easterling suggested moving the item to the Consent Agenda with visual and verbal confirmation from Council.

- B. Approval of RESOLUTION Authorizing Approval of Wayfinding Signage Permits/Agreements with Georgia Department of Transportation.

The City's wayfinding signage project includes several new wayfinding signs in several locations along Cobb Parkway. The Georgia Department of Transportation (GDOT) requires the City to enter into a standard agreement and sign an indemnification and hold harmless statement in order to install city-owned signs in the GDOT right-of-way. Economic Development Director recommends approval.

Economic Development Specialist Miranda Taylor presented a resolution authorizing approval of wayfinding signage permits/agreements with Georgia Department of Transportation. The agreements are pending legal review.

Mayor Easterling suggested moving the item to the Consent Agenda with visual and verbal confirmation from Council.

- C. DISCUSSION ONLY: Update to Mayor & Council regarding status of agreements concerning Walton Ridenour.

The Kennesaw Development Authority (KDA) and Cobb Housing Authority continue to work through the details of the agreements concerning the Walton Ridenour projects. Among these are the revenue sharing agreement between KDA and Cobb Housing Authority and the Intergovernmental Agreement between the KDA and the City. Staff and Legal will provide an update on these items.

Attorney Fred Bentley, Jr. provided Mayor and Council an update regarding the status of agreements concerning the Walton Ridenour projects.

XVIII. PUBLIC COMMENT/BUSINESS FROM THE FLOOR

XIX. CITY MANAGER'S REPORT (Jeff Drobney)

- A. City Manager reports, discussions and updates.

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.

B. COUNCIL COMMENTS

C. 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.

Motion by Councilmember Viars to enter into Executive Session as allowed by O.C.G.A Sec. 50-14-3 for the purpose of discussing personnel, motion seconded by Councilmember Blinkhorn.

After receiving visual and verbal confirmation from Council, motion approved unanimously, 5-0.
Motion carried.

6:55 PM Recess to Executive Session

Mayor, City Council, City Attorney, City Manager, Assistant City Manager, and City Clerk attended Executive Session.

7:09 PM Reconvene into Open Session

Councilmember Viars read the Board back into Open Session and directed the Mayor and City Council to execute an affidavit in compliance with O.C.G.A. Sec. 50-14-4, motion seconded by Councilmember Blinkhorn.

After receiving visual and verbal confirmation from Council, motion approved unanimously, 5-0.
Motion carried.

XXIII. **ADJOURN**

Mayor Easterling adjourned at 7:09 P.M. The next regularly scheduled meeting will be held Monday, November 16, 2020 at 6:30 p.m. in the Council Chambers.



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Approval of the November 9, 2020 Mayor and Council executive session minutes.
Agenda Comments:	
Funding Line(s)	

ATTACHMENTS:

Description	Upload Date	Type
Affidavit	11/20/2020	Backup Material

MAYOR

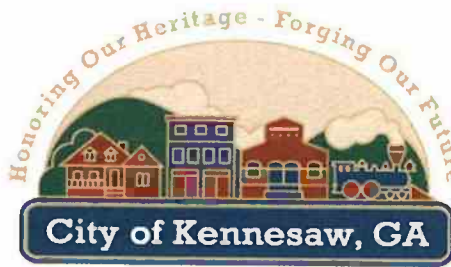
Derek Easterling

City Manager

Jeff Drobney

City Clerk

Lea Alvarez

**COUNCIL**

Mayor Pro Tem Pat Ferris

James Eaton

Tracey Viars

Chris Henderson

David Blinkhorn

Verification the Mayor and City Council have reviewed Minutes from the

November 9 Executive Session.

(please initial next to your name)

Mayor Derek Easterling

Date: 04/16/2020

Mayor Pro Tem Pat Ferris

Date: 10/20/2020

Councilmember James Eaton

Date: 4/16/20

Councilmember Tracey Viars

Date: 11/16/20

Councilmember Chris Henderson

Date: 11/16/20

Councilmember David Blinkhorn

Date: 11/16/20

These Minutes were approved at the _____ Mayor and City Council meeting.

ATTEST:

Lea Alvarez, City Clerk





**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Approval of the November 16, 2020 Mayor and Council regular meeting minutes.
Agenda Comments:	
Funding Line(s)	

ATTACHMENTS:

Description	Upload Date	Type
Minutes	11/19/2020	Minutes

**MINUTES OF MAYOR & CITY COUNCIL MEETING
CITY OF KENNESAW
Council Chambers
Monday, November 16, 2020
6:30 P.M.**

Present: Councilmember James Eaton
Councilmember Tracey Viars
Councilmember Chris Henderson
Councilmember David Blinkhorn
City Manager Jeff Drobney
City Clerk Lea Alvarez
City Attorney Randall Bentley, Sr.

ZOOM: Mayor Derek Easterling
Mayor Pro Tem Pat Ferris

Pursuant to Governor Kemp's Executive Order Number 03.14.20.01 declaring a Public Health State of Emergency and in compliance with O.C.G.A. §50-14-1, this meeting was only conducted via the use of Zoom Meeting and Facebook Live as the real-time telephonic technologies allowing the public simultaneous access to the public meeting.

The public had access to the Facebook Live via the following link:
<https://www.facebook.com/CityofKennesaw/>

I. INVOCATION

City Attorney Randall Bentley, Sr. led the invocation.

II. PLEDGE OF ALLEGIANCE

Andrew Bramlett led the Pledge of Allegiance.

III. CALL TO ORDER

IV. ANNOUNCEMENTS

- A. Pursuant to Governor Kemp's Executive Order Number 03.14.20.01 declaring a Public Health State of Emergency and in accordance with O.C.G.A. §50-14-1 et seq., as may be amended or extended, this public meeting is only being conducted via the use of real-time telephonic technologies allowing the public simultaneous access to the public meeting.

Mayor and Council will be conducting their meeting through Zoom Meeting and Facebook Live and you can access the meeting via the following link:
<https://www.facebook.com/CityofKennesaw/>

- B. If you 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.

[The City Attorney swore-in any witnesses or individuals offering comments on the agenda. Assistant City Manager Marty Hughes was also sworn-in to read any emails sent to kennesawcouncil@kennesaw-ga.gov].

V. PRESENTATIONS

No items.

VI. PUBLIC COMMENT/BUSINESS FROM THE FLOOR

6:32 PM Floor Open for Public Comments

CONNIE JOHNSON [City resident]: Ms. Johnson mentioned she wanted to discuss 1320 Lockhart Drive. She asked Council about the orange ribbons behind her home near the creek. It was her understanding that nothing could be built in that area. Further, Ms. Johnson asked Darryl Simmons, Zoning Administrator, what the ribbons were for and he does not know about them.

Mayor Easterling shared with Ms. Johnson a public hearing will be held tonight for the 1320 Lockhart Drive rezoning application and variance request; however, there is a motion to postpone the item to the December 21, 2020 Mayor and Council meeting. He would like Mr. Simmons to present the item first in hopes it will answer her question.

6:38 PM Floor Closed to Public Comments

VII. OLD BUSINESS

No items.

VIII. NEW BUSINESS

No items.

IX. COMMITTEE AND BOARD REPORTS

No items.

X. PUBLIC HEARING(S)

- A. Approval of **ORDINANCE NO. 2020-13, 2020** to amend selected portions of Chapter Three of the Unified Development Code relating to Flood Damage Prevention and Flood Plain Management criteria for flood prone areas.

The proposed language and edits are related to Chapter Three of the Unified Development Code titled Protection of Natural Features and Resources. Following the adoption of Ordinance 2018-20, 2018, the National Flood Insurance Program Community Map Adoption Report reflected that the Federal Emergency Management Agency (FEMA) approved the City's ordinance on September 19, 2018. On September 19, 2019, the City received notice from the Federal Emergency Management Agency that the City's floodplain management ordinance needed to be amended further, notwithstanding the approval received on September 19, 2018. Since the September 19, 2019 notice from the Federal Emergency Management Agency, the City of Kennesaw's Director of Public Works and City Attorney's office have been cooperating with FEMA agents to propose additional amendments to Chapter Three of the City's Unified Development Code with the understanding that the City was still operating under and protected by the National Flood Insurance Program. Legal Ads were run in the Marietta Daily Journal on October 16 and 23, 2020. This is the final public hearing. The first public hearing was held by the Planning Commission during their regularly scheduled meeting on November 4, 2020. The Public Works Director and Zoning Administrator recommend approval of the amended language.

Zoning Administrator Darryl Simmons presented an ordinance to amend selected portions of Chapter 3 of the Unified Development Code relating to Flood Damage Prevention and Flood Plain Management criteria for flood prone areas. Mr. Simmons shared this was the last public hearing as the first hearing was held by the Planning Commission during their regularly scheduled meeting on November 4, 2020. Representatives from FEMA and our legal team have been working collaboratively on the proposed language that is necessary to put us in compliance under the National Flood Insurance Program.

Motion by Councilmember Blinkhorn to approve an ordinance to amend selected portions of Chapter 3 of the Unified Development Code relating to Flood Damage Prevention and Flood Plain Management criteria for flood prone areas, as presented, seconded by Councilmember Henderson.

6:41 PM Floor Open for Public Comments

No comments.

6:42 PM Floor Closed to Public Comments

Roll call vote taken:

Post 1, James Eaton - Yay
Post 2, Tracey Viars - Yay
Post 3, Pat Ferris - Yay
Post 4, Chris Henderson - Yay

Post 5, David Blinkhorn - Yay

Motion approved unanimously, 5-0. Motion carried.

[Items X-B & C were presented concurrently but were voted on and opened for public comment separately].

- B. Approval of ORDINANCE to amend rezoning conditions of 1520 Old Highway 41. Application submitted by Walton Communities LLC. Subject property contains 3.35 acres and is currently zoned conditional RM-8 with Senior Living Overlay (SLO).

The applicant Walton Communities LLC. proposes to amend three zoning conditions that were a part of the original rezoning/variance approvals obtained on September 8, 2015 under Ordinance 2015-08, 2015. There were conditions and variances approved. Subject property is located at 1520 Old Highway 41 in land lot 212, parcel 16. The applicant is requesting to revisit three specific approved variances to request the following:

- 1) Increase number of stories from three to four stories for building height
- 2) Increase maximum number of units from 75 units to 82 units
- 3) Increase parking island ratio from one parking tree island every six spaces to one parking tree island every 15 spaces.

Staff received a letter requesting the postponement of the rezoning and variance applications from the applicant's attorney Garvis Sams, of Sams, Larkin and Huff, dated October 13, 2020. The Planning Commission at the regularly scheduled meeting on November 4, 2020 motioned to accept the letter to postpone this application to the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council meeting. Motion passed, vote 3-0. Staff Recommendation: Zoning Administrator recommends accepting the request to postpone the applications to the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council meeting.

Zoning Administrator Darryl Simmons presented an ordinance to amend rezoning conditions of 1520 Old Highway 41 as well as a variance request. In 2015, this property was zoned for a specific use and design with variances. The applicant came back to revisit three of the variances that were approved: 1) increase number of stories from three to four stories for building height; 2) increase maximum number of units from 75 units to 82 units; and 3) increase parking island ratio from one parking tree island every six spaces to one parking tree island every 15 spaces. Staff received a letter from the applicant's attorney requesting the postponement of the variance and rezoning applications. This request would move the hearings to the December 2, 2020 Planning Commission meeting at 7:00 PM and the December 21, 2020 Mayor and Council meeting at 6:30 PM. As the City has received opposition to the applications, the applicant would like the additional time to prepare their case and get more information from surrounding neighbors.

Motion by Councilmember Viars to postpone the ordinance to amend rezoning conditions of 1520 Old Highway 41 to the December 21, 2020 Mayor and Council meeting at 6:30 PM, as presented, seconded by Councilmember Eaton.

6:45 PM Floor Open for Public Comments

No comments.

6:46 PM Floor Closed to Public Comments

Roll call vote taken:

Post 1, James Eaton - Yay

Post 2, Tracey Viars - Yay

Post 3, Pat Ferris - Yay

Post 4, Chris Henderson - Yay

Post 5, David Blinkhorn - Yay

Motion approved unanimously, 5-0. Motion carried.

- C. Variance application for 1520 Old Highway 41. Application submitted by Walton Communities LLC. Subject property contains 3.35 acres and is currently zoned conditional RM-8 with Senior Living Overlay (SLO).

The applicant Walton Communities LLC proposes to amend three zoning conditions that were part of the original variance approvals obtained on September 8, 2015 under Ordinance 2015-08, 2015. There were conditions and variances approved. Subject property located at 1520 Old Highway 41 in land lot 212, parcel 16. The applicant is requesting to revisit three specific approved variances to request the following:

- 1) Increase number of stories from three to four stories for building height
- 2) Increase maximum number of units from 75 units to 82 units
- 3) Increase parking island ratio from one parking tree island every six spaces to one parking tree island every 15 spaces

Staff received a letter requesting the postponement of the rezoning and variance applications from the applicant's attorney Garvis Sams, of Sams, Larkin and Huff, dated October 13, 2020. Legal Ads were run in the Marietta Daily Journal on October 16 and 23, 2020. The Planning Commission at the regularly scheduled meeting on November 4, 2020 motioned to accept the letter to postpone this application to the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council meeting. Vote passed, 3-0. Staff Recommendation: Zoning Administrator recommends accepting the request to postpone the applications to the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council meeting

Motion by Councilmember Eaton to postpone a variance request for 1520 Old Highway 41 to the December 21, 2020 Mayor and Council meeting at 6:30 PM, as presented, seconded by Councilmember Henderson.

6:47 PM Floor Open for Public Comments

No comments.

6:48 PM Floor Closed to Public Comments

Roll call vote taken:

Post 1, James Eaton - Yay
Post 2, Tracey Viars - Yay
Post 3, Pat Ferris - Yay
Post 4, Chris Henderson - Yay
Post 5, David Blinkhorn - Yay

Motion approved unanimously, 5-0. Motion carried.

Items X-D & E were presented concurrently but were voted on and opened for public comment separately].

- D. Authorization for ORDINANCE approving rezoning request for property located at 1320 Lockhart Drive. Applicant York Acquisitions, LLC. requests to rezone 7.04 acres from Office Institutional (OI) and Light Industrial (LI) to Purpose Built Student Housing (PBSH).

Applicant filed application to rezone property from OI & LI to Purpose Built Student Housing district to construct a student housing development consisting of 424 beds. Legal ads were run in the Marietta Daily Journal on October 16 and 23, 2020. City staff received request submitted by Kevin Moore, attorney for applicant, dated October 5, 2020 to table this item to the November 4, 2020 Planning Commission meeting and the November 16, 2020 Mayor and Council meeting. This will allow the applicant to address comments and recommendations received from the Cobb DOT as well as comments from a community outreach meeting held on October 1, 2020. Staff received further request to postpone the hearings to the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council for additional time to review. The Planning Commission, at their regularly scheduled meeting on November 4, 2020, motioned to accept the request to postpone the application. Vote taken, 4-0. Staff Recommendation: Zoning Administrator recommends accepting the request to postpone the applications to

the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council meeting.

Zoning Administrator Darryl Simmons presented an ordinance to approve a rezoning request for property located at 1320 Lockhart Drive as well as a variance request. Mr. Simmons shared the applications were submitted by York Acquisitions, LLC. This is the first rezoning application to put the newly adopted zoning ordinance, Purpose Built Student Housing (PBSH), to the test. There were also two variances submitted requesting: 1) an increase in allowable bedroom density and 2) the waiving of the requirement to access the project from a major collector or arterial street. The City received comments from concerned citizens related to traffic data. The applicant's attorney has requested the postponement of the applications to the December 2, 2020 Planning Commission meeting at 7:00 PM and the December 21, 2020 Mayor and Council meeting at 6:30 PM to address the traffic data and any community concerns that were raised.

Mr. Simmons noted he does not have any information on the activity occurring behind Ms. Johnson's home but will look into it and try to respond to her concerns. He provided her with his contact information and Ms. Johnson confirmed she is fine with him getting back to her.

Motion by Councilmember Henderson to postpone the ordinance to approve a rezoning request for property located at 1320 Lockhart Drive to the December 21, 2020 Mayor and Council meeting at 6:30 PM, as presented, seconded by Councilmember Viars.

6:53 PM Floor Open for Public Comments

No comments.

6:54 PM Floor Closed to Public Comments

Roll call vote taken:

Post 1, James Eaton - Yay
Post 2, Tracey Viars - Yay
Post 3, Pat Ferris - Yay
Post 4, Chris Henderson - Yay
Post 5, David Blinkhorn - Yay

Motion approved unanimously, 5-0. Motion carried.

E. Variance application submitted by applicant York Acquisitions, LLC for property located at 1320 Lockhart Drive. The variances requested 1) an increase in allowable bedroom density and 2) the waiving of the requirement to access the

project from a major collector or arterial street. The variances are associated with proposed construction of purpose built student housing. Subject property contains 7.04 acres.

Applicant submitted variance application for the following variances: 1) an increase in allowable bedroom density and 2) the waiving of the requirement to access the project from a major collector or arterial street. Legal ads were run in the Marietta Daily Journal on October 16 and 23, 2020. City staff received request submitted by attorney Kevin Moore, attorney for the applicant, requesting the postponement of the application to the December 2, 2020 Planning Commission and December 21, 2020 Mayor and Council meeting. The Planning Commission, at their regularly scheduled meeting on November 4, 2020, motioned to accept the request to postpone the application to the December hearing dates. Vote 4-0 to postpone the request. Staff Recommendation: Zoning Administrator recommends accepting the request to postpone the applications to the December 2, 2020 Planning Commission meeting and the December 21, 2020 Mayor and Council meeting.

Motion by Councilmember Henderson to postpone a variance request submitted by York Acquisitions, LLC for property located at 1320 Lockhart Drive, as presented, seconded by Councilmember Blinkhorn.

6:55 PM Floor Open for Public Comments

CONNIE JOHNSON (City resident): Ms. Johnson wanted to suggest the placement of more obvious meeting information outside so she knows when meetings are being held. She said if we would, more people would participate.

Mayor Easterling told Ms. Johnson he would share with her all the ways in which we share meeting information to the public including our website, social media, and a mobile app.

6:57 PM Floor Closed to Public Comments

Roll call vote taken:

Post 1, James Eaton - Yay
Post 2, Tracey Viars - Yay
Post 3, Pat Ferris - Yay
Post 4, Chris Henderson - Yay
Post 5, David Blinkhorn - Yay

Motion approved unanimously, 5-0. Motion carried.

XI. CONSENT AGENDA

- A. Approval of the October 26, 2020 Mayor and Council work session minutes.
- B. Approval of the October 26, 2020 Mayor and Council executive session minutes.
- C. Approval of the November 2, 2020 Mayor and Council regular meeting minutes.
- D. Approval of **RESOLUTION NO. 2020-50, 2020** For Fiber South Broadband, LLC Application For Utilization Of The Public Rights Of Way Of The City Of Kennesaw For Telecommunications Services As Authorized By Law. Fiber South Broadband, LLC, a broadband affiliate of Cobb EMC, made application to locate its fiber optic cable on the City of Kennesaw rights of way on October 13, 2020. The City has 60 days from the date of a completed application to approve or deny the application. The City Attorney has determined that the application is complete under Title 46. The City must approve or deny the application by December 13, 2020. If the City takes no action, the application is deemed approved as a matter of law. The Public Works Director recommends approval.
- E. Approval of **RESOLUTION NO. 2020-51, 2020** Authorizing Approval of Wayfinding Signage Permits/Agreements with Georgia Department of Transportation. The City's wayfinding signage project includes several new wayfinding signs in several locations along Cobb Parkway. The Georgia Department of Transportation (GDOT) requires the City to enter into a standard agreement and sign an indemnification and hold harmless statement in order to install city-owned signs in the GDOT right-of-way. Economic Development Director recommends approval.
- F. Revised Final Plat for Cantrell Crossing Townhome Development submitted by Kerley Homes. Property located at 3088 Rutledge Road.
Revised Final Plat submitted showing as built and revised lot line locations for the townhome development that contains 70 townhome units and is located on 8.38 acres. The townhome development was approved for rezoning on January 16, 2018 under ordinance 2018-04, 2018. The final plat illustrates revised lot lines and as-built conditions. Plan Review committee reviewed revised plat and recommends approval.

Motion by Councilmember Viars to approve the Consent Agenda engross, seconded by Councilmember Henderson.

Roll Call vote taken:

Post 1, James Eaton - Yay

Post 2, Tracey Viars - Yay

Post 3, Pat Ferris - Yay

Post 4, Chris Henderson - Yay
Post 5, David Blinkhorn - Yay

Motion approved unanimously, 5-0. Motion carried.

XII. FINANCE AND ADMINISTRATION

GINA AULD, Finance Director

No items.

XIII. PUBLIC SAFETY

BILL WESTENBERGER, Police Chief

LINDA DAVIS, 911 Communications Director

No items.

XIV. INFORMATION TECHNOLOGY

RICK ARNOLD, Co-Director

JOSHUA GUERRERO, Co-Director

No items.

XV. PUBLIC WORKS

RICKY STEWART, Director

ROBBIE BALENGER, Building & Facilities Manager

No items.

XVI. RECREATION AND CULTURE

RICHARD BANZ, Museum and Agency Director

STEVE ROBERTS, Parks and Recreation Director

ANN PARSONS, Smith-Gilbert Gardens Director

No items.

XVII. COMMUNITY DEVELOPMENT

ROBERT FOX, Economic Development Director

DARRYL SIMMONS, Zoning Administrator

SCOTT BANKS, Building Official

No items.

XVIII. PUBLIC COMMENT/BUSINESS FROM THE FLOOR

6:56 PM Floor Open for Public Comments

CONNIE JOHNSON (City resident): Ms. Johnson wanted to discuss with Council the parking in her neighborhood. Houses in her neighborhood are being rented out to Kennesaw State University students and they are parking along the street and constantly partying. She believes there needs to be a committee created to make sure home owners

are being held responsible, as it is a neighborhood of single-family homes, and would like to see something done about her concerns.

7:03 PM Floor Closed for Public Comments

XIX. CITY MANAGERS REPORT – Jeff Drobney

A. City Manager reports, discussions and updates.

City Manager Jeff Drobney attended a ribbon cutting for the Enclave at Depot Park at South Main and Sardis. It is 100% occupied and he is glad to hear that!

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

Councilmember Blinkhorn did some local shopping with his wife this past weekend. He said it was great to see people out and shopping for Christmas. As Council has approved moving forward with the City’s Christmas event, he would like to hear an update about the event soon.

Councilmember Henderson shared he is still growing out his beard for No Shave November in support of cancer awareness!

Mayor Pro Tem Ferris is trying to stay busy and active while being retired!

Councilmember Viars was able to represent the City twice this week during the ribbon cutting for the Enclave at Depot Park and during the Veteran’s luncheon. She gave a shout out to the Parks and Recreation department for a job well done with the luncheon.

Councilmember Eaton said he is speaking from the heart when he says he is so proud of the City of Kennesaw and our first responders. On Thursday night, the Eaton family lost their son to a massive heart attack. It was a tough day for them. The community immediately jumped in and he cannot begin to describe how many phone calls and food visits they have received. It warms his heart to know how wonderful our community is at stepping in and taking care of its own. The City’s staff has done a professional and courteous job during what would be a hard time for anyone’s family.

Mayor Easterling asked for continue prayers for the Eaton family and for everyone through 2020.

XXII. EXECUTIVE SESSION –Land, Legal, Personnel

- A. 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.

No items.

XXIII. ADJOURN

Mayor Easterling adjourned the meeting at 7:08 P.M. The next regularly scheduled meeting will be held Monday, December 7, 2020 at 6:30 P.M. in the Council Chambers. The public is encouraged to attend or view via Facebook Live.

Lea Alvarez, City Clerk



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Receipt of the October 2020 MetroAtlanta activity report.
Agenda Comments:	
Funding Line(s)	

ATTACHMENTS:

Description	Upload Date	Type
October 2020 Activity Report	11/25/2020	Backup Material

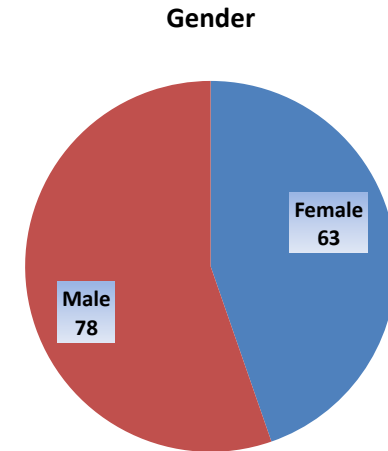
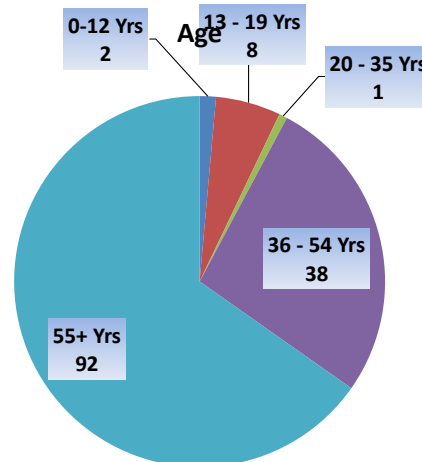
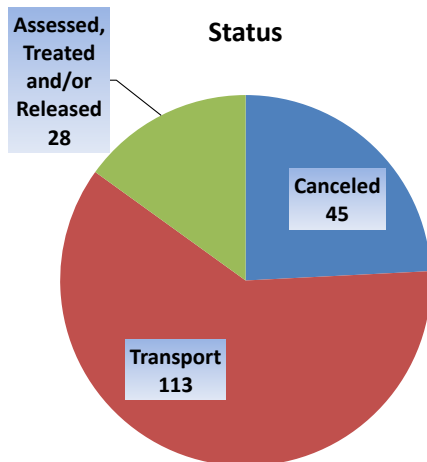
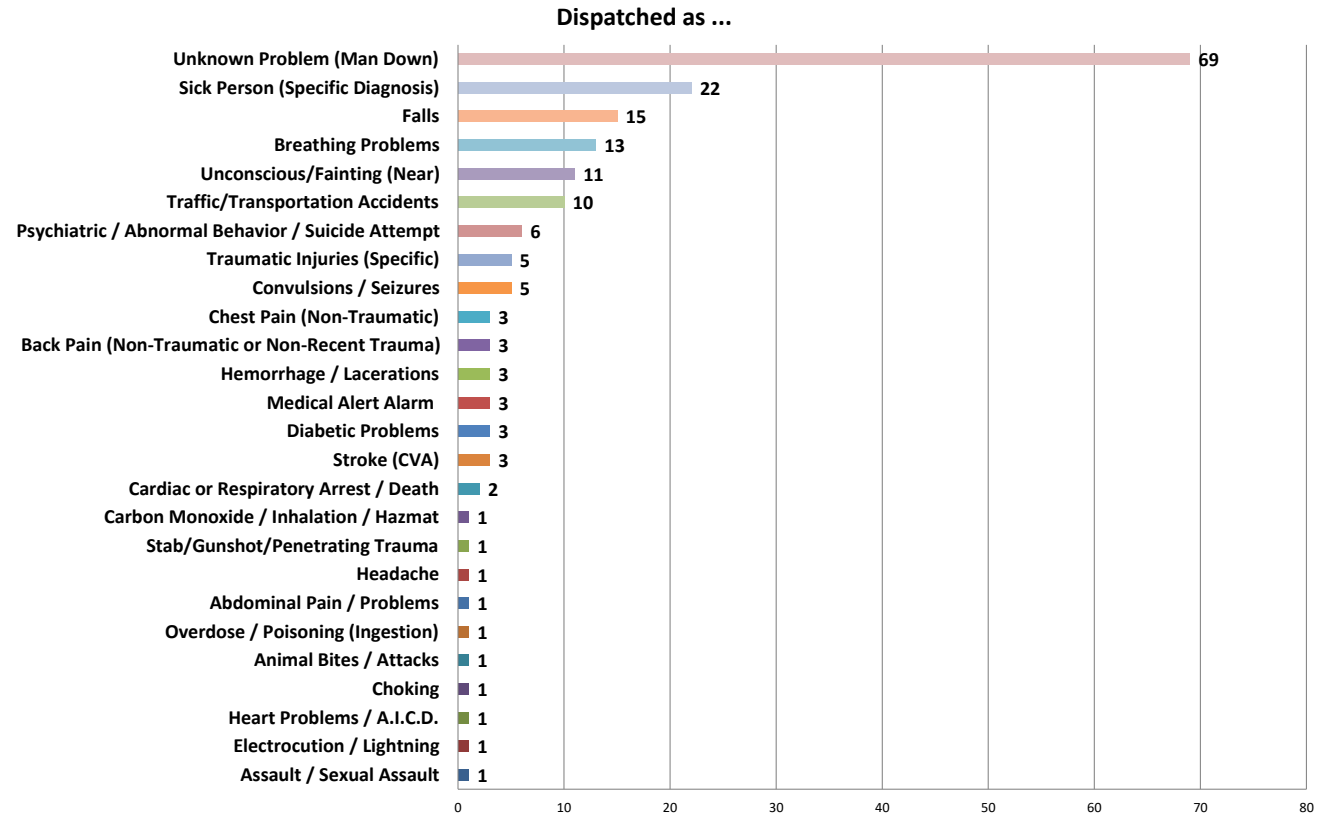
Total Responses	Total
Total	186

Patient Interaction	Total
Total	141

Avg. Response Time	Total
Total	8:30

Cardiac Arrests	Total
Arrest	4
Lucas Used	2

Events	Total
Community Special Event	5
Standby	1



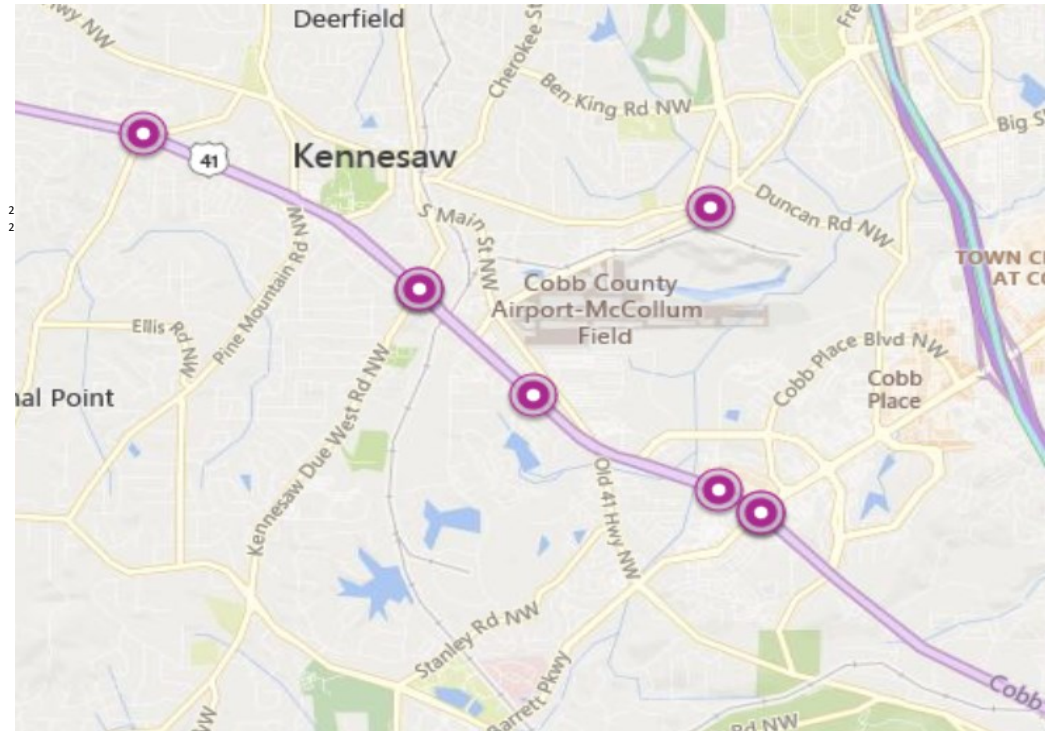
City of Kennesaw

MVA Information

Address1
2760 COBB PKWY NW, KENNESAW GA 30152
BIG SHANTY DR NW & MCCOLLUM PKWY NW, KENNESAW GA 30144
COBB PKWY NW & CRATER LAKE DR NW, KENNESAW GA 30152
COBB PKWY NW & ELLISON LAKES DR NW, KENNESAW GA 30152
COBB PKWY NW & ERNEST W BARRETT PKWY NW, KENNESAW GA 30144
COBB PKWY NW & KENNESAW DUE WEST RD NW, KENNESAW GA 30152
COBB PKWY NW & MACK DOBBS RD NW, KENNESAW GA 30152
COBB PKWY NW & SUMMERS ST NW, KENNESAW GA 30152
ERNEST W BARRETT PKWY & COBB PKWY NW, KENNESAW GA 30144

Municipality Report
10/01/2020 to 10/31/2020

MetroAtlanta
Ambulance Service





**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Approval of RESOLUTION authorizing a contract with ProofPoint Cyber security Email, Anti-Spam, and Phishing training Software.
Agenda Comments:	This request is to obtain approval for the purchase of the ProofPoint software. It is a cyber-security email threat detection and anti-phishing training software. The City will add this state of the art software to our current programs of antivirus protection, anti-spam, content filters, and multiple firewalls. Furthermore, it will enhance and bolster the protection of our users against ongoing cyber threats and attack. This software is in the approved Fiscal Year 2021 budget, and the cost is \$33,498.69. The Information Technology Department recommends approval.
Funding Line(s)	100.102054.245000.00000

ATTACHMENTS:

Description	Upload Date	Type
Resolution	11/25/2020	Resolution
Terms and Conditions	11/25/2020	Backup Material

**CITY OF KENNESAW
GEORGIA**

RESOLUTION NO. 2020-____, 2020

**RESOLUTION APPROVING A CONTRACT WITH GOV CONNECTION, INC.
FOR PROOFPOINT CYBER SECURITY EMAIL, ANTI-SPAM, AND PHISHING
TRAINING SOFTWARE.**

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF
KENNESAW, COBB COUNTY, GEORGIA, AS FOLLOWS:**

WHEREAS, the Information Technology Department desires to enter into a contract with GovConnection, Inc. for its ProofPoint cyber security email, anti-spam, and phishing training software; and

WHEREAS, new software will enhance and bolster the protection of our users against ongoing cyber threats and attack; and

WHEREAS, the City will add this state of the art software to our current programs of antivirus protection, anti-spam, content filters, and multiple firewalls; and

WHEREAS, this software is in the approved Fiscal Year 2021 budget, and the cost is \$33,498.69; and

WHEREAS, the terms and conditions for the software are attached as Exhibit A.

NOW THEREFORE, BE IT RESOLVED, the Mayor and City Council approve a contract with GovConnection Inc. for ProofPoint cyber security email, anti-spam, and phishing training software.

PASSED AND ADOPTED by the Kennesaw City Council on this ____ day of December, 2020.

ATTEST:

CITY OF KENNESAW:

James Friedrich, Deputy City Clerk

Derek Easterling, Mayor



ORDERING INFORMATION
GovConnection, Inc. DBA Connection

Please contact your account manager with any questions.

Ordering Address
GovConnection, Inc.
732 Milford Road
Merrimack, NH 03054

Remittance Address
GovConnection, Inc.
Box 536477
Pittsburgh, PA 15253-5906

Please reference the Contract # on all purchase orders.

TERMS & CONDITIONS

Payment Terms:	NET 30 (subject to approved credit)
FOB Point:	DESTINATION (within Continental US)
Maximum Order Limitation:	NONE
FEIN:	52-1837891
DUNS Number:	80-967-8782
CEC:	80-068888K
Cage Code:	OGTJ3
Business Size:	LARGE
Erate Spin Number:	143026005

WARRANTY: Manufacturer's Standard Commercial Warranty

NOTE: It is the end user's responsibility to review, understand and agree to the terms of any End User License Agreement (EULA).

Important Notice: --- THIS QUOTATION IS SUBJECT TO THE FOLLOWING Terms of Sale: All purchases from GovConnection, Inc. are subject to the Company's Standard Terms of Sale, which describe important legal rights and obligations. You may review the Company's Standard Terms of Sale on the Company's website: www.govconnection.com or you may request a copy via fax, e-mail, or mail by calling your account representative. The only exception to this policy is if your order is being placed under any one of our many national, state, educational or cooperative Agreements, in which case the Terms and Conditions of your Purchase Order are already pre-negotiated and stated in that Agreement. No other Terms and Conditions shall apply and any other terms and conditions referenced or appearing in your Purchase Order are considered null and void. Please refer to our Quote Number in your order.

If you require a hard copy invoice for your credit card order, please visit the link below and click on the Proof of Purchase/Invoice link on the left side of the page to print one: <https://www.govconnection.com/web/Shopping/ProofOfPurchase.htm>

Please forward your Contract or Purchase Order to:

SLEDOPS@connection.com

QUESTIONS: Call 800-800-0019

FAX: 603.683.0374

SALES QUOTE

GovConnection, Inc.
732 Milford Road
Merrimack, NH 03054

Account Executive: Dave Madsen
Phone: (800) 800-0019 ext. 75532
Fax: 603-683-1119
Email: david.madsen@connection.com

25059608.02

PLEASE REFER TO THE ABOVE
QUOTE # WHEN ORDERING

Date: 10/15/2020
Valid Through: 11/14/2020
Account #: S01231

Account Manager:
Phone:
Fax:
Email:

Customer Contact: Rick Arnold
Email: rarnold@kennesaw-ga.gov

Phone: (770) 424-8274
Fax:

QUOTE PROVIDED TO:	SHIP TO:
AB#: 7026290 CITY OF KENNESAW IT DEPT 2529 J O STEPHENSON AVE NW KENNESAW, GA 30144 (770) 424-8274	AB#: 7894857 CITY OF KENNESAW IT DEPT 2529 J O STEPHENSON AVE NW KENNESAW, GA 30144 (770) 424-8274

DELIVERY	FOB	SHIP VIA	SHIP WEIGHT	TERMS	CONTRACT ID#
5-30 Days A/R/O	Destination	Small Pkg Ground Service Level	.00 lbs	NET 30	

Important Notice: --- THIS QUOTATION IS SUBJECT TO THE FOLLOWING Terms of Sale: All purchases from GovConnection, Inc. are subject to the Company's Standard Terms of Sale, which describe important legal rights and obligations. You may review the Company's Standard Terms of Sale on the Company's website: www.govconnection.com, or you may request a copy via fax, e-mail, or mail by calling your account representative. The only exception to this policy is if your order is being placed under any one of our many national, state, educational or cooperative Agreements, in which case the Terms and Conditions of your Purchase Order are already pre-negotiated and stated in that Agreement. No other Terms and Conditions shall apply and any other terms and conditions referenced or appearing in your Purchase Order are considered null and void. Please refer to our Quote Number in your order.

* Line #	Qty	Item #	Mfg. Part #	Description	Mfg.	Price	Ext
1	1	37941269	PP-B-P0F-S-B-10 1	Cust. Enterprise F-Secure 1-500 12 Months ProofPoint	ProofPoint	\$ 18,575.31	\$ 18,575.31
2	1	37692469	PP-B-DLPE-S-B-1 01	Cust. DLP Encryption 1-500 1 Year ProofPoint	ProofPoint	\$ 9,006.22	\$ 9,006.22
3	300	36463998	PP-B-WENT-S-B-1 02	Corp. Wombat Enterprise 251 To WBT 500 12 Months ProofPoint	ProofPoint	\$ 15.01	\$ 4,503.00
4	1	38142696	PP-PST-IS-IMP	Corp. Proofpoint Implementation Services ProofPoint	ProofPoint	\$ 1,414.16	\$ 1,414.16
5	1	41043821	PP-SUP-PS-S-12	Corp. Platinum Level Support Saas 1 Year ProofPoint	ProofPoint	\$ -	\$ -
						Subtotal	\$ 33,498.69
						Fee	\$ 0.00
						Shipping and Handling	\$ 0.00
						Tax	\$ 0.00
						Total	\$ 33,498.69



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Approval of RESOLUTION authorizing an Intergovernmental Agreement (IGA) between the Kennesaw Development Authority (KDA) and the City of Kennesaw relating to the Walton Ridenour project.
Agenda Comments:	The Intergovernmental Agreement between KDA and the City of Kennesaw how funds received from the KDA's revenue sharing agreement with the Housing Authority of Cobb County will be used to make investments in City projects. KDA reviewed and approved the agreement at their regular meeting on October 21, 2020, and reaffirmed support of the agreement at their regular meeting on November 18, 2020. The agreement was prepared and reviewed by legal. The Economic Development Director and the Chair of the Kennesaw Development Authority recommend approval.
Funding Line(s)	

ATTACHMENTS:

Description	Upload Date	Type
Resolution	11/25/2020	Resolution
IGA-Walton Ridenour	11/25/2020	Contract/Agreement

**CITY OF KENNESAW
GEORGIA**

RESOLUTION NO. 2020-xx, 2020

**RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT (IGA) BY
AND BETWEEN THE KENESAW DEVELOPMENT AUTHORITY (KDA) AND THE
CITY OF KENNESAW FOR THE PURPOSE OF ESTABLISHING A PLEDGE OF
FUNDS FROM OPERATING REVENUES RECEIVED AS A RESULT OF THE
WALTON RIDENOUR PROJECT**

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF KENNESAW,
COBB COUNTY, GEORGIA, AS FOLLOWS:**

WHEREAS, the Walton Ridenour Apartments project was financed as a 100% affordable apartment project in 2004 (a) in part with multifamily housing revenue bonds issued through KDA and (b) with proceeds of sale by Walton Communities related entities of Federal and State income tax credits allocated to this project by the Department of Community Affairs (the "DCA"). The bonds were refinanced through bonds issued by KDA in 2013. An amendment to the 2013 documents was approved by KDA in June or July 2018; and

WHEREAS, the approximately ten-year tax credit period (time from sale of Federal and State issued income tax credits to receipt of the last of the tax credit benefits by the tax credit purchasers) has been expired for several years; and

WHEREAS, the Qualified Project Period (later of approximately fifteen years from the date 50% or more of the financed apartment units are occupied or available for occupancy or the last date on which any principal and interest is outstanding on any tax-exempt bonds issued in conjunction with the Project) is beyond the fifteen-year point and will terminate on the any date the outstanding tax-exempt bonds and any interest due thereon are paid. Once the Qualified Project Period has expired, there would no longer be any applicable Internal Revenue Service regulation requiring tenant income (at initial lease) limitations; and

WHEREAS, the City and KDA are very satisfied with the results of Walton Communities related entities construction, operation and maintenance of the Project as an affordable rental apartment project. The City and KDA are very pleased with the after school programs a Walton Communities related entity operates and wish to encourage Walton Communities related entities to continue to own and operate the Project as an affordable rental apartment project; and

WHEREAS, the City entered into an agreement with the Housing Authority of Cobb County to facilitate the rehabilitation of the Walton Ridenour project; and

WHEREAS, the KDA and the Housing Authority of Cobb County entered into a revenue sharing agreement with respect to the rights, obligations and commitments as to the pledge of funds from operating revenues received through the Housing Authorities joint formation of a not for profit corporation to own and operate the Walton Ridenour Apartments; and

WHEREAS, as a result of anticipated funding to the KDA and consistent with its mission and purpose, the KDA desires to make certain investments in City projects as outlined in the attached Intergovernmental Agreement.

NOW THEREFORE, BE IT RESOLVED and it is hereby resolved as follows:

This resolution is approved by majority vote of a quorum of the Mayor and Council at a properly noticed and either duly called or regularly scheduled meeting of the Mayor and Council held on the ____ day of _____. 2020.

ATTEST:

CITY OF KENNESAW

James Friedrich, Deputy City Clerk

Derek Easterling, Mayor

This Agreement by and between the Kennesaw Development Authority (hereinafter “KDA”) and the City of Kennesaw (hereinafter “Kennesaw”) is for the purpose of establishing an intergovernmental agreement with respect to the rights, obligations and commitments as to the pledge of funds from operating revenues of the KDA from monies received as a result of KDA’s Revenue Sharing Agreement with the Housing Authority of Cobb County (“Cobb Housing/KDA Revenue Sharing Agreement”) through the Housing Authorities joint formation of a not for profit corporation to own and operate the Walton Ridenour Apartments (“the Project”) .For and in consideration of the mutual covenants described herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

Whereas, the Project was financed as a 100% affordable apartment project in 2004 (a) in part with multifamily housing revenue bonds issued through KDA and (b) with proceeds of sale by Walton Communities related entities of Federal and State income tax credits allocated to this project by the Department of Community Affairs (the “DCA”). The bonds were refinanced through bonds issued by KDA in 2013. An amendment to the 2013 documents was approved by KDA in June or July 2018.

Whereas, the approximately ten year tax credit period (time from sale of Federal and State issued income tax credits to receipt of the last of the tax credit benefits by the tax credit purchasers) has been expired for several years.

Whereas, the Qualified Project Period (later of approximately fifteen years from the date 50% or more of the financed apartment units are occupied or available for occupancy or the last date on which any principal and interest is outstanding on any tax-exempt bonds issued in conjunction with the Project) is beyond the fifteen year point and will terminate on the any date the outstanding tax-exempt bonds and any interest due thereon are paid. Once the Qualified Project Period has expired, there would no longer be any applicable Internal Revenue Service regulation requiring tenant income (at initial lease) limitations.

Whereas, the City and KDA are very satisfied with the results of Walton Communities related entities construction, operation and maintenance of the Project as an affordable rental apartment project. The City and KDA are very pleased with the after school programs a Walton Communities related entity operates and wish to encourage Walton Communities related entities to continue to own and operate the Project as an affordable rental apartment project.

Whereas, towards the end of 2019 Walton Communities approached the City about partnering with a to be created group of Walton Communities related entities to acquire the Project, issue tax-exempt bonds through KDA (much as was done in 2004), acquire Tax Credits from DCA, rehabilitate the Project and operate the Rehabilitated Project as an affordable rental apartment project with a strong after school program. Facilitation of such an arrangement would require the City to create a City housing authority.

Whereas, after careful thought and review, City Manager Dr. Jeff Drobney, City Finance Director Gina Auld, and now retired Director of Community Development Bob Fox in consultation with KDA Counsel Fred Bentley, Jr. (collectively “City Staff”) determined that, given the staff reductions resulting from the COVID pandemic, the City was not in position to facilitate Walton

Communities' request. However, City Staff was very interested in being supportive of the Renovated Project and to that end recommended to Mayor and City Council that City Staff be authorized to approach the Cobb Authority about partnering with applicable Walton Communities' related entities to facilitate acquisition, rehabilitation and continued operation of the Project as an affordable apartment rental project with a strong after-school program. The Mayor and City Council approved City Staff's request and to demonstrate the seriousness of the City in inviting Cobb Authority to facilitate the Renovated Project, the City adopted a Resolution authorizing the Cobb Authority to operate within the City limits solely for the purpose of participating in ownership, rehabilitation and operation of the Project (the "Resolution"). The effective date of the Resolution is the later of the date of the Cobb Housing/KDA Revenue Sharing Agreement and the date of the last signature required this Revenue Sharing Agreement between the City and the KDA which is established to address certain funding by the KDA to the City. The Original City Resolution established a 90 day outside date for execution of a Cobb Housing/ KDA revenue sharing agreement and has since been amended to increase the 90 day period to 150 days given the excellent progress of City Staff in negotiations with representatives of the Cobb Authority. The resolution as amended is attached to and made part of this Agreement.

Whereas, City Staff approached Cobb Authority Chairman and Cobb Authority Counsel about partnering with Walton Communities related entities to acquire, rehabilitate and operate the Project as an affordable rental apartment project and continue the strong after school program all along the lines of and similar to Cobb Housing's fall 2019 transaction with Walton Reserve. City Staff proposed that Cobb Authority share with the KDA on a reasonable basis monies generated by such an arrangement could flow to Cobb Housing.

Whereas, in light of City Staff's request and the seriousness of the City's interest as evidenced by the Resolution, the Cobb Authority Chairman, Counsel and Financial Advisor (collectively the "Cobb Authority Team") met with Walton Communities related entities and have agreed in principal on a transaction that is being reduced to a memorandum of understanding ("MOU"). Approval of the MOU and this Agreement will be recommended for approval of the Cobb Authority members at a called meeting of the Cobb Authority expected to be held late October or early November, 2020. Among other things, the MOU is expected to provide that (a) Cobb Housing will receive each year \$70,000 of a \$71,000 General Partner Administration Fee, plus (b) any annual bond issue related fees (1/8th of 1% of the principal amount of any bonds issued by KDA outstanding each year plus (c) 25% of the annual General Partner operating cash flow (net of certain deductions such as debt service) plus (d) 25% of any developer fees plus (e) 25% of any revenues at sale or refinance of Walton Ridenour Project net of any outstanding debt and net of certain preferred payments to certain Tax Credit investors. The sale or refinance is expected to occur approximately 15 years after a two year renovation and stabilization period. Revenues enumerated in "(c)" through "(e)" and any other revenues [except for revenues enumerated in "(a)" and "(b)"] that flow to Cobb Housing are hereinafter referred to as "Available Revenues."

Whereas, based on the expected MOU between Cobb Authority and Walton Communities related entities, City Staff proposed to Cobb Authority Team (excluding Cobb Authority Financial Advisor who also represents KDA in certain matters and therefore is conflicted out of any revenue sharing discussions between KDA and Cobb Authority, but such conflict does not preclude provision of any requested information from either City Staff or remaining Cobb Authority Team

so long as such questions and/or requests for information and response are shared with remaining Cobb Team and City Staff) that Cobb Housing and KDA share equally in any revenues received by Cobb Housing. City Staff further requested that the annual General Partner Administration Fee and annual bond issuance related fee be paid within 10 business days of receipt by Cobb Authority to KDA to be theirs without further accountability except as may be required as a lawful use under the Development Authorities Law. KDA currently receives an annual bond issuance related fee on the presently outstanding bonds which are anticipated to be retired as part of the acquisition of the Project. KDA will also be the issuer of the acquisition and rehabilitation bond issue and thus would get the new annual bond issuance fee, so transfer of these funds in their entirety to KDA will maintain KDA's existing cash flow. Payment of the Administration Fee to KDA will enable KDA to similarly facilitate cash flow for certain City projects under yet to be drafted and executed agreements between KDA and the City. Such agreements as from time to time entered into between KDA and the City will not require any input or approvals of Cobb Housing. The Cobb Team (exclusive of the Financial Advisor) agreed to this request subject to the percentage split of Other Revenues, based on the pro-forma provided to Cobb Authority Team during its negotiations with the Walton Communities related entities' representatives, be set such that over time and based on the pro-forma the revenue split between KDA and Cobb Authority be approximately 50%. Given the opportunity to participate in the Renovated Project, the congeniality of the negotiations and the fact that the City evidenced its support of City Staff pursuing this Agreement by adoption of the original and amended Resolutions, Cobb Authority Team (excluding Financial Advisor) suggested to City Staff that even though Cobb Authority Team negotiated the \$70,000 General Partner Administration Fee Payment going directly to Cobb Housing, had disposition of the General Partner Administrative Fee paralleled the Walton Reserve transaction, Cobb Housing would have received 25% of the \$70,000 and therefore only 25% of the \$70,000 should count in the overall 50/50 split. KDA should get the entirety of the remaining 75%. City Staff agreed and this recommended revenues split is reflected in the attached hereto and made a part hereof Excel spread sheet that reflects (a) 50/50 split of revenues over time plus (b) KDA receiving 75% of the \$70,000 General Partner Administration Fee outside of the 50/50 split. The result is that the Excel spread sheet shows more monies going to KDA than to Cobb Housing.

Whereas, both the Cobb Authority Team (excluding the Financial advisor) and the City Staff understand and agree that (a) the pro-forma is the best available information on which to decide on a percentage Other Revenue split between KDA and Cobb Housing, (b) the actual performance of the Renovated Project over a 15 year operation period will be different than the pro-forma and (c) sale or refinancing of the project could (but not likely) occur before the end of the 15th year of operation or it could (and very possibly might) occur beyond 15 years of operation. Among other outcomes, positive variations from the pro-forma could result in Cobb Housing receiving more than the aggregate of 50% of Available Revenues over time and negative variations could result in Cobb Housing receiving less than 50%. It is unknown how delays in refinance or sale beyond 15 years of operation would affect the relative percentages. Both negotiating parties, however agree that trying to cover every possible consequence would make the Agreement a very complicated and unwieldy document and both teams agree that a simple one time set percentage split based on the pro-forma is the fairest way to proceed. Based on the pro-forma and as shown on the attached Excel spread sheet. City Staff and Cobb Authority Team (excluding the Financial Advisor) agree that Cobb Housing receipt of 58.95635% of revenues excluding 75% of the General Partner Administration Fee and KDA receipt of 41.04365% would, if the Renovated Project results

exactly matched the revenues shown on the attached Excel spread sheet, result in revenues being split very close to 50/50.

Whereas, as a result of anticipated funding to the KDA and consistent with its mission and purpose, the KDA desires to make certain investments in City projects as agreed below.

NOW THEREFORE, FOR AND IN CONSIDERATION OF TEN AND NO/100 DOLLARS AND THE MUTUAL RECITALS SET FORTH ABOVE, and the receipt and sufficiency of which is hereby acknowledged, the Kennesaw Development Authority ("KDA") and the City of Kennesaw ("Kennesaw") hereby agree as follows as to the respective rights and obligations between these parties as to allocation of monies received as a result of KDA's Revenue Sharing Agreement with the Housing Authority of Cobb County.

Out of the monies actually received from the Revenue Sharing Agreement with the Housing Authority of Cobb County,, the KDA shall within five business days pay to the City \$70,000 per year for one or more projects currently being or contemplated to be constructed one of which is the Kennesaw Recreational Center. In addition thereto, the KDA hereby agrees that as additional projects consistent with its mission and purpose are identified and undertaken by the City , the KDA will provide additional funding to the City based upon its actual receipt of funds remitted from its involvement in the Cobb Housing/ KDA Revenue Sharing Agreement The obligation to provide additional funds hereunder is predicated upon funds being received by the KDA. However, it is intended that the KDA shall provide additional monies based on City requests consistent with future action by its governing body So agreed this ____ day of _____, 2020.

(CORPORATE SEAL)

KENNESAW DEVELOPMENT AUTHORITY

By: _____
Chairman

Signed, sealed and delivered this
____ day of _____, 2020.

Unofficial Witness

Notary Public
My Commission Expires:

(NOTARIAL SEAL)

(CORPORATE SEAL)

CITY OF KENNESAW

By: _____
Mayor

Signed, sealed and delivered this
____ day of _____, 2020.

Unofficial Witness

Notary Public
My Commission Expires:

(NOTARIAL SEAL)



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Plat submittal for parcel split of property located on Summer Street identified in District 20, land lot 167 parcel 20. Applicant is Tim Gowens.
Agenda Comments:	Plat submitted by applicant Tim Gowens to split parcel containing +/- 9.66 acres. Parcel split will create two tracts. Tract 2 will contain .91 acres and Tract 1 will contain 8.75 acres. Applicant will purchase Tract 2 from property owner identified as Pro Build Real Estate Holdings LLC in order to renovate existing showroom building that fronts Summer Street and locate a new business on Tract 2. Tract 1 will continue with existing occupants, Pro Build. All parcels are currently zoned Light Industrial. The Plan Review Committee reviewed the plat and recommends approval.
Funding Line(s)	

ATTACHMENTS:

Description	Upload Date	Type
Plat application packet	11/20/2020	Backup Material
Plat page 1	11/19/2020	Maps
plat page 2	11/19/2020	Maps
Plan review committee approval memo	11/20/2020	Backup Material



Community Development
Planning & Zoning Department
2529 J. O. Stephenson Avenue
770-590-8268

Date Received

11-19-20

Staff's Initials

DS

PRELIMINARY, FINAL AND REVISE PLAT APPLICATION
Required Fee \$250.00

Preliminary Plat _____ Final Plat _____ Revised Plat _____ Parcel Combination _____ Parcel Split X

Is this property located within the Kennesaw Historic District (yes) _____ (no) ✓

A MINIMUM OF ONE CONSULTATION WITH PLANNING AND ZONING ADMINISTRATOR AND PLAN REVIEW STAFF PRIOR TO THE SUBMISSION OF THE APPLICATION IS MANDATORY.

DEVELOPMENT NAME Tim & Valerie Gowens Purchase

Number of Units _____

PURPOSE OF DEVELOPMENT Office

WHAT IS THE REVISION BEING MADE _____

ADDRESS OF PROPERTY 2600 Summers Street

Parcel ID _____

Lot Size #1 0.919

Present Zoning LI

Current Use vacant

Lot Size #2 4.751

Present Zoning LI

Proposed Use Office

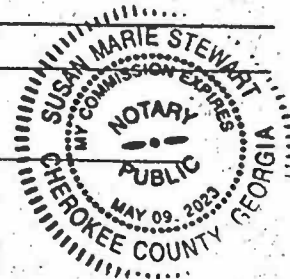
APPLICANT Tim & Valerie Gowens

Applicant address 1458 Tributary Court NW Kennesaw GA 30144

(Phone #) 404-502-2643

Email Address timwheels1967@gmail.com

Applicant Signature _____



Signed, sealed and delivered in presence of: _____

Notary

Date

11/19/20

REPRESENTATIVE _____

(Phone #) _____

Email Address _____

Representative Signature _____

Signed, sealed and delivered in presence of: _____

Notary

Date

TITLEHOLDER _____

(Phone #) _____

214-880-3512

Titleholder Signature _____

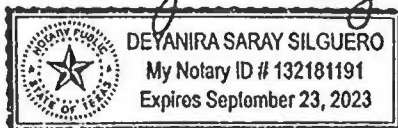
Address

2001 BRYAN ST. #1600 DALLAS TX 75201

Signed, sealed and delivered in presence of Notary _____

Date 11/19/2020

ZP&Z FORMS/Applications 2019





Community Development
Planning & Zoning Department
2529 J. O. Stephenson Avenue
770-590-8268

CAMPAIGN DISCLOSURE REPORT¹ BY APPLICANT²

A separate form must be completed by each applicant

Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars (\$250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars (\$250.00) or more to a member or members of the Mayor and Council or Planning Commission who will consider the application?__

If "Yes," the applicant and the attorney representing the applicant must file a disclosure report with the Mayor and Council of the City of Kennesaw within ten (10) days after this application is first filed.

Please supply the following information that will be considered as the required disclosure:

The name of the member(s) of the Mayor and Council or Planning Commission to whom the campaign contribution or gift was made:

N/A

The dollar amount of each campaign contribution made by the applicant to the member(s) of the Mayor and Council or Planning Commission during the two (2) years immediately preceding the filing of this application and the date of each such contribution:

\$0

An enumeration and description of each gift having a value of two hundred fifty dollars (\$250.00) or more made by the applicant to the member(s) of the Mayor and Council or Planning Commission during the two (2) years immediately preceding the filing of this application:

I certify that the foregoing information is true and correct, this 18th day of NOVEMBER, 2020

[Signature]
Applicants Signature

- VICE PRESIDENT
REAL ESTATE

¹ If the answer to any of the above is "Yes," then the member of the Mayor and Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing, to the Mayor and Council of the City of Kennesaw, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

² Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action.



Community Development
Planning & Zoning Department
2529 J. O. Stephenson Avenue
770-590-8268

CAMPAIGN DISCLOSURE REPORT¹ BY APPLICANT²

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Has the applicant made, within two (2) years immediately preceding the filing of this application for rezoning, campaign contributions aggregating two hundred fifty dollars (\$250.00) or more or made gifts having in the aggregate a value of two hundred fifty dollars (\$250.00) or more to a member or members of the Mayor and Council or Planning Commission who will consider the application?___

If "Yes," the applicant and the attorney representing the applicant must file a disclosure report with the Mayor and Council of the City of Kennesaw within ten (10) days after this application is first filed.

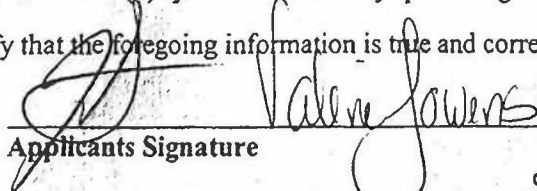
Please supply the following information that will be considered as the required disclosure:

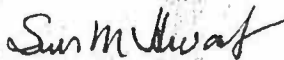
The name of the member(s) of the Mayor and Council or Planning Commission to whom the campaign contribution or gift was made:

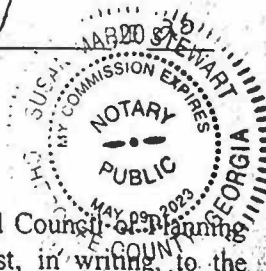
The dollar amount of each campaign contribution made by the applicant to the member(s) of the Mayor and Council or Planning Commission during the two (2) years immediately preceding the filing of this application and the date of each such contribution:

An enumeration and description of each gift having a value of two hundred fifty dollars (\$250.00) or more made by the applicant to the member(s) of the Mayor and Council or Planning Commission during the two (2) years immediately preceding the filing of this application:

I certify that the foregoing information is true and correct, this 17th day of Nov


Applicants Signature





¹ If the answer to any of the above is "Yes," then the member of the Mayor and Council or Planning Commission must immediately disclose the nature and extent of such interest, in writing to the Mayor and Council of the City of Kennesaw, Georgia. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

² Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action.



COBB COUNTY TAX BILL 2020

Pay online at www.cobbtax.org or 1-866-729-2622
See the back of this bill for more payment information

CARLA JACKSON
TAX COMMISSIONER

HEATHER WALKER
CHIEF DEPUTY

Phone: 770-528-8600
Fax: 770-528-8679



Pay Online

PRO BUILD REAL ESTATE
HOLDINGS LLC
C/O RYAN LLC
SUMMERS ST

PAYMENT DUE DATE: October 15, 2020

Payment must be received or **USPS Postmarked** by the due date. Metered or kiosk postmarks are not accepted as proof of timely mailing.

Parcel ID	Fair Market Value	Assessed Value	Acreage	Tax District	Homestead Exemption				
20016700200	1,887,600	755,040	9.97	3 - City of Kennesaw	NONE				
Taxing Authority	Assessed Value	-	Exemption	=	Net Assessment	x	Millage Rate	=	Taxes Due

SCHOOL	755,040	-	0	=	755,040	x	0.0189	=	\$14,270.26
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Levied by the Cobb County Board of Education representing approximately 62.27% of your taxes due.

COUNTY

Levied by the Board of Commissioners representing approximately 37.73% of your taxes due.

County General	755,040	-	0	=	755,040	x	0.00846	=	\$6,387.64
County Bond	755,040	-	0	=	755,040	x	0.00013	=	\$98.16
County Fire	755,040	-	0	=	755,040	x	0.00286	=	\$2,159.41

Tax Year	Parcel ID	Due Date	Appeal Amount	Total Taxes Due
2020	20016700200	10/15/2020	Pay: N/A or	\$22,915.47

Payment must be received or **USPS Postmarked** by the due date. Metered or kiosk postmarks are not accepted as proof of timely mailing.

Tax Year	Parcel ID	Due Date	Appeal Amount	Total Taxes Due	Amount Enclosed
2020	20016700200	10/15/2020	N/A or	\$22,915.47	

Late fees apply after
October 15, 2020

IS YOUR INFORMATION UP TO DATE?

☐

My mailing address
has changed.

☐

I want to remove
homestead
exemptions.

Date Moved:

New Mailing Address:

Signature : _____

2020 COBB COUNTY TAX BILL

Internal Use

PRO BUILD REAL ESTATE HOLDINGS
LLC
C/O RYAN LLC
or Current Property Owner
7979 E TUFTS AVE
1500



DENVER, CO 80237



Printed: 11/20/2020

Cobb County Online Tax Receipt

Thank you for your payment!

CARLA JACKSON TAX COMMISSIONER
HEATHER WALKER CHIEF DEPUTY
Phone: 770-528-8600
Fax: 770-528-8679

Payer:
RYAN TAX COMPLIANCE SERVICES

PRO BUILD REAL ESTATE HOLDINGS LLC
C/O RYAN LLC

Payment Date: 9/28/2020

Tax Year	Parcel ID	Due Date	Appeal Amount			Taxes Due
2020	20016700200	10/15/2020	Pay:	N/A	or	\$0.00
Interest	Penalty	Fees	Total Due	Amount Paid	Balance	
\$0.00	\$0.00	\$0.00	\$0.00	\$22,915.47	\$0.00	



Scan this code with your
mobile phone to view
this bill!

(CLERK OF COURT RECORDING INFORMATION)

OWNER'S ACKNOWLEDGEMENT

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO, AND IN PERSON OR THROUGH DULY AUTHORIZED AGENTS, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY AND DEDICATES TO THE USE OF THE PUBLIC ALL STREETS, PARKS, DRAINS, EASEMENTS AND PUBLIC GROUNDS THEREON SHOWN, WHICH COMPRISES A TOTAL OF ZERO ACRES FOR THE PURPOSES THERON EXPRESSED.

SUB-DIVIDER

OWNER

N/F PROPERTY OF
KENNESAW VILLAGE, LLC
DEED BOOK 15010 / PAGE 3555
ZONED LI

(PRINTED NAME)

(PRINTED NAME)

(SIGNATURE)

(SIGNATURE)

(DATE)

(DATE)

CITY ENGINEER APPROVAL

(PRINTED NAME)

(SIGNATURE)

(DATE)

MAYOR AND COUNCIL APPROVAL

PURSUANT TO THE LAND SUBDIVISION SECTIONS OF THIS UDC OF THE CITY OF KENNESAW GEORGIA, ALL THE REQUIREMENTS OF APPROVAL HAVE BEEN FULFILLED, THIS PLAT WAS GIVEN FINAL APPROVAL BY THE MAYOR AND COUNCIL OF KENNESAW, GEORGIA ON 2020.

(MAYOR, CITY OF KENNESAW, GEORGIA)

PLANNING AND ZONING APPROVAL

(PRINTED NAME)

(SIGNATURE)

(DATE)

BUILDING AND CONSTRUCTION APPROVAL

(PRINTED NAME)

(SIGNATURE)

(DATE)

PUBLIC WORKS APPROVAL

(PRINTED NAME)

(SIGNATURE)

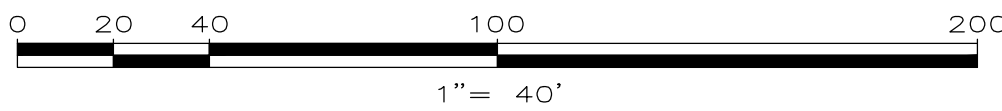
(DATE)

IF YOU DIG



Know what's below.
Call before you dig.
Dial 811
Or Call 800-282-7411

GRAPHIC SCALE



LEGEND

STANDARD ABBREVIATIONS

AC AIR CONDITIONER
BH BORE HOLE
BSL BUILDING SETBACK LINE
CI CURB INLET
CMP CORRUGATED METAL PIPE
CMF CONCRETE MONUMENT FND
CO SANITARY CLEANOUT
CPED COMMUNICATION PEDESTAL
CTP CRIMPED TOP PIPE
DI DROP INLET
DIP DUCTILE IRON PIPE
DWBC DOUBLE WING CATCH BASIN
FNC FENCE
FND FOUND
GM GAS METER
INV INVERT
JB JUNCTION BOX
MH MANHOLE
OCS OUTLET CONTROL STRUCTURE
OTP OPEN TOP PIPE
PM POWER METER
PKS PK NAIL SET
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
RCP REINFORCED CONCRETE PIPE
RBR IRON REINFORCING BAR
RBS 5/8"RBR SET CAPPED LSF 621
SS SANITARY SEWER
SWCB SINGLE WING CATCH BASIN
TRANS ELECTRIC TRANSFORMER

STANDARD SYMBOLS

OVERHEAD TRAFFIC SIGNAL LIGHT
POWER POLE
GUY WIRE
POWER LINE
LIGHT POLE
ELECTRIC TRANSFORMER
WATER VAULT
GAS VALVE
GAS METER
WATER VALVE
WATER METER
FIRE HYDRANT
UNDERGROUND ELECTRIC LINE
UNDERGROUND GAS LINE
UNDERGROUND COMMUNICATION LINE
UNDERGROUND WATER LINE
PHOTO POSITION INDICATOR
REGULAR PARKING SPACE COUNT
HANDICAP PARKING SPACE
TREE POSITION INDICATOR
SIGN

SURVEYOR CERTIFICATION

IT IS HEREBY CERTIFIED THAT THIS MAP OR PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN; AND THAT ALL ENGINEERING REQUIREMENTS OF THE KENNESAW SUBDIVISION REGULATIONS HAVE BEEN FULLY COMPLIED WITH.



David L. Hester
Georgia Registered
Land Surveyor # 3042

CLOSURE STATEMENT

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 77,521, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. A TRIMBLE "S" SERIES TOTAL STATION AND TRIMBLE TSC-3 DATA COLLECTOR WERE USED TO COLLECT THIS FIELD DATA.

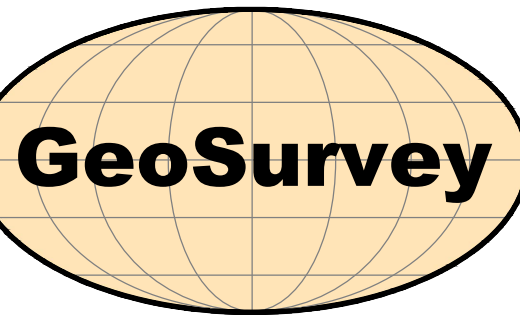
THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 378,780 FEET. ± 0.001 INCH.

SURVEYOR CERTIFICATION

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



David L. Hester
Georgia Registered
Land Surveyor # 3042



Land Surveying • 3D Laser Scanning

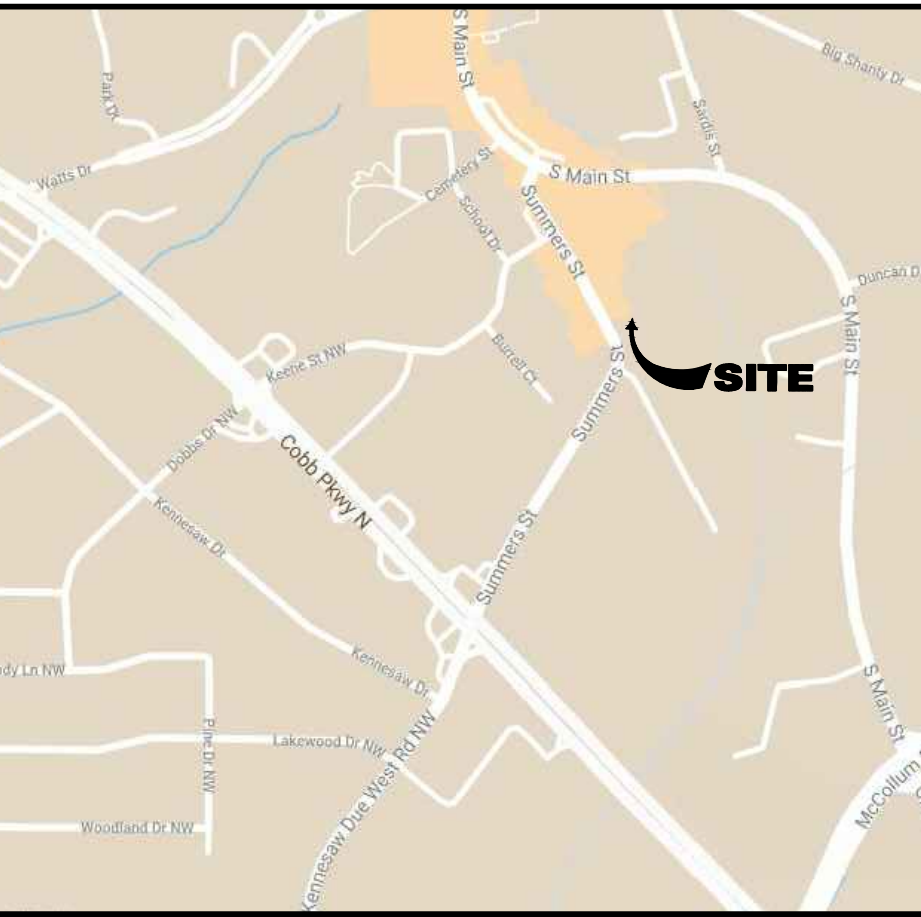
1660 Barnes Mill Road
Marietta, Georgia 30062

Phone: (770) 795-9900
Fax: (770) 795-8880

www.geosurvey.com
EMAIL: info@geosurvey.com
Certificate of Authorization #LSF-000621

VICINITY MAP

SITE LOCATION - LATITUDE: 34° 01' 07" LONGITUDE: 84° 36' 44"



GENERAL NOTES

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITIES NAMED HEREON. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON.

REVISIONS LISTED ON THIS SURVEY APPLY ONLY TO THE SPECIFIC CHANGES REFERENCED, AND DO NOT CONSTITUTE AN UPDATE OF OTHER DATA ON THIS SURVEY. THE SURVEY DATE SHOWN HEREON IS THE APPLICABLE DATE AS RELATED TO PROVISIONS OF STATUTES OF LIMITATION UNLESS SPECIFICALLY NOTED OTHERWISE.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA BASED ON THE FLOOD INSURANCE RATE MAP FOR THIS AREA. THE MAP NUMBER FOR THIS AREA IS 13067C0038H, AND THE DATE OF SAID MAP IS 03/04/2013. THIS DETERMINATION WAS MADE BY GRAPHICALLY DETERMINING THE POSITION OF THIS SITE ON SAID FIRM MAPS UNLESS OTHERWISE NOTED.

PLEASE NOTE: ABOVE GROUND UTILITIES ARE SHOWN HEREON. NO UNDERGROUND UTILITIES WERE MARKED OR LOCATED.

THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY GPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NORTH AMERICAN DATUM OF 1983(2011)-STATE PLANE COORDINATE SYSTEM OF GEORGIA-WEST ZONE. THE VERTICAL REFERENCE FRAME IS NORTH AMERICAN VERTICAL DATUM OF 1988. ANY DIRECTIONS OR DIMENSIONS SHOWN ARE A RECTANGULAR, GROUND LEVEL PROJECTION OF THE STATE PLANE COORDINATE SYSTEM.

NO ZONING REPORT OR ZONING LETTER WAS PROVIDED TO THE SURVEYOR. THE SITE IS ZONED "LI" (LIGHT INDUSTRIAL DISTRICT) AS SHOWN ON THE ZONING MAP OF THE CITY OF KENNESAW, GEORGIA.

DIMENSIONAL STANDARDS FOR DEVELOPMENT:

- 1.MINIMUM LOT SIZE: 40,000 SQUARE FEET
- 2.MINIMUM LOT WIDTH AT FRONT SETBACK LINE: 75 FEET
- 3.MAXIMUM HEIGHT: 50 FEET (4 STORIES MAXIMUM)

4.A BASEMENT SHALL BE COUNTED AS A STORY IF THE CEILING IS SIX FEET OR MORE ABOVE THE GRADE AND IS EITHER SUBDIVIDED OR USED FOR DWELLING OR BUSINESS PURPOSES. A BASEMENT IS A PORTION OF THE BUILDING PARTLY UNDERGROUND WHICH HAS MORE THAN ONE-HALF OF ITS HEIGHT MEASURED FROM FINISHED FLOOR TO FINISHED CEILING ABOVE THE AVERAGE GRADE OF THE ADJOINING GROUND.

- 5.MINIMUM BUILDING SETBACKS:
(A)FRONT YARD AS MEASURED FROM ARTERIAL: 50 FEET.
(B)FRONT YARD AS MEASURED FROM COLLECTOR: 50 FEET.
(C)FRONT YARD AS MEASURED FROM LOCAL: 50 FEET.
(D)SIDE YARD (AKA MINOR SIDE YARD): 20 FEET.
(E)REAR YARD: 40 FEET.(F)MAJOR SIDE: 25 FEET.

6.MAXIMUM COVER: 80%

ZONING AND SETBACKS SHOULD BE CONFIRMED AND VERIFIED BY PLANNING AND ZONING PRIOR TO DESIGN OR CONSTRUCTION ACTIVITIES.

RIGHT-OF-WAY LINES SHOWN ON THIS SURVEY THAT ARE NOT ACTUAL BOUNDARIES OF THE SUBJECT TRACT(S) ARE DEPICTED GRAPHICALLY AND ARE SHOWN APPROXIMATELY FOR INFORMATIONAL PURPOSES ONLY. SAID RIGHT-OF-WAY LINES SHOULD NOT BE UTILIZED FOR DESIGN PURPOSES.

SURVEY REFERENCES

- 1> ALTA/ACSM LAND TITLE SURVEY OF 2600 SUMMERS STREET PREPARED BY MORELAND ALTOBELLI ASSOCIATES, INC. DATED DECEMBER 14, 2007.
- 2> SURVEY FOR DALE BURRELL PREPARED BY RUHLING AND RUHLING LAND SURVEYORS DATED FEBRUARY 21, 1995, REVISED MAY 19, 1997. JOB NUMBER 97-2286

1 SHEET
OF 2

MINOR SUBDIVISION PLAT

2600 Summer Street

FOR

Pro Build Real Estate Holdings, LLC

GS JOB NO:		20206672	DRAWING SCALE:		1"= 20'	SURVEY DATE:		08-05-2020
FIELD WORK:		EP	CITY:		KENNESAW	STATE:		GA
PROJ MGR:		DLH	COUNTY:		COBB	REVISIONS (SEE GENERAL NOTES)		
REVIEWED:		JTN	LAND LOT:		138 & 167	No.		Date
DWG FILE:		20206672.dwg	DISTRICT:		20th	Description		

All that tract or parcel of land lying or being in Land Lots 138 & 167, 20th District, City of Kennesaw, Cobb County, Georgia, and being more particularly described as follows:

BEGINNING at a PK nail set on the easterly right-of-way line of George L. Summers Street (variable right-of-way), said PK nail set having local Stationed Plane coordinates of N+1,462,171.37; E+2,161,330.50; Thence leaving said PK nail set on a 5/8-inch rebar set on a bearing of 100 degrees 13.92 feet to a 5/8-inch rebar set; Thence North 24 degrees 57 minutes 32 seconds East a distance of 23.70 feet to a 5/8-inch rebar set; Thence North 18 degrees 25 minutes 13 seconds West a distance of 11.50 feet to a 5/8-inch rebar set; Thence North 36 degrees 36 minutes 39 seconds East a distance of 8.00 feet to a 5/8-inch rebar set; Thence North 88 degrees 58 minutes 32 seconds East a distance of 110.50 feet to a 5/8-inch rebar set; Thence South 01 degrees 11 minutes 03 seconds West a distance of 11.50 feet to a 5/8-inch rebar set; Thence South 11 degrees 03 minutes 09 seconds East a distance of 105.50 feet to a 5/8-inch rebar set; Thence South 47 degrees 14 minutes 35 seconds West a distance of 61.45 feet to a 5/8-inch rebar set; Thence South 61 degrees 48 minutes 17 seconds West a distance of 109.95 feet to a 5/8-inch rebar set; Thence South 63 degrees 39 minutes 43 seconds East a distance of 5.15 feet to a 5/8-inch rebar set; Thence South 65 degrees 52 minutes 03 seconds West a distance of 144.50 feet to a 5/8-inch rebar set on the easterly right-of-way line of George L. Summers Street; Thence following two (2) courses and distances: North 25 degrees 20 minutes 15 seconds West a distance of 12.33 feet to a 5/8-inch rebar set; North 25 degrees 20 minutes 15 seconds West a distance of 126.52 feet to a 5/8-inch rebar set; said 5/8-inch rebar set being the TRUE POINT OF BEGINNING.

Said tract of land contains 0.919 Acres.

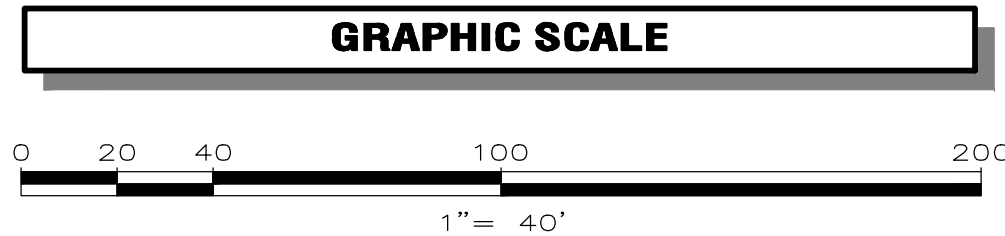
All that tract or parcel of land lying or being in Land Lots 138 & 167, 20th District, City of Kennesaw, Cobb County, Georgia, and being more particularly described as follows:

commencing at a PK nail set on the easterly right-of-way line of Summers Street (variable right-of-way), said PK nail set having Georgia State Plane coordinates of N:1462,171.31; E:2,161,330.50. Thence leaving said distance of 139.92 feet to a 5/8-inch rebar set; Thence North 45 degrees 57 minutes 32 seconds East a distance of 23.70 feet to a 5/8-inch rebar set; Thence North 18 degrees 25 minutes 13 seconds West a distance of 19.90 feet to a 5/8-inch rebar set; Thence North 18 degrees 36 minutes 39 seconds East a distance of 8.00 feet to a 5/8-inch rebar set; Thence leaving Georgia State Plane coordinates of N:1462,354.12; E:2,161,440.74; said 5/8-inch rebar set being the TRUE POINT OF BEGINNING. Thence North 68 degrees 23 minutes 32 seconds East a distance of 66.62 feet to a 5/8-inch rebar set; Thence North 18 degrees 08 minutes 52 seconds West a distance of 47.59 feet to a 1/2-inch rebar found; Thence North 68 degrees 13 minutes 47 seconds East a distance of 19.90 feet to a 5/8-inch rebar set; Thence North 18 degrees 36 minutes 41 seconds West a distance of 97.45 feet to a 5/8-inch rebar set; Thence North 68 degrees 23 minutes 32 seconds East a distance of 54.11 feet to a 1/2-inch rebar found; Thence North 17 degrees 35 minutes 30 seconds West a distance of 206.95 feet to the following corners and distances: along a curve to the right having a radius of 1063.53 feet and an arc length of 464.77 feet, being subtended by a chord bearing of South 20 degrees 39 minutes 12 seconds East for a distance of 651.08 feet to a point; along a curve to the right having a radius of 1213.96 feet and an arc length of 171.46 feet, being subtended by a chord bearing of South 20 degrees 39 minutes 12 seconds East for a distance of 393.30 feet to a point; along a curve to the right having a radius of 1691.13 feet and an arc length of 276.00 feet, being subtended by a chord bearing of South 02 degrees 42 seconds East for a distance of 275.69 feet to a PK nail set; along a curve to the right having a radius of 2144.10 feet and an arc length of 183.61 feet, being subtended by a chord bearing of South 02 degrees 42 seconds East for a distance of 183.61 feet to a PK nail set; along a curve to the right having a radius of 1339.38 feet and an arc length of 280.94 feet, being subtended by a chord bearing of South 06 degrees 00 minutes 00 seconds East for a distance of 280.94 feet to a 5/8-inch rebar set; Thence leaving said right-of-way, along a curve to the right having a radius of 950.02 feet and an arc length of 187.49 feet, being subtended by a chord bearing of North 36 degrees 32 minutes 23 seconds East for a distance of 187.49 feet to a PK nail set; Thence North 28 degrees 11 minutes 31 seconds West a distance of 10.95 feet to a 5/8-inch rebar set; Thence North 28 degrees 11 minutes 33 seconds West a distance of 26.73 feet to a PK nail set; Thence North 28 degrees 11 minutes 33 seconds West a distance of 26.73 feet to a PK nail set; Thence North 27 degrees 45 minutes 25 seconds West a distance of 376.38 feet to a 5/8-inch rebar set; Thence North 65 degrees 52 minutes 30 seconds East a distance of 105.50 feet to a 5/8-inch rebar set; Thence North 65 degrees 52 minutes 30 seconds East a distance of 105.50 feet to a 5/8-inch rebar set; Thence North 27 degrees 45 minutes 25 seconds West a distance of 376.38 feet to a 5/8-inch rebar set; Thence North 61 degrees 00 minutes 36 seconds East a distance of 10.95 feet to a 5/8-inch rebar set; Thence North 47 degrees 14 minutes 35 seconds East a distance of 61.45 feet to a 5/8-inch rebar set; Thence North 47 degrees 14 minutes 35 seconds East a distance of 105.50 feet to a 5/8-inch rebar set; Thence North 01 degrees 43 minutes 29 seconds West a distance of 96.00 feet to a 5/8-inch rebar set; Thence South 08 degrees 58 minutes 32 seconds West a distance of 96.00 feet to a 5/8-inch rebar set; said 5/8-inch rebar set being the TRUE POINT OF BEGINNING.

Said tract of land contains 8.757 Acres.

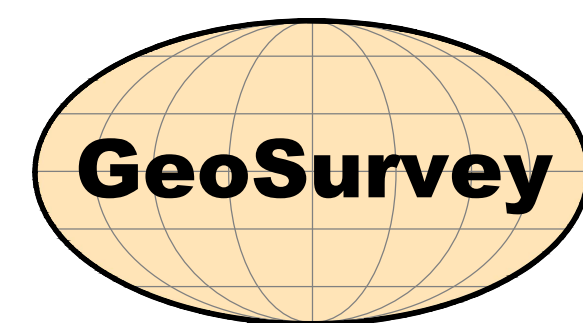
[illegible]

Know what's below.
Call before you dig.
Dial 811
Or Call 800-282-7411



THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 77,521, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. A TRIMBLE "S" SERIES TOTAL STATION AND TRIMBLE TSC-3 DATA COLLECTOR WERE USED TO COLLECT THIS FIELD DATA.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 378,780 FEET. dlh INIT.



Land Surveying • 3D Laser Scanning

1660 Barnes Mill Road
Marietta, Georgia 30062

Phone: (770) 795-9900
Fax: (770) 795-8880

www.geosurvey.com
EMAIL: info@geosurvey.com
Certificate of Authorization #LSF-00062

MINOR SUBDIVISION PLAT

2600 Summer Street

FO

Pro Build Real Estate Holdings, LLC

GS JOB NO:	20206672	DRAWING SCALE:	1"= 20'	SURVEY DATE:	08-05-20
FIELD WORK:	EP	CITY:	KENNESAW	STATE:	GA
PROJ MGR:	DLH	COUNTY:	COBB	REVISIONS (SEE GENERAL NOTES)	
REVIEWED:	JTN	LAND LOT:	138 & 167	No.	Date
DWG FILE:	20206672.dwg	DISTRICT:	20th	Description	



Community Development Department
Plan Review Committee

Plan Review Coordinator
Scott Banks, Building Official

Darryl Simmons, Zoning Administrator
Ricky Stewart, Public Works Director
Yared Altaye, Engineer/Project Specialist

To: Mayor and Council

From: Plan Review Committee

Date: November 20, 2020

Parcel split plat submitted by Tim Gowens for parcel located in the 20th District, LL167 parcel 20 identified as part of 2600 Summer Street was received and reviewed. This revised plat illustrates the creation of two tracts. Tract 1 will contain 8.75 acres and Tract 2 will contain .91 acres. All members of the Plan Review Committee have verified said plat and all comments were addressed. The revised plat is in compliance and ready for your consideration and approval.

Scott Banks, Plan Review Coordinator



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Consideration for approval of an Alcohol License for Beer, Wine, Liquor and Sunday Sales for Zodiac Productions LLC d/b/a Café Zodiac Bar and Grill located at 2500 Cobb Parkway, Kennesaw, GA 30152. Applicant: Leyland Benn.
Agenda Comments:	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.
Funding Line(s)	100.0000.32.1100 Application Fee \$350.00

ATTACHMENTS:

Description	Upload Date	Type
Application	11/11/2020	Backup Material
11-24-20 Legal Ad	11/24/2020	Legal Ad
12-01-20 Legal Ad	12/1/2020	Legal Ad



Business License
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Contact Information:
Phone: (770) 424-8274
Fax: (770) 429-4559
www.kennesaw-ga.gov

License Application:
Alcoholic Beverage

APPLICATION

Applying For (Check All That Apply):

- ☒ Liquor
- ☒ Beer
- ☒ Wine
- ☐ Growler
- ☒ Sunday Sales

License Type (Choose one):

- ☐ Manufacturer
- ☐ Wholesaler
- ☐ Retail Package
- ☒ Retail Pouring

Type of Establishment (Choose one):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Restaurant | <input type="checkbox"/> Bottle House |
| <input type="checkbox"/> Night Club | <input type="checkbox"/> Convenience Store |
| <input type="checkbox"/> Grocery Store | <input type="checkbox"/> Indoor Entertainment Hall |
| <input type="checkbox"/> Pub | <input type="checkbox"/> Hotel/Motel |
| <input type="checkbox"/> Private Club | <input type="checkbox"/> Package Store |

Business Type (Choose one):

- ☐ Sole Proprietor
- ☐ Corporation
- ☒ LLC
- ☐ Partnership
- ☐ LLP

Please fill out the below information:

1. Full name of business: Zodiac Productions LLC
Doing Business As (DBA): Cafe Zodiac Bar and Grill
Anticipated start date of business: 01/01/21
2. Business location: 2500 Cobb Pkwy, Suite D, Kennesaw, GA 30152
Email address: cafezodiacbar@gmail.com
Phone Number: 678-540-6183
Mailing address: 2500 Cobb Pkwy, Suite D, Kennesaw, GA 30152
3. Do you have a certified survey of the location of the property? Yes

Does the certified survey indicate that the business is within the designated distance of the following:

- | | | | |
|-------------------------------------|-----------------|------------------------------|--|
| a. Private residence | 300 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. School or college | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Church | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Public building | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Hospital | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| f. Public park | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| g. Day care center* | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| h. Alcohol or drug treatment center | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Package Sales have additional distance limitations as follows:

Package Sales Only (Liquor):

- | | | | |
|-------------------------------------|-----------------|------------------------------|-----------------------------|
| a. School or college | 300 feet radius | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. Church | 300 feet radius | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. Day care center* | 300 feet radius | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| d. Alcohol or drug treatment center | 500 feet radius | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Package Sales Only (Beer or Wine):

- | | | | |
|-------------------------------------|-----------------|------------------------------|-----------------------------|
| a. School or college | 300 feet radius | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. Alcohol or drug treatment center | 300 feet radius | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

* Must accept GA Pre-K or HOPE Scholarship Monies

* Must follow a prescribed state curriculum

See Code Sections 6-1, 6-42 and 6-43 for distance measurement definition and limitations.

4. For Retail Pouring license, please indicate the following:

Number of pool tables:

Number of video game machines:

Size of dance floor:

Amount of cover charge:

Will the location have a DJ, and if so, number of times per week:

1
1
12x13
Weekends only (Fri-Sat)

5. How many square feet are the following:

a. Dining area:

b. Bar area:

c. % of total dining space that is a bar area:

2400 sf
240 sf
~~XXXXXX~~ 10%

Is this location new construction or pre-existing? Open under license Pre-existing

How is the proposed location zoned? Commercial

This section is to be completed and signed by the City of Kennesaw Zoning staff:

Zoning verified by City of Kennesaw Zoning Division staff member [Signature]

If this is an application for a new establishment, attach proof of adequate parking facilities of one (1) off street parking space for each (200) square feet of total floor area within the building in conformity with the zoning ordinance and regulations of the City of Kennesaw.

If new establishment, parking verified by the Zoning Division staff member _____

If Partnership or LLP:

6. Partnership of LLP Name: N/A

Partner/Member: _____
Position: _____
Email Address: _____
Phone Number: _____

Social Security #: _____
Date of Birth: _____
% of Ownership: _____

Home Address: _____

City: _____
State: _____
ZIP: _____

Partner/Member: _____
Position: _____
Email Address: _____
Phone Number: _____

Social Security #: _____
Date of Birth: _____
% of Ownership: _____

Home Address: _____

City: _____
State: _____
ZIP: _____

****Attach additional sheets if needed****

If Corporation or LLC:

7. Corporation or LLC Name: Zodiac Productions LLC

President/Member: Leyland W. Benn
Email Address: cutezodiacbear@gmail.com
Phone Number: [REDACTED]

Social Security #: [REDACTED]
Date of Birth: [REDACTED] 1969
% of Ownership: 100

Home Address: 1701 Clayhill Court SW

City: Marietta Ga
State: Ga
ZIP: 30064

VP/Member: _____
Email Address: _____
Phone Number: N/A

Social Security #: _____
Date of Birth: _____
% of Ownership: _____

Home Address: _____

City: _____
State: _____
ZIP: _____

Secretary/Member: _____
Email Address: _____
Phone Number: N/A

Social Security #: _____
Date of Birth: _____
% of Ownership: _____

Home Address: _____

City: _____
State: _____
ZIP: _____

Treasurer/Member: _____
Email Address: _____
Phone Number: N/A

Social Security #: _____
Date of Birth: _____
% of Ownership: _____

Home Address: _____

City: _____
State: _____
ZIP: _____

**** Attach additional sheets if needed ****

If the business listed in questions 6 or 7 is owned by another firm or corporation, provide the information requested in questions 8 and 9.

8. List corporate name, business name, and % of business owned by the corporation

Corporate Name	Business Name	% Owned
N/A		

9. List name, position, social security number, address, and % owned for each board member of the corporation listed in question 8.

Name	Position	SSN	Home Address	% Owned
N/A				

10. Is the licensee or any owner listed in questions 6 – 9 currently holding an interest or ever been associated with any alcoholic beverage establishment? If yes, list below.

Licensee/Owner Name	Business Name	Address
N/A		

11. List full name and other required information of relatives of the licensee or owners who have or have had any license or any financial or ownership interest in any alcoholic beverage business.

Name/Relationship	Home Address	Business Name/Address
N/A		

12. List the full name and address of the property owner on which the business is to be conducted.

Property Owner: Ben F. Kusher Inc./Crossing Partners LLC
Address: 19241 Birmingham Hwy Alpharetta Ga 30004

13. State the total amount of capital funds to be invested in this business.

\$ [REDACTED]

14. State the amount of personal funds invested by the following:

Licensee/Owner \$ [REDACTED]
Other Owners \$ [REDACTED]

15. If capital is borrowed, provide the following and attach a copy of the note (s) or evidence of indebtedness, with all attachments, to this application.

Name of Lender	Address	Amount	Date	Interest Rate
N/A				

16. Name the person (s) that will be the manager of this business and provide the following information.

Name	Address	Compensation
Leyland Benn	1701 Clayhill Court SW Marietta Ga 30064	

17. Provide the name and address of your CPA or accounting firm:

Name	Address
I function as my own accountant	

18. Has the *business or any business associated with this business* been cited, charged, indicted, have a pending charge or been convicted at any time for any violation of Georgia Law, Federal Law or any rule or regulation of the State revenue commissioner or any rule, regulation or ordinance of the City of Kennesaw, Cobb County or other governmental unit? Yes ☐ No ☐

If yes, give full details.

Mr. Ulmer's business was cited in January 2020 and his license is in a Probationary Position. His citation was for illegal advertising.

19. Has the licensee, the licensee's spouse or any person having ownership interest in this business or their spouse been:

Arrested	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Convicted	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Detained	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Indicted	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Pled Guilty	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Pled Nolo Contender	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
On Probation	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Any Pending Criminal Charge	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If you answered "YES" to any of these questions, list below in complete detail the name, dates, charges, places of arrest and disposition of charge (s). Failure to make a full disclosure in response to this question will result in denial of the application or a revocation of the license if information requested was not provided.

On 9/26/2003 I was arrested by City of Atlanta Police Department
due to an altercation with two males, that were attempting to
commit robbery to my girlfriend. The case was later thrown out
and sealed. I was not convicted of the charge of Aggravated
Assault.

20. Has the licensee, the licensee's spouse or any person having ownership interest in this business or their spouse ever had any interest in any business, ever been a licensee or ever been an officer in any business that was cited, had an employee of any business cited, detained, arrested, indicted or convicted for any offense by any federal, state, county or city government or has any business been warned or had any license placed on probation, denied, suspended or revoked by any federal, state, county or city government? Failure to make a full disclosure in response to this question will result in denial of the application or a revocation of the license if information requested was not provided.

N/A

21. Indicate the type of alcohol awareness training and the number of hours of training that is required of owners and employees selling alcoholic beverages for the business. Also, indicate if training is required annually and the number of hours required.

I attended the AAT/IRV class several months ago held by Scott Wiatrick.
I obtained a training certification issued by TIRV.

* Additionally in my 20 year Law Enforcement career with DeKalb County
I received countless hours of training in this area.

22. What types of materials (written materials, signs, badges, etc.) are provided with the training of the employees?

Along with the staff, I was trained with examples of fake ID's
Breathalyzer training, usage of armbands and drink calendar
orientation. TIRV gave us written and oral test

23. Have you read and do you understand all the provisions of the City of Kennesaw and State of Georgia Alcoholic Beverage requirements as stated in Chapter Six (6) of the City of Kennesaw Code of Ordinances and Title III of the Official Code of Georgia.

Yes ☒ No ☐

24. Are you aware that the sale of alcoholic beverages to an underage person (s) by you or your employees may result in the suspension or revocation of the alcoholic beverage license?

Yes ☒ No ☐ LB

25. What procedures do you have in place to ensure that alcoholic beverages are not sold to underage person (s) or any other violation of the City of Kennesaw Code of Ordinances and State Law? Please attach all documentation relating to such procedures and include an explanation as their usage.

All staff members are trained by TIRV. TIRV certification cards are on file at the business. Each new staffer has an orientation session with manager. ID checkers are hired on busy nights to check ID's at the door. Throughout the business, individual staff members check ID's.

26. What technology, equipment and products have been or will be implemented in the location to ensure compliance with the City of Kennesaw, Cobb County and State Law? Examples include cash registers that require the date of birth to be entered, cameras, signs and calendars). Describe below:

1) Full camera system operational w/ extended storage. 2) After 10pm wristbands are used as needed. 3) Underage warning signs are posted and checked regularly. 4) Updated daily calendar is in view of staff so that they are qualified to check.

27. Estimated gross receipts from this location for the remaining calendar year: \$ [REDACTED]

28. List occupations for the past ten years. Include dates of employment and positions.

From/To Month/Year	Company	City	State	Position/Salary
<u>01/2010 - 01/2020</u>	<u>Investigator DeKalb County Sheriff's Office</u>	<u>Decatur</u>	<u>Ga</u>	[REDACTED]

29. List previous residences of the licensee for the past ten years.

From/To Month/Year	Address	City	State
<u>2017 - Present</u>	<u>1701 Clayhill Court SW</u>	<u>Marietta</u>	<u>Georgia</u>
<u>Prior 2013 - 2017</u>	<u>3850 Memorial Dr</u>	<u>Decatur</u>	<u>Georgia</u>
<u>2011 - 13</u>	<u>Hammond Dr</u>	<u>Decatur</u>	<u>Georgia</u>



Business License
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Contact Information:
Phone: (770) 424-8274
Fax: (770) 429-4559
www.kennesaw-ga.gov

License Application:
Alcoholic Beverage

OWNER/LICENSEE PERSONAL STATEMENT INFORMATION

1. Full name of licensee (No initials): Leyland Whitney Benn
(Include maiden names and alias names if any)

2. Phone Numbers:

a. Business: 678-540-6183
b. Cell: [REDACTED]
c. Home: N/A

3. Home Address: 1701 Clayhill Court S.W. Marietta Ga 30064

4. Business Address: 2500 N. Cobb Pkwy #D Kennesaw Ga 30152



5. Please fill out the following:

Age: 50 Sex: M Height: 5'10" Color of Hair: Black
Race: Black Weight: 195 Color of Eyes: Brown

6. Social Security #: [REDACTED]

7. Place of Birth: Brooklyn New York Date of Birth: [REDACTED] 1969

U.S. Citizen: Yes ☒ By Birth ☐ Naturalized

If a naturalized citizen, provide certificate #: N/A

and submit original naturalization certificate or U. S. Passport

If a legal permanent resident, provide alien registration #: N/A

and submit copy of I-551 card

Derived Parents Certificate #'s: N/A

Date & Port of Entry: N/A

8. How long have you resided in the City of Kennesaw or Cobb County? 18

9. Number of years at this present address? 4 years

3 years

10. Are you (Choose one): ☒ Single ☐ Married ☐ Widowed ☐ Divorced

11. If married, complete the following information on spouse.

Full Name of Spouse: _____

Social Security #: _____

Place of Birth: N/A

Place of Marriage: _____

Spouse's Maiden Name: _____

Date of Birth: N/A

Date of Marriage: _____

Name of spouse's employer: N/A

Address of employer: N/A

U.S. Citizen: N/A ☐ By Birth ☐ Naturalized

If a naturalized citizen, provide certificate #: N/A

and submit original naturalization certificate or U. S. Passport

If a legal permanent resident, provide alien registration #: N/A

and submit copy of I-551 card

Derived Parents Certificate #'s: N/A

Date & Port of Entry: N/A

12. Give names and addresses of all children and stepchildren (regardless of age).

Full Name	Address	Age	Birth Place
<u>Leyland Benn Jr</u>	<u>1701 Clayhill Court S.W. Marietta Ga</u>	<u>29</u>	<u>Bklyn N.Y.</u>
<u>Nolan Benn</u>	<u>Active Duty - Military - Over Seas</u>	<u>24</u>	<u>Bklyn N.Y.</u>

13. Give names and addresses of all immediate living relatives.

	Full Name	Address
Parents:	<u>Claudette Benn</u>	<u>1701 Clayhill Court S.W. Marietta Ga 30064</u>
	<u>Leyland Benn</u>	<u>Deceased</u>
Siblings:	<u>Rickford Benn</u>	<u>3788 Mulkey Circle Marietta Ga 30008</u>
In-Laws:	<u>N/A</u>	

14. Do you or your spouse have financial interest in any bar, lounge, tavern, restaurant, or other place of business where alcoholic beverage are sold and consumed on the premises? If yes, give details:

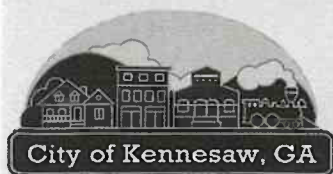
Not at this time, applying with this form

15. Are you or your spouse related to anyone who has ownership or is employed by any wholesale or retail alcoholic beverage business? If so, give name, relationship to licensee or licensee's spouse, business name and the amount of interest, and/or type of employment in each.

No

16. Education: List name of schools attended, address, dates of attendance and degrees earned.

M/YR	to	M/YR	School	Address	City	State	Degree
<u>1984</u>		<u>1988</u>	<u>Clarka Benton</u>	<u>Brooklyn</u>	<u>N.Y.</u>	<u>N.Y.</u>	<u>Diploma</u>
_____		_____	_____	_____	_____	_____	_____
_____		_____	_____	_____	_____	_____	_____



Business License
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Contact Information:
Phone: (770) 424-8274
Fax: (770) 429-4559
www.kennesaw-ga.gov

License Application:
Alcoholic Beverage

OWNER/LICENSEE PERSONAL FINANCIAL STATEMENT

Name: Leuland W. Benn
Social Security #: [REDACTED]
Residence Address: 1701 Clayhill Court SW
City/State/Zip: Marietta GA 30064
Residence Phone: [REDACTED]

Date of Birth: [REDACTED] 2020
Name of Spouse: N/A
Business/Organization: [REDACTED]
Business Phone: 678-540-6183
Partner/Officer in any other business? ☐ Yes ☒ No

Assets

Cash on hand in banks
Accounts Receivable
Stocks & Bonds
Real Estate
Cash value of Life Insurance
Automobiles
Deposit Accounts
Credit w/ Financial Institutions
Other Assets (Itemize) N/A

Total Assets

Liabilities

Notes payable to banks - Secured
Notes payable to banks - Unsecured
Accounts Payable
Unpaid Taxes
Mortgage on Real Estate
Other Debts (itemize)
Total Liabilities
Net Worth

Total Liabilities & Net Worth

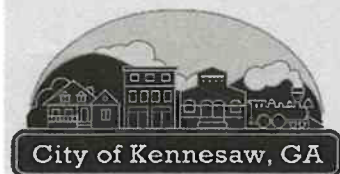
Source of Annual Income DeKalb Sheriff's Office Pension
Bonus & Commissions
Alimony, Child Support, or Separate Income
Itemize all loan sources & Interest
Other Income (Itemize)
Total Income

Salary [REDACTED]
Dividends

Total Income

Unsatisfied judgments or lawsuits pending? ☐ Yes ☒ No
Are any income tax returns made by you for prior years being contested? ☐ Yes ☒ No
If so, what do you estimate as the additional amount you may be required to pay? N/A
Are any assets pledged or joint names other than as described above? ☐ Yes ☒ No
Have you ever been declared bankrupt? ☐ Yes ☒ No
Do you have a will? ☐ Yes ☒ No
Who is named as your executor? Beneficiary: N/A
Executor: N/A

As of 11-01 2020



Business License
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Contact Information:
Phone: (770) 424-8274
Fax: (770) 429-4559
www.kennesaw-ga.gov

License Application:
Alcoholic Beverage

FOOD SALES AND ALCOHOLIC BEVERAGE SALES AFFIDAVIT TO BE COMPLETE BY RETAIL POURING APPLICANTS ONLY

NAME OF ESTABLISHMENT:
ADDRESS OF ESTABLISHMENT:
LICENSEE'S NAME:

Cafe Zodiac Bar and Grill
2500 N. Cobb Pkwy Suite #D Kennesaw GA 30152
Leyland W. Benn

FOOD SALES AND ALCOHOLIC BEVERAGE SALES: Financial reports must be attached to support the reported total or CPA certification must be completed attesting to the reported sales. This information must be provided from the financial records of the above establishment on a calendar year basis or such period during which the establishment has been open.

PERIOD FOR WHICH INFORMATION IS PROVIDED: _____ (IF EXISTING BUSINESS, MUST BE A 12 MONTH PERIOD. IF NEW BUSINESS, MUST BE 12 MONTH ESTIMATE.)

Gross Receipts from Food sales this period:	\$	[REDACTED]	(56.1 %)
Gross Receipts from Alcoholic Beverage sales this period:	\$	[REDACTED]	(43.9 %)
Total Food sales and Alcoholic Beverage sales this period:	\$	[REDACTED]	(100 %)

Briefly describe the method by which receipts are segregated daily into food sales and alcohol sales:

Our "ONE POS" POS SYSTEM BREAKS DOWN EVERYTHING
Hourly, Daily, Weekly, Monthly, Annually

I certify that I have a working knowledge of the books and records of the establishment whose name appears above, and that to the best of my knowledge the figures presented above represent accurate sale totals for the period specified.

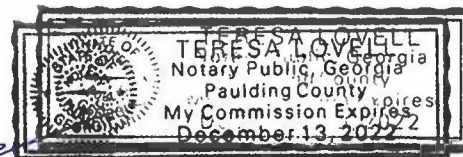
I. Leyland W. Benn, Function as my own book keeper
CPA NAME (PRINTED) NAME OF CPA FIRM PHONE

CPA SIGNATURE	BUSINESS ADDRESS	CITY/STATE	ZIP
<u>[Signature]</u>			
SIGNATURE OF NOTARY PUBLIC	SWORN UNDER: OATH THIS	DAY OF	, 20
		<u>1</u>	<u>November</u> <u>20</u>

I hereby affirm and understand that the privilege of selling alcoholic beverages on Sunday from 12:30 p.m. until Monday 2:55 p.m. requires valid alcoholic beverage pouring license, valid Sunday Sales pouring license and that at least 50% of the licensed establishment's annual gross food and alcoholic beverage sales must be derived from the sale of prepared meals and food.

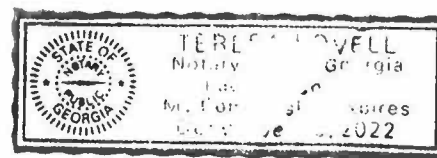
I hereby affirm that I understand that records of food sales and alcoholic beverage sales must be prepared and maintained. Failure to prepare and maintain records of food sales and alcoholic beverage sales is cause for denial or revocation of the alcoholic beverage pouring license, including the Sunday Sales pouring license. I further affirm that I understand that the City of Kennesaw Business License Division may audit our records to verify same at its discretion.

[Signature]
Signature of Licensee/Owner



Sworn under oath this 1 day of November, 2020

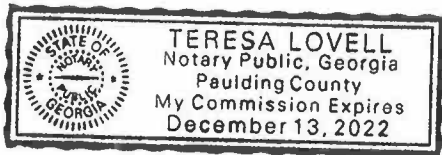
Notary Public



KENNESAW, GEORGIA
COBB COUNTY

I, Leyland W. Bess being duly sworn according to law,
do swear that the facts and things stated by me in the above and foregoing answers to questions are
true and no false or fraudulent statement is made herein and such answers were made in order to
procure the granting of such a license.

I have received a copy of the City of Kennesaw Alcoholic Beverage Code and I am aware that all
licenses must be obtained and fees paid no later than two weeks from the date of approval of this
application by the Mayor and Council.



Leyland W. Bess
Signature of Applicant

Signature of Spouse of Applicant

Sworn to and subscribed before me this
01 day of November, 2020

[Signature]
Notary Public

Signature and title of person other than
applicant filing out this application

Phone Number

Application received in Business License Office:

Date: 11/3/20

Received By: Debra La

Application to be heard by Mayor & Council

Date & Time: 12/07/20

A REPRESENTATIVE MUST BE PRESENT AT THE MAYOR & COUNCIL MEETING



Business License
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Contact Information:
Phone: (770) 424-8274
Fax: (770) 429-4559
www.kennesaw-ga.gov

License Application:
Alcoholic Beverage

BUSINESS LICENSE CONSENT FORM

Please choose one: ☒ NEW ☐ RENEWAL

I Leyland W. Benn, HEREBY AUTHORIZE THE CITY OF KENNESAW POLICE DEPARTMENT TO RECEIVE ANY CRIMINAL HISTORY RECORD AND/OR DRIVER'S HISTORY RECORD INFORMATION PERTAINING TO ME WHICH MAY BE IN THE FILES OF ANY STATE OR LOCAL CRIMINAL JUSTICE AGENCY IN THE STATE OF GEORGIA FOR THE PURPOSE :

- ☒ Alcohol License ☐ Massage Therapist License
☐ Bail Bond License ☐ Pawn Shop License
☐ Taxi Cab License ☐ Precious Metal

Cafe Zodiac Bar and Grill
NAME OF ESTABLISHMENT

2500 N. Cobb Pkwy #D Kennesaw
LOCATION

Leyland W. Benn
FULL NAME (PLEASE PRINT)

1701 Clayhill Court S.W. Marietta Ga 30064
ADDRESS

[REDACTED]
TELEPHONE NUMBER

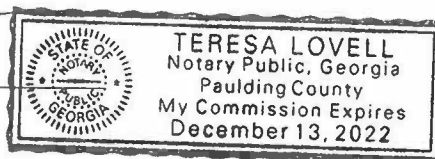
M B [REDACTED] 1969
SEX RACE DOB

[REDACTED]
SOCIAL SECURITY NO.

[Signature]
SIGNATURE OF APPLICANT

11/01/2020
DATE

[Signature]
NOTARY



12/13/22
COMMISSION DATE

***ALCOHOL LICENSE APPLICANTS: TO BE COMPLETED BY THE LICENSEE, OWNERS AND SPOUSES, PARTNERS AND SPOUSES, AND STOCKHOLDERS WITH 20% OR MORE SHARES AND THEIR SPOUSES.**

Official Use Only:

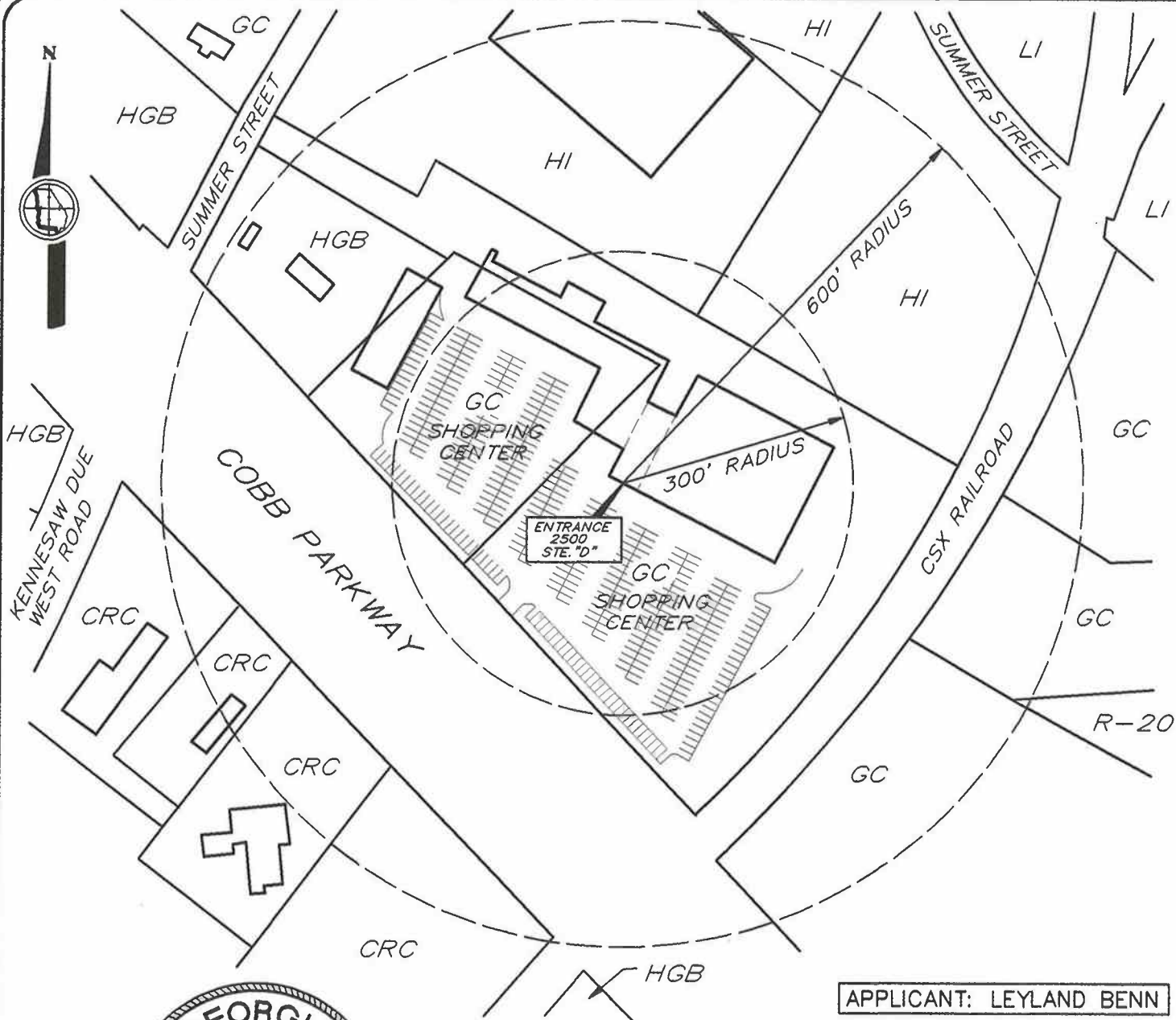
GCIC Operator number: cm Business License Clerk: Deah LA

Approved: [Signature] Denied: _____

Reviewed by Police Chief /Deputy Chief or Designee: L. A. Hainline



**No History
Georgia Only**
1714 11-4-20 CM



APPLICANT: LEYLAND BENN



THE NEAREST:

PRIVATE RESIDENCE IS 2491 KENN. DUE WEST RD (886±)
 SCHOOL IS KENN. MTN. H.S. (6005±)
 CHURCH IS SARDIS BAPTIST CHURCH (1873±)
 PUBLIC BUILDING IS U.S.P.S. (1861±)
 HOSPITAL IS WELLSTAR K.S.U. HEALTH CENTER (10628±)
 PUBLIC PARK IS CAMP McDONALD PARK (2350±)
 DAY CARE CENTER IS PRINCETON PREPARATORY SCHOOL (2026±)
 ALCOHOL/DRUG TREATMENT CENTER IS RESOLVE COUNSELING SER. (2864±)

THERE ARE NO: PRIVATE RESIDENCES, SCHOOLS/COLLEGES, CHURCHES, PUBLIC BUILDINGS, HOSPITALS, PUBLIC PARKS, DAY CARE CENTERS, ALCOHOL OR DRUG TREATMENT CENTERS LOCATED WITHIN A 600 FOOT RADIUS OF THE ENTRANCE TO THIS SITE.



ACCESS CONSULTANTS

LAND PLANNING ~ CIVIL DESIGN ~ LAND SURVEYING
 RESIDENTIAL ~ COMMERCIAL ~ INDUSTRIAL

104 HAYGOOD DRIVE
 WOODSTOCK, GA 30188
 TELEPHONE (770) 580-8849

ALCOHOLIC BEVERAGE SURVEY FOR:

CAFE ZODIAC HOOKAH BAR & GRILL

2500 COBB PARKWAY NW, SUITE "D", KENNESAW, GA 30152

LAND LOT 167, 20TH DISTRICT, 2ND SECTION

CITY: KENNESAW

COBB COUNTY, GEORGIA

PREPARED: NOVEMBER 3, 2020

SCALE: 1" = 200 FT.

JOB NO. ZODIAC/ULMER/ABS

EXISTING FLOOR PLAN
SCALE: 3/16" = 1'-0"



APPETIZERS

	Price
CHIPS & SALSA House made Salsa and Tortilla chips.....	\$4
QUESO DIP and chips.....	\$5
MOZZARELLA STICKS (6).....	\$4
3 CHEESE DELUXE Grilled Cheese & Zodiac Fries.....	\$7
CHICKEN TENDERS (4) served with Zodiac Fries	\$8
JRGER SLIDERS (4) served with Zodiac Fries.....	\$9
BAVED POTATO SKINS Mixed Cheeses, Bacon Bits & Scallions topped with Sour Cream.....	\$8
BAVED FRIES Your Choice of Chilli Cheese or Chicken Mixed Cheeses, Sour Cream & Scallions.....	\$7
ACHOS (Beef or Chicken) Chips, Queso, Cheese, Pico de Gallo, Sour Cream & Cilantro.....	\$8

Wings (Served With Fries)

Mild, Hot, BBQ, Lemon Pepper, Honey Mustard, Teriyaki, Henni Glaze and Caribbean Jerk

Traditional (Bone In)

ings \$8 / 12 Wings \$14 / 20 Wings \$22 / 36 Wings \$34 / 50 Wings \$48

Boneless

Wings \$7 / 12 Wings \$10 / 20 Wings \$15 / 36 Wings \$22 / 50 wings with Fries \$35

FLATBREADS & PITA

	Price
ZZA Topped with Turkey Peperoni, Tomato Sauce Cheese & Herbs	\$10
EGAN Garlic & Herb spread Topped with Sundried Tomato, Onions, Mushroom & Arugula.....	\$10
CHICKEN Buffalo Style, Caribbean Jerk or Teriyaki Topped with Mozzarella, Blue cheese & Onions.....	\$10
BEAK & CHEESE Topped with Onions, Peppers & Mozzarella Cheese	\$10
TA Chicken, Steak, Shrimp or Fish w/Lettuce, Tomato, Onions & Tzatziki Sauce.....	\$10

suming raw or undercooked food such as meat, poultry, fish, shellfish or egg which contains harmful bacteria may increase your risk of food Borne illness especially if you have certain medical conditions.

CAFE ZODIAC BAR & GRILL



HOOKAH BAR & GRILL



2500 N Cobb Pkwy Suite D
Kennesaw Ga, 30152

OPENING HOURS

TUES - SUNDAY (6 P.M TO 4 A.M)

CALL US: 678-540-6183

GRUBHUB

UBER
eats

FOLLOW US: [f](#) [i](#) [g](#) /cafezodiabargrill

www.cafezodiabargrill.com

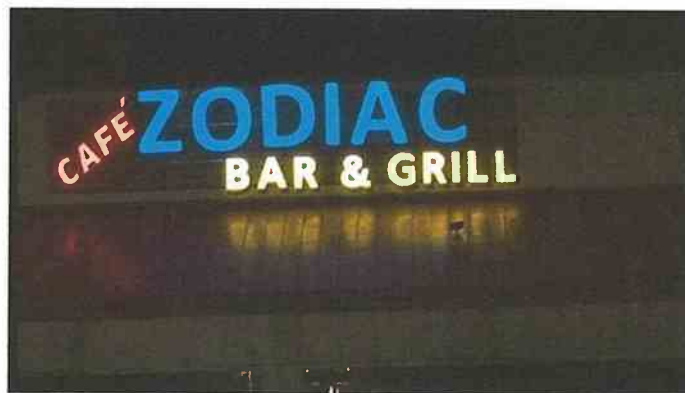
ENTREES

	Price
● DELUXE BURGER 2 Patties, Swiss Cheese, lettuce, Tomato with Fries	\$11
● BOURBON BACON BURGER Grilled w/ Bourbon Glaze Topped with Swiss Cheese & Turkey Bacon	\$10
● ZODIAC BURGER Fresh Salmon Strip, grilled & topped with Bourbon Glaze, Swiss Cheese & Lettuce.....	\$12
● CHICKEN SANDWICH Seasoned Chicken, Grilled Peppers Onions, Swiss Cheese, w/Zodiac Fries	\$10
● PHILLY SANDWICH Steak or Chicken, Grilled w/Onions, Peppers, Provoine Served w/Zodiac Fries	\$12
● HERO Tuna or Turkey, Swiss Cheese, Lettuce, Tomatoes Onions, Mayo, & Mustard, w/Zodiac Fries	\$10
● HOTDOGS 2 Hotdogs with Your choice of Chilli, Coleslaw or sauteed onions, Served w/Zodiac Fries.....	\$10
● MEATBALL or CHICKEN PARMIGIANA	\$10
● TACOS 3 Hard or Soft Tacos with Your choice of chicken or Beef	\$9
Steak, Fish or Shrimp.....	\$11
● QUESADILLA - Chicken, Beef or Steak, Mixed cheeses, Lettuce, Pico, Sour Cream, scallions & Salsa.....	\$10
● FISH & CHIPS Beer Battered Fillets Served with Zodiac Fries & Tartar Sauce	\$12
● FISH & SHRIMP COMBO Whitting or Tilapia, (4) Jumbo Shrimp served with fries	\$16
● CRAB LEGS 1 cluster with corn & potatoes.....	\$16
● ALFREDO mixed with your choice of Jerk chicken, Shrimp or Salmon	\$16
● NEW YORK STRIP STEAK Our Fresh Strip Seasoned & Grilled to Order Served with Baked Potato	\$19

SALADS

	Price
● SALADS (add Chicken \$3)	
● HOUSE Lettuce, Tomatoes, Carrots, Onions, Scallions, and Croutons with Cheese.....	\$6
● CAESAR Romaine mix Topped with House Dressing & Parmesan Cheese	\$7
● CRANBERRY PECAN House Mix topped with Cranberries, Pecan, Croutons & Cheese.....	\$8

In compliance with Covid19 rules and regulations we practice social distancing, must wear mask, we provide hand sanitizer, disposable menus, dishware & utensils. All staff wear mask & gloves & facility is continually cleaned & sanitized.



PICTURES FOR OUR APPLICATION OF CAFÉ' ZODIAC INSIDE & OUT

Training Institute for Responsible Vendors, Inc.

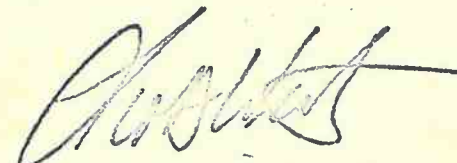
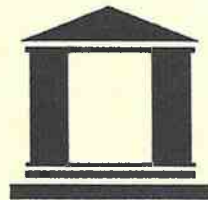
certifies that

Leyland Benn

has successfully completed training in our RASS Workshop thus
entitling them to all the rights and privileges appertaining thereto .

In witness thereof the undersigned have affixed their names
this 3rd day of November, 2020

Seal



President

STATE OF GEORGIA

Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

CERTIFICATE OF ORGANIZATION

I, **Brad Raffensperger**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

ZODIAC PRODUCTIONS LLC.

a Domestic Limited Liability Company

has been duly organized under the laws of the State of Georgia on **07/17/2019** by the filing of articles of organization in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on **07/22/2019**.



Brad Raffensperger

Brad Raffensperger
Secretary of State

ASSET PURCHASE AGREEMENT

This Asset Purchase Agreement (this "Agreement") is made effective as of January 1st, 2021 (the "Effective Date"), by and among Zodiac Productions LLC ("Buyer"), and Restaurant Development Inc, A Ga. Corporation, ("Seller"), hereafter known as RDI. Buyer and Seller are sometimes referred to individually herein as a "Party" and sometimes referred to collectively herein as the "Parties."

1. Transfer of Assets.

(a) Purchased Assets. For and in consideration of the purchase price described in Section 2 and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, Seller hereby grants, sells, conveys, transfers, assigns and delivers to Buyer, and Buyer hereby accepts, subject to the terms of this Agreement, all right, title and interest in and to all of the assets of and/or used by Seller in the operation of Seller's business (the "Business") operated from Seller's place of business at 2500 Cobb Parkway Suite D, Kennesaw Ga. 30152 (the "Location") previously operated under the name "Red Iguana" (individually and collectively the "Names"), including, without limitation, those assets listed on Exhibit A/Schedule A-1 (collectively the "Purchased Assets"), free and clear of any and all Liens (as defined below), except for the Assumed Liabilities (as defined below). However, Seller shall retain all of its right, title and interest in and to, and Buyer shall not acquire any interest of Seller in, the items (and only the items) listed on Exhibit B (collectively the "Excluded Assets").

(b) Effective Time of Transfer. The transfer of the Purchased Assets from Seller to Buyer, and Buyer's assumption of the Assumed Liabilities, shall be effective as of 12:01 a.m. on January 1st, 2021. The validity and actual closing of this contract at 12:01a.m. January 1st, 2021 is predicated and pending on the issuance of both a City of Kennesaw alcohol serving license and the required alcohol service license from the State of Georgia.


(c) Further Assurances. From time to time after the Effective Date, at the request of Buyer and without further consideration, Seller shall, and Seller Owner shall cause Seller to, execute and deliver promptly further instruments of transfer and assignment and take such other actions as Buyer may reasonably request to more effectively transfer and assign to and vest in Buyer each of the Purchased Assets in accordance herewith.

2. Assumption of Liabilities and Purchase Price.

(a) Assumption of Liabilities. On and subject to the terms and conditions of this Agreement, and effective as of the Effective Date, Buyer hereby assumes and becomes responsible for those liabilities (and only those liabilities) of Seller set forth or otherwise described on Exhibit C (collectively the "Assumed Liabilities"). Except for the Assumed Liabilities and except as otherwise

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date first above written.

BUYER:

By: 
Keyland Benn of Zodiac Productions LLC

**Address: 1701 Clayhill Ct S.W.
Marietta GA. 30064
(678-668-4111)**

SELLER:

By: 
**David Ulmer, President/Owner/Sole Officer
of Restaurant Development Inc.**

**Address: 3271 Stoney Acres Drive
Kennesaw, GA 30152
(770)499-0360-Office #**

the impact of standardized tests and keep the state's College and Career Readiness Preparedness Index accountability scores for schools flexible. Finally, it wants to see charter schools that apply for waivers from the state to use the same system that public school districts use.

Headed into this week's weeklong Thanksgiving break, Superintendent Chris Ragsdale urged the community to take precautions this holiday season to slow the spread of the coronavirus.

"I would be remiss if I didn't pass along the cau-

bers from going up as we're seeing in Cobb, the state and the nation," Ragsdale said. "(Cobb-Douglas Public Health) are stressing the importance of maintaining social distance even through the holiday period. Yes, we all know it's going to be difficult to do that, especially when Thanksgiving is the holiday when you come together with family and share a meal, and all that you can be thankful for. I think that we can definitely be thankful, but at the same time, we also need to be cautiously thankful."

For those returning to

work sick, adding that that's been the case in most confirmed COVID-19 cases in the district.

"I cannot stress enough the importance of making sure that everyone is check-

Also at the meeting, the board accepted grant money from the Georgia Department of Education for four of its elementary schools. A total of \$780,322 in 21st Century Community Learning Cen-

\$240,620 for after school programs and Big Shanty and Kennesaw elementary schools, \$220,474 for their "Reach for the Stars Leadership Academy."

Superior
PLUMBING

I have made application with the City of Kennesaw at the business license office for a **Retail Pouring License** for:

Café Zodiac located at 2500 N Cobb Pkwy D-1, Kennesaw, GA 30152.

The Mayor and City Council will hear said request on **December 7, 2020** at 6:30 p.m. at Kennesaw City Hall, 2529 J.O. Stephenson Avenue, Kennesaw, GA 30144. All interested persons are hereby notified of said hearing and invited to attend and be heard relative thereto.

Leyland Benn
Licensee

Café Zodiac
Name of Establishment

I have made application with the City of Kennesaw at the business license office for a **Retail Pouring License** for:

Sparkles of Kennesaw located at 1000 McCollum Pkwy. Kennesaw, GA 30144.

The Mayor and City Council will hear said request on **December 7, 2020** at 6:30 p.m. at Kennesaw City Hall, 2529 J.O. Stephenson Avenue, Kennesaw, GA 30144. All interested persons are hereby notified of said hearing and invited to attend and be heard relative thereto.

Ava Couey
Licensee

Sparkles of Kennesaw
Name of Establishment

Optimal Hearing®

MOON: What does this mean? It means you feel indecisive and unsure. Therefore, postpone important decisions until tomorrow, including shopping except for food.

CANCER

(June 21 to July 22)

You are ambitious and hard-working right now. You also want to balance your work with some fun. This is great, but restrict your shopping today to food.

LEO

(July 23 to Aug. 22)

A heart-to-heart conversation with a friend probably a female can take place today. You might discuss your dreams for the future. Nevertheless, don't make plans today; wait until tomorrow.

VIRGO

(Aug. 23 to Sept. 22)

Restrict your involvement with bosses, parents and teachers today, if possible, because this is a poor day for important decisions.

SAGITTARIUS

(Nov. 22 to Dec. 21)

You have to be cooperative and friendly with others today because the Moon is opposite your sign. Meanwhile, agree to nothing important. Don't volunteer for anything. Wait until tomorrow.

CAPRICORN

(Dec. 22 to Jan. 19)

Continue to work alone or behind the scenes and keep a low profile. Do not shop today or make important decisions.

AQUARIUS

(Jan. 20 to Feb. 18)

You will enjoy schmoozing with others today and having a good time. But it's a poor day for important decisions or shopping.

PISCES

(Feb. 19 to March 20)

Enjoy any chance you have to cocoon at home today and relax. This will be your perfect choice. Restrict your shopping to food. Be wise.

warrants, and are public records. A warrant is merely an accusation of a crime, and accused people are innocent until proven guilty.

Monday, Nov. 16

Sheriff's Office

♦ Travis Crankfield of Marietta, false statements/writings, concealment of facts.

Smyrna

♦ Ieshia Lashawnta Mobley of College Park, theft by shoplifting — greater than \$500.

Tuesday, Nov. 17

Cobb County

♦ Star Antoinette Evans of Marietta, aggravated assault article; false imprisonment confinement; and reckless conduct.

♦ Allison Patricia Wean of Kennesaw, four counts of aggravated child molestation.

♦ Saladine Mujahid Cureton of Atlanta, false statements/writings, concealment of facts.

♦ Drew James Bednaz of Lawrenceville, possession of heroin; and drugs original container — misdemeanor.

♦ Tabitha Douglass of Atlanta, theft by shoplifting — greater than \$500.

♦ Anthony Moultrie of Dallas, theft by taking — greater than \$1,500.

♦ Amber Vorhies of Dallas, theft by taking — greater than \$1,500.

♦ Juan Luis Centeno of

of Dallas, driving — failure to maintain lane; possession of heroin; possession of methamphetamine; and misc. possession of dangerous drug.

♦ Edward Lee Schelmbauer of Canton, theft by shoplifting — greater than \$500.

♦ Floyd Demetrice Watson of Austell, driving — failure to maintain lane; driving while license is suspended or revoked; and intent to distribute methamphetamine — felony.

♦ Lisa Michelle Marquez of Kennesaw, attempt — theft by taking — greater than \$1,500.

♦ Michael Jason Alexander of Villa Rica, driving — no tag light; and possession of heroin.

♦ Department of Driver's Services

♦ Beatrice Gekondo Onkware of Douglasville, forgery — first degree.

Marietta

♦ Micheal Edwards Mims of Marietta, two counts of aggravated child molestation; two counts of rape; and two counts of incest.

Sheriff's Office

♦ Rayon Antwan Maddox of Austell, fugitive.

♦ Adam C. Puckett of Jonesville, Virginia, fugitive.

Smyrna

♦ Maegn Celeste Hubble of Woodstock, driving — fleeing/attempting to elude; and

678-GET-LOUD

www.LOUDSecurity.com

I have made application with the City of Kennesaw at the business license office for a **Retail Pouring License** for:

Sparkles of Kennesaw located at 1000 McCollum Pkwy. Kennesaw, GA 30144.

The Mayor and City Council will hear said request on **December 7, 2020** at 6:30 p.m. at Kennesaw City Hall, 2529 J.O. Stephenson Avenue, Kennesaw, GA 30144. All interested persons are hereby notified of said hearing and invited to attend and be heard relative thereto.

Ava Couey
Licensee

Sparkles of Kennesaw
Name of Establishment

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Café Zodiac located at 2500 N Cobb Pkwy D-1, Kennesaw, GA 30152.

The Mayor and City Council will hear said request on **December 7, 2020** at 6:30 p.m. at Kennesaw City Hall, 2529 J.O. Stephenson Avenue, Kennesaw, GA 30144. All interested persons are hereby notified of said hearing and invited to attend and be heard relative thereto.

Leyland Benn
Licensee

Café Zodiac
Name of Establishment



GEORGIA LOTTERY

Monday,
Nov. 30, 2020

Sunday,
Nov. 29, 2020

Midday Cash 3: 8-6-6

Evening Cash 3: 6-3-0

Midday Cash 4: 9-4-1-1

Evening Cash 4: 2-8-3-2

Midday Georgia FIVE: 4-4-8-6-8

Evening Georgia FIVE: 2-7-9-5-6

Night Cash 3: 3-7-0

Night Cash 4: 8-6-5-1

Fantasy 5: 13-23-27-28-42

*Unofficial. Matching numbers should be confirmed with the appropriate lottery agency.

MARIETTA DAILY JOURNAL

The Marietta Daily Journal (USPS 3292-40) publishes Tuesday through Saturday morning at 47 Waddell St., Marietta GA 30060. Published by Times Journal Inc. Peri-

SUBSCRIPTION RATES:

PERIOD CARRIER/US MAIL
1 month \$22.50/18.00



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Consideration for approval of an Alcohol License for Liquor for Sparkles of Kennesaw, Inc. d/b/a Sparkles of Kennesaw located at 1000 McCollum Parkway, Kennesaw, GA 30144. Applicant: Ava Couey
Agenda Comments:	The applicant currently has a Beer, Wine and Sunday Sales alcohol license but would like to add Liquor. 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.
Funding Line(s)	100.0000.32.1100 Application Fee \$350.00

ATTACHMENTS:

Description	Upload Date	Type
Application	11/11/2020	Backup Material
11-24-20 Legal Ad	11/24/2020	Legal Ad
12-01-20 Legal Ad	12/1/2020	Legal Ad



Business License
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Contact Information:
Phone: (770) 424-8274
Fax: (770) 429-4559
www.kennesaw-ga.gov

License Application:
Alcoholic Beverage

APPLICATION

Applying For (Check All That Apply):

- ☒ Liquor
- ☐ Beer
- ☐ Wine
- ☐ Growler
- ☐ Sunday Sales

License Type (Choose one):

- ☐ Manufacturer
- ☐ Wholesaler
- ☐ Retail Package
- ☒ Retail Pouring

Type of Establishment (Choose one):

- ☒ Restaurant
- ☐ Night Club
- ☐ Grocery Store
- ☐ Lounge
- ☐ Pub
- ☐ Bottle House
- ☐ Convenience Store
- ☐ Indoor Entertainment Hall
- ☐ Hotel/Motel
- ☐ Package Store

Business Type (Choose one):

- ☐ Sole Proprietor
- ☒ Corporation
- ☐ LLC
- ☐ Partnership
- ☐ LLP

Please fill out the below information:

1. Full name of business: Sparkles of Kennesaw, Inc.
Doing Business As (DBA): Sparkles of Kennesaw
Anticipated start date of business: 01/01/2021
2. Business location: 1000 McCollum Pkwy
Email address: acouey@sparklesffc.com
Phone Number: 1000 McCollum Pkwy
Mailing address: 4054 Jimmy Lee Smith Pkwy, Hiram, GA 30141

3. Do you have a certified survey of the location of the property? Yes

Does the certified survey indicate that the business is within the designated distance of the following:

- | | | | |
|-------------------------------------|-----------------|------------------------------|--|
| a. Private residence | 300 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. School or college | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Church | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Public building | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Hospital | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| f. Public park | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| g. Day care center* | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| h. Alcohol or drug treatment center | 600 feet radius | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Package Sales have additional distance limitations as follows:

Package Sales Only (Liquor): N/A

- | | | | | |
|----|----------------------------------|-----------------|------------------------------|-----------------------------|
| a. | School or college | 300 feet radius | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. | Church | 300 feet radius | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. | Day care center* | 300 feet radius | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| d. | Alcohol or drug treatment center | 300 feet radius | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Package Sales Only (Beer or Wine): N/A

- | | | | | |
|----|----------------------------------|-----------------|------------------------------|-----------------------------|
| a. | School or college | 300 feet radius | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. | Alcohol or drug treatment center | 300 feet radius | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

* Must accept GA Pre-K or HOPE Scholarship Monies

* Must follow a prescribed state curriculum

See Code Sections 6-1, 6-42 and 6-43 for distance measurement definition and limitations.

4. For Retail Pouring license, please indicate the following:

Number of pool tables:

0

Number of video game machines:

0

Size of dance floor:

0

Amount of cover charge:

~~345,000~~ 0

Will the location have a DJ, and if so, number of times per week:

0

5. How many square feet are the following:

a. Dining area:

3000 sq ft

b. Bar area:

0

c. % of total dining space that is a bar area:

0

Is this location new construction or pre-existing? Pre-Existing

How is the proposed location zoned? 1/19/66

HGB
Highway General Business

This section is to be completed and signed by the City of Kennesaw Zoning staff:

Zoning verified by City of Kennesaw Zoning Division staff member 

If this is an application for a new establishment, attach proof of adequate parking facilities of one (1) off street parking space for each (200) square feet of total floor area within the building in conformity with the zoning ordinance and regulations of the City of Kennesaw.

If new establishment, parking verified by the Zoning Division staff member _____

If Partnership or LLP:

6. Partnership or LLP Name: _____

Partner/Member: _____
Position: _____
Email Address: _____
Phone Number: _____

Social Security #: _____
Date of Birth: _____
% of Ownership: _____

Home Address: _____

City: _____
State: _____
ZIP: _____

Partner/Member: _____
Position: _____
Email Address: _____
Phone Number: _____

Social Security #: [REDACTED]
Date of Birth: _____
% of Ownership: _____

Home Address: _____

City: _____
State: _____
ZIP: _____

****Attach additional sheets if needed****

If Corporation or LLC:

7. Corporation or LLC Name: Sparkles of Kennesaw Inc.

President/Member: Ava Couey
Email Address: acouey@sparklesffc.com
Phone Number: [REDACTED]

Social Security #: [REDACTED]
Date of Birth: [REDACTED] 66
% of Ownership: 100%

Home Address: 2049 Haydenbrook Dr.

City: Acworth
State: GA
ZIP: 30101

VP/Member: _____
Email Address: _____
Phone Number: _____

Social Security #: _____
Date of Birth: _____
% of Ownership: _____

Home Address: _____

City: _____
State: _____
ZIP: _____

Secretary/Member: Ava Couey
Email Address: acouey@sparklesffc.com
Phone Number: [REDACTED]

Social Security #: [REDACTED]
Date of Birth: [REDACTED] 66
% of Ownership: _____

Home Address: 2049 Haydenbrook Drive

City: Acworth
State: GA
ZIP: 30101

Treasurer/Member: _____
Email Address: _____
Phone Number: _____

Social Security #: _____
Date of Birth: _____
% of Ownership: _____

Home Address: _____

City: _____
State: _____
ZIP: _____

****Attach additional sheets if needed****

If the business listed in questions 6 or 7 is owned by another firm or corporation, provide the information requested in questions 8 and 9.

8. List corporate name, business name, and % of business owned by the corporation

Corporate Name	Business Name	% Owned
N/A		

9. List name, position, social security number, address, and % owned for each board member of the corporation listed in question 8.

Name	Position	SSN	Home Address	% Owned
N/A				

10. Is the licensee or any owner listed in questions 6 – 9 currently holding an interest or ever been associated with any alcoholic beverage establishment? If yes, list below.

Licensee/Owner Name	Business Name	Address
Ava Couey	Paulding Management LLC	758 Double Branches Lane Dallas, GA 30132
	(Sparkles of Hiram)	260 Timber Creek Estates Sharpsburg, Ga 30277
		2175 Elmont Way Smyrna, GA 30080

11. List full name and other required information of relatives of the licensee or owners who have or have had any license or any financial or ownership interest in any alcoholic beverage business.

Name/Relationship	Home Address	Business Name/Address
Michael Couey - Son	260 Timber Creek Estates	Starlite Family Fun Centers (Sharpsburg)
	Sharpsburg, GA 30277	55 Thomas Grace
		Sharpsburg, GA 30277

12. List the full name and address of the property owner on which the business is to be conducted.

Property Owner: Jeff Couey

Address: 1000 McCollum Pkwy Kennesaw, GA 30144

13. State the total amount of capital funds to be invested in this business.

\$ [REDACTED]

14. State the amount of personal funds invested by the following:

Licensee/Owner \$ [REDACTED]

Other Owners \$ [REDACTED]

15. If capital is borrowed, provide the following and attach a copy of the note (s) or evidence of indebtedness, with all attachments, to this application.

Name of Lender	Address	Amount	Date	Interest Rate
N/A				

16. Name the person (s) that will be the manager of this business and provide the following information.

Name	Address	Compensation
Tehya Walker	2451 Favor Rd.	

17. Provide the name and address of your CPA or accounting firm:

Name	Address
Davis & Associates	425 Creekstone Ridge
	Woodstock, GA 30188

18. Has the *business or any business associated with this business* been cited, charged, indicted, have a pending charge or been convicted at any time for any violation of Georgia Law, Federal Law or any rule or regulation of the State revenue commissioner or any rule, regulation or ordinance of the City of Kennesaw, Cobb County or other governmental unit? Yes ☐ No ☒

If yes, give full details.

19. Has the licensee, the licensee's spouse or any person having ownership interest in this business or their spouse been:

Arrested	___ Yes	<u>X</u> No	Convicted	___ Yes	<u>X</u> No
Detained	___ Yes	<u>X</u> No	Indicted	___ Yes	<u>X</u> No
Pled Guilty	___ Yes	<u>X</u> No	Pled Nolo Contender	___ Yes	<u>X</u> No
On Probation	___ Yes	<u>X</u> No	Any Pending Criminal Charge	___ Yes	<u>X</u> No

If you answered "YES" to any of these questions, list below in complete detail the name, dates, charges, places of arrest and disposition of charge (s). Failure to make a full disclosure in response to this question will result in denial of the application or a revocation of the license if information requested was not provided.

N/A

20. Has the licensee, the licensee's spouse or any person having ownership interest in this business or their spouse ever had any interest in any business, ever been a licensee or ever been an officer in any business that was cited, had an employee of any business cited, detained, arrested, indicted or convicted for any offense by any federal, state, county or city government or has any business been warned or had any license placed on probation, denied, suspended or revoked by any federal, state, county or city government? Failure to make a full disclosure in response to this question will result in denial of the application or a revocation of the license if information requested was not provided.

No

21. Indicate the type of alcohol awareness training and the number of hours of training that is required of owners and employees selling alcoholic beverages for the business. Also, indicate if training is required annually and the number of hours required.

I attended training Evindi

22. What types of materials (written materials, signs, badges, etc.) are provided with the training of the employees?

We have a written test, Alcohol Policy and Procedures manual, yearly age requirement sign posted

23. Have you read and do you understand all the provisions of the City of Kennesaw and State of Georgia Alcoholic Beverage requirements as stated in Chapter Six (6) of the City of Kennesaw Code of Ordinances and Title III of the Official Code of Georgia.

Yes ☒ No ☐

24. Are you aware that the sale of alcoholic beverages to an underage person (s) by you or your employees may result in the suspension or revocation of the alcoholic beverage license?

Yes ☒ No ☐

25. What procedures do you have in place to ensure that alcoholic beverages are not sold to underage person (s) or any other violation of the City of Kennesaw Code of Ordinances and State Law? Please attach all documentation relating to such procedures and include an explanation as their usage.

We ID everyone.

26. What technology, equipment and products have been or will be implemented in the location to ensure compliance with the City of Kennesaw, Cobb County and State Law? Examples include cash registers that require the date of birth to be entered, cameras, signs and calendars). Describe below:

POS requires date of birth to be entered, we have cameras, all licensed servers. We also have signage and the age calculator signage.

27. Estimated gross receipts from this location for the remaining calendar year: \$

28. List occupations for the past ten years. Include dates of employment and positions.

<u>From/To</u> <u>Month/Year</u>	<u>Company</u>	<u>City</u>	<u>State</u>	<u>Position/Salary</u>
<u>2002-2020</u>	<u>Sparkels Family Fun Centers</u>	<u>Marietta</u>	<u>GA</u>	<u>Owner </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

29. List previous residences of the licensee for the past ten years.

<u>From/To</u> <u>Month/Year</u>	<u>Address</u>	<u>City</u>	<u>State</u>
<u>Nov. 2007-March 2019</u>	<u>1255 Waterfall Lane</u>	<u>Acworth</u>	<u>GA</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

KENNESAW, GEORGIA
COBB COUNTY

I, Ava Coney being duly sworn according to law,
do swear that the facts and things stated by me in the above and foregoing answers to questions are
true and no false or fraudulent statement is made herein and such answers were made in order to
procure the granting of such a license.

I have received a copy of the City of Kennesaw Alcoholic Beverage Code and I am aware that all
licenses must be obtained and fees paid no later than two weeks from the date of approval of this
application by the Mayor and Council.

Ava Coney

Signature of Applicant

Signature of Spouse of Applicant

Sworn to and subscribed before me this
06 day of November, 2020

Keri Burns
Notary Public



Signature and title of person other than
applicant filing out this application

Phone Number

Application received in Business License Office:

Date: 11/06/20

Received By: Derek Cox

Application to be heard by Mayor & Council

Date & Time: 12/07/20

A REPRESENTATIVE MUST BE PRESENT AT THE MAYOR & COUNCIL MEETING



Business License
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Contact Information:
Phone: (770) 424-8274
Fax: (770) 429-4559
www.kennesaw-ga.gov

License Application:
Alcoholic Beverage

OWNER/LICENSEE PERSONAL STATEMENT INFORMATION

1. Full name of licensee (No initials): Ava Couey
(Include maiden names and alias names if any)

2. Phone Numbers:
a. Business: 770-943-6080
b. Cell: [REDACTED]
c. Home: N/A

3. Home Address: 2049 Haydenbrook Dr.
4. Business Address: 1000 McCollum Pkwy, Kennesaw, Ga 30144

Attach 2x2 Picture Photo
Here

5. Please fill out the following:

Age: 54 Sex: F Height: 5'8" Color of Hair: Blonde
Race: W Weight: 127lbs Color of Eyes: Blue

6. Social Security #: [REDACTED]

7. Place of Birth: Kennestone Hospital *← Marietta, GA* Date of Birth: [REDACTED]-66

U.S. Citizen: Yes ☒ By Birth ☐ Naturalized

If a naturalized citizen, provide certificate #: [REDACTED]

and submit original naturalization certificate or U. S. Passport

If a legal permanent resident, provide alien registration #: [REDACTED]

and submit copy of I-551 card

Derived Parents Certificate #'s: [REDACTED]

Date & Port of Entry: [REDACTED]

8. How long have you resided in the City of Kennesaw or Cobb County? 54 years

9. Number of years at this present address? 1 1/2 years

10. Are you (Choose one): ☐ Single ☒ Married ☐ Widowed ☐ Divorced

11. If married, complete the following information on spouse.

Full Name of Spouse: Jeff Couey *Atlanta, GA*
Social Security #: [REDACTED]
Place of Birth: Piedmont Hospital *←* Spouse's Maiden Name: [REDACTED]
Place of Marriage: Hiram, GA Date of Birth: [REDACTED]-59
Date of Marriage: 07-17-1999

Name of spouse's employer: Skating Clubs of North Georgia, Paulding Skating Center

Address of employer: 4054 Jimmy Less Smith Pkwy Hiram, Ga 30141

U.S. Citizen: Yes ☒ By Birth ☐ Naturalized

If a naturalized citizen, provide certificate #: _____

and submit original naturalization certificate or U. S. Passport

If a legal permanent resident, provide alien registration #: _____

and submit copy of I-551 card

Derived Parents Certificate #'s: _____

Date & Port of Entry: _____

12. Give names and addresses of all children and stepchildren (regardless of age).

Full Name	Address	Age	Birth Place
Jacob Thompson	758 Double Branches Lane Dallas, GA 30132	32	Northside Hospital
Michael Couey	260 Timber Creek Estates Sharpsburg, Ga 30277	37	Cobb General Hospital
Clint Couey	2175 Elmont Way Smyrna, GA 30080	31	Cobb General Hospital

13. Give names and addresses of all immediate living relatives.

	Full Name	Address
Parents:	<u>Jim and Patricia Sensing</u>	<u>166 Oakleigh Point Drive Dallas, GA 30157</u>
Siblings:	<u>Randy Darnell</u>	<u>Don't know</u>
In-Laws:	_____	_____
	_____	_____

14. Do you or your spouse have financial interest in any bar, lounge, tavern, restaurant, or other place of business where alcoholic beverage are sold and consumed on the premises? If yes, give details:

Sparkles of Hiram - Owner

15. Are you or your spouse related to anyone who has ownership or is employed by any wholesale or retail alcoholic beverage business? If so, give name, relationship to licensee or licensee's spouse, business name and the amount of interest, and/or type of employment in each.

N/A

16. Education: List name of schools attended, address, dates of attendance and degrees earned.

M/YR	to	M/YR	School	Address	City	State	Degree
Aug. 1980		June 1984	Osborne High School	2451 Favor Rd.	Marietta	GA	High School Diploma



Business License
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Contact Information:
Phone: (770) 424-8274
Fax: (770) 429-4559
www.kennesaw-ga.gov

License Application:
Alcoholic Beverage

**FOOD SALES AND ALCOHOLIC BEVERAGE SALES AFFIDAVIT
TO BE COMPLETE BY RETAIL POURING APPLICANTS ONLY**

NAME OF ESTABLISHMENT:
ADDRESS OF ESTABLISHMENT:
LICENSEE'S NAME:

Sparkles of Kennesaw Inc.
1000 McCollum Pkwy. Kennesaw, GA 30144
Ava Couey

FOOD SALES AND ALCOHOLIC BEVERAGE SALES: Financial reports must be attached to support the reported total or CPA certification must be completed attesting to the reported sales. This information must be provided from the financial records of the above establishment on a calendar year basis or such period during which the establishment has been open.

PERIOD FOR WHICH INFORMATION IS PROVIDED: 10-1-19 ~ 10-1-20 (IF EXISTING BUSINESS, MUST BE A 12 MONTH PERIOD. IF NEW BUSINESS, MUST BE 12 MONTH ESTIMATE.)

Gross Receipts from Food sales this period: \$ [REDACTED] %
Gross Receipts from Alcoholic Beverage sales this period: \$ [REDACTED] %
Total Food sales and Alcoholic Beverage sales this period: \$ [REDACTED] %

Beer/wine
Beer/wine

Briefly describe the method by which receipts are segregated daily into food sales and alcohol sales:

Our POS separates it.

I certify that I have a working knowledge of the books and records of the establishment whose name appears above, and that to the best of my knowledge the figures presented above represent accurate sale totals for the period specified.

CPA NAME (PRINTED)

NAME OF CPA FIRM

PHONE

CPA SIGNATURE

BUSINESS ADDRESS

CITY/STATE

ZIP

SWORN UNDER: OATH THIS

DAY OF

, 20

SIGNATURE OF NOTARY PUBLIC

I hereby affirm and understand that the privilege of selling alcoholic beverages on Sunday from 12:30 p.m. until Monday 2:55 p.m. requires valid alcoholic beverage pouring license, valid Sunday Sales pouring license and that at least 50% of the licensed establishment's annual gross food and alcoholic beverage sales must be derived from the sale of prepared meals and food.

I hereby affirm that I understand that records of food sales and alcoholic beverage sales must be prepared and maintained. Failure to prepare and maintain records of food sales and alcoholic beverage sales is cause for denial or revocation of the alcoholic beverage pouring license, including the Sunday Sales pouring license. I further affirm that I understand that the City of Kennesaw Business License Division may audit our records to verify same at its discretion.

Ava Couey
Signature of Licensee/Owner

Sworn under oath this 6 day of November, 2020.

Keri Burns





Business License
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Contact Information:
Phone: (770) 424-8274
Fax: (770) 429-4559
www.kennesaw-ga.gov

License Application:
Alcoholic Beverage

OWNER/LICENSEE PERSONAL FINANCIAL STATEMENT

Name: Ava Couey
Social Security #: [REDACTED]
Residence Address: 2049 Haydenbrook Dr.
City/State/Zip: Acworth, GA 30101
Residence Phone: 770-401-1836

Date of Birth: [REDACTED] 66
Name of Spouse: Jeff Couey
Business/Organization: Sparkles of Kennesaw
Business Phone: 770-943-6080
Partner/Officer in any other business? ☐ Yes ☐ No

Assets

Cash on hand in banks
Accounts Receivable
Stocks & Bonds
Real Estate
Cash value of Life Insurance
Automobiles
Deposit Accounts
Credit w/ Financial Institutions
Other Assets (Itemize)

Total Assets

Liabilities

Notes payable to banks - Secured
Notes payable to banks - Unsecured
Accounts Payable
Unpaid Taxes
Mortgage on Real Estate
Other Debts (itemize)
Total Liabilities
Net Worth

Total Liabilities & Net Worth

Source of Annual Income Distributions
Bonus & Commissions _____
Alimony, Child Support, or Separate Income
Itemize all loan sources & Interest
Other Income (Itemize)
Total Income

Salary [REDACTED]
Dividends [REDACTED]

Unsatisfied judgments or lawsuits pending?

☐ Yes ☒ No

Are any income tax returns made by you for prior years being contested?

☐ Yes ☒ No

If so, what do you estimate as the additional amount you may be required to pay?

Are any assets pledged or joint names other than as described above?

☐ Yes ☒ No

Have you ever been declared bankrupt?

☐ Yes ☒ No

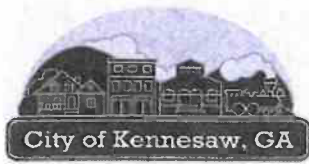
Do you have a will?

☒ Yes ☐ No

Who is named as your executor?

Beneficiary: Jeff Couey
Executor: Jim Anderson

As of June 20 20



Business License
2529 J.O. Stephenson Ave.
Kennesaw, GA 30144

Contact Information:
Phone: (770) 424-8274
Fax: (770) 429-4559
www.kennesaw-ga.gov

License Application:
Alcoholic Beverage

BUSINESS LICENSE CONSENT FORM

Please choose one: ☐ NEW ☐ RENEWAL

I Ava Couey, HEREBY AUTHORIZE THE CITY OF KENNESAW POLICE DEPARTMENT TO RECEIVE ANY CRIMINAL HISTORY RECORD AND/OR DRIVER'S HISTORY RECORD INFORMATION PERTAINING TO ME WHICH MAY BE IN THE FILES OF ANY STATE OR LOCAL CRIMINAL JUSTICE AGENCY IN THE STATE OF GEORGIA FOR THE PURPOSE :

- ☒ Alcohol License
☐ Bail Bond License
☐ Taxi Cab License
☐ Massage Therapist License
☐ Pawn Shop License
☐ Precious Metal

Sparkles of Kennesaw Inc.

1000 McCollum Pkay. Kennesaw, GA 30144

NAME OF ESTABLISHMENT

LOCATION

Ava Couey

FULL NAME (PLEASE PRINT)

2049 Haydenbrook Drive Acworth, Ga 30101

ADDRESS

TELEPHONE NUMBER

F

SEX

W

RACE

[REDACTED]-66
DOB

SOCIAL SECURITY NO.

Ava Couey
SIGNATURE OF APPLICANT

11/16/2020
DATE

Keri Burns
NOTARY



06/30/2024
COMMISSION DATE

***ALCOHOL LICENSE APPLICANTS: TO BE COMPLETED BY THE LICENSEE, OWNERS AND SPOUSES, PARTNERS AND SPOUSES, AND STOCKHOLDERS WITH 20% OR MORE SHARES AND THEIR SPOUSES.**

Official Use Only:

GCIC Operator number: CM

Business License Clerk: Dorch LA

Approved: [Signature]

Denied: _____

Reviewed by Police Chief/Deputy Chief or Designee: Lt. A. Harkin

**No History
Georgia Only**
1009 11.9.20 CM



CERTIFICATE OF ATTENDANCE

This certificate is awarded to



Covey, Ava
Sparkles of Kennesaw, Inc.
1000 McCollum Parkway
Kennesaw, GA 30144

For satisfactory completion of Evindi, Inc.'s

Responsible Alcohol Sales & Service Workshop (3 hrs.)

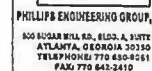



Michele L. Stumpe, President of Evindi, Inc.

9-7-2011
Date

This workshop has been approved to satisfy the following alcohol ordinance requirements:
Cobb County §6-96 as amended 7-10-01; City of Kennesaw §6-69 as amended 10-1-02; City
of Roswell §3.2.10; City of Powder Springs §§3-103 & 3-182; Douglas County §3-27; City of
Holly Springs §6-48; and City of Smyrna §6-129 as amended 8-02-04.

Certificate to be posted in conspicuous location at licensed premises.



9.4.4

_____ 151/049

SPARKLES SKATING RINK
KOHLEBA, GA

ADDRESS _____

DATE _____

02-03-

200 NOV 198

2050
 NAME BY _____[illegible]

DATE CHECKED BY _____

SALES TAX 4.712%

DATE _____

FLOOR PLAN

ELECTRIC

DEANED W. H. 121

34

E1

21.

COMMENTS _____

1



(APPLY THIS SHEET ONLY)

1. ALL DEVICES SHALL BE CONSIDERED NEW UNLESS NOTED OTHERWISE. THE LETTER "T" ADJACENT TO DEVICE INDICATES EXISTING & THE LETTER "N" DEVICES ALLOCATED. REFER TO ATTACHED DRAWINGS FOR EXACT LOCATION & MOUNTING HEIGHTS OF ALL DEVICES.
2. FIELD VERIFICATION WILL DETERMINE BRANCH CIRCUITS AVAILABLE FOR USE AND BRANCH CIRCUITS USED SHOULD BE NOTED ON UPDATED PANEL SCHEDULES.
3. ALL NEW DEVICES AND RECEPTACLE FACILITIES SHALL MATCH EXISTING.
4. VERIFY ELECTRICAL REQUIREMENTS & RECEPTACLE TYPES WITH EQUIPMENT WITH EQUIPMENT SUPPLIER PRIOR TO INSTALLATION.
5. REUSE EXISTING CIRCUITS THAT FREE-UP DURING REDEMPTION BEFORE USING AVAILABLE SPACES IN PANELS.
6. CONTRACTOR TO USE "UNCLASSIFIED" CIRCUITS FIRST DURING WORK WHERE NEW CIRCUITS ARE REQUIRED.

(APPLY THIS SHEET ONLY)

- ① ALL EXISTING ELECTRICAL DEVICES TO REMAIN IN THIS ROOM UNLESS NOTIFIED OTHERWISE.
- ② RECONNECT BACK TO EXISTING 120V, 20A/1P CIRCUIT SERVING CASH/WEIGHING MACHINES IN EXISTING 120/208V. PANEL.
- ③ RECONNECT TO EXISTING 120V/120V. CIRCUIT IN EXISTING 120/208V. PANEL.
- ④ RELOCATE EXISTING FLOOR MOUNTED TRANSFORMER IN MAINTENANCE ROOM 50 EXISTING 747/ABD. DISTRIBUTION PANEL INDICATED SHALL MEET THE REQUIRED CLEARANCE REQUIRED BY NEC 110.
- ⑤ RELOCATE EXISTING COUNTER AND EQUIPMENT OUTLETS SERVING PANTRY AND KITCHEN AREA. DETACH CONDUIT AND CONDUITORS AS REQUIRED TO RECONNECT TO EXISTING 120V/208V. PANEL IN KITCHEN AREA.
- ⑥ RECONNECT BACK TO EXISTING 120V, 20A/1P CIRCUIT SERVING VENDING MACHINES IN EXISTING 120/208V. PANEL.

**FLOOR PLAN
ELECTRICAL**

E1.

E1.

ALCOHOLIC BEVERAGE SURVEY FOR

SPARKLES OF KENNESAW

1" = 200' McCollum Parkway, Kennesaw, Ga. 30144

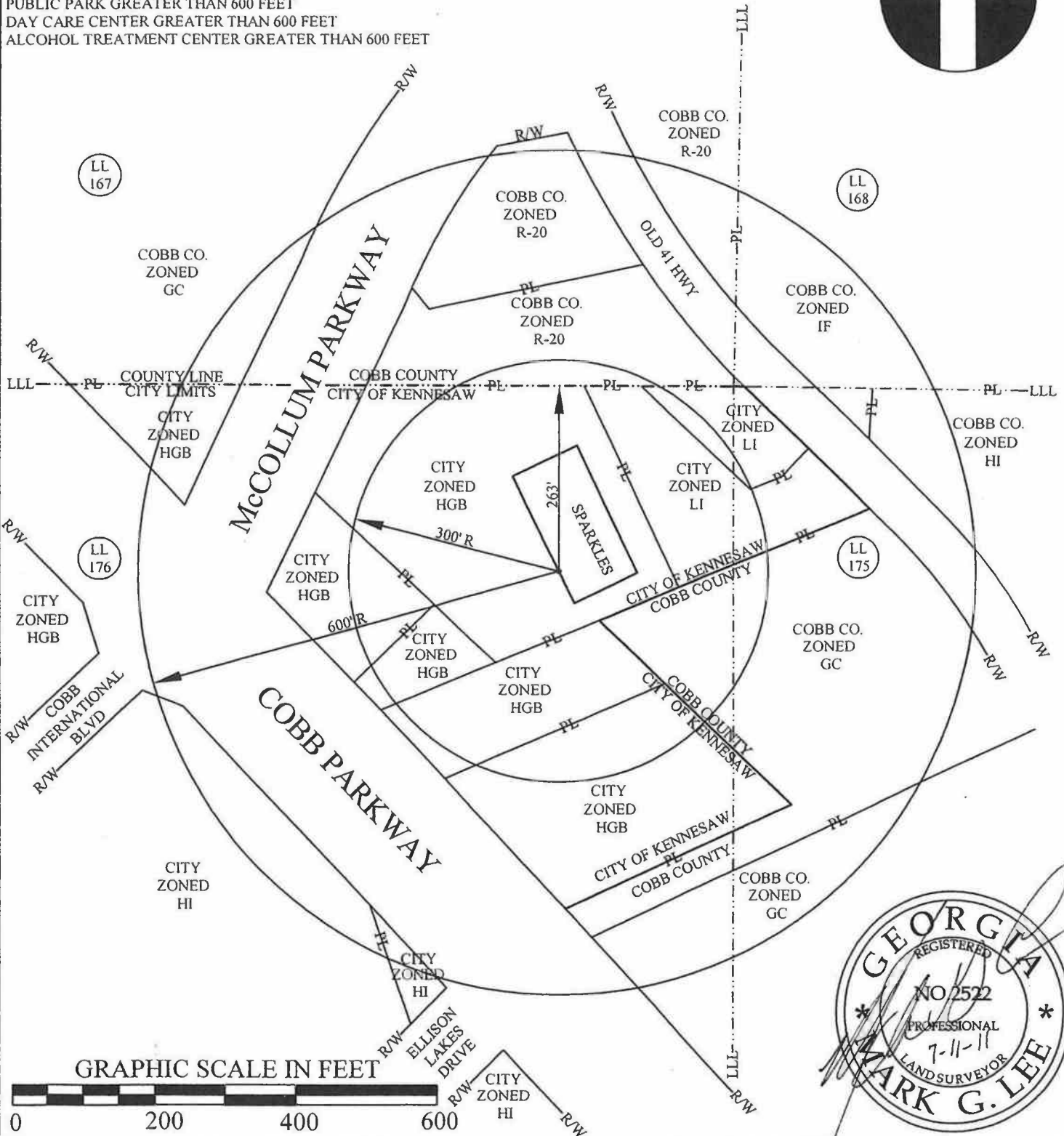
LAND LOT 176 20TH DISTRICT 2ND SECTION

COBB COUNTY, CITY OF KENNESAW, GEORGIA

DATE: 6-30-2011

SCALE: 1" = 200'

SCHOOL OR COLLEGE GREATER THAN 600 FEET
CHURCH GREATER THAN 600 FEET
PUBLIC LIBRARY GREATER THAN 600 FEET
PRIVATE RESIDENCE NONE FOUND WITHIN 600 FEET HOWEVER RESIDENTIALLY ZONED PROPERTY 263' AS SHOWN
HOSPITAL GREATER THAN 600 FEET
PUBLIC PARK GREATER THAN 600 FEET
DAY CARE CENTER GREATER THAN 600 FEET
ALCOHOL TREATMENT CENTER GREATER THAN 600 FEET



PAUL LEE CONSULTING ENGINEERING ASSOCIATES, INC.

PLANNING - ENGINEERING - LAND SURVEYING

3982 AUSTELL-POWDER SPRINGS ROAD - POWDER SPRINGS, GEORGIA 30127

Ph. (770) 435-2576 - Fax (770) 943-6912

IN MY OPINION THIS PLAT IS A
CORRECT REPRESENTATION OF THE LAND
PLATTED AND HAS BEEN PREPARED IN
CONFORMITY WITH THE MINIMUM
STANDARDS AND REQUIREMENTS OF LAW.

COMP.

JOB.

2011025

Training to be covered in Alcohol Awareness Meetings:

- The Sale of alcohol to minors is prohibited
- The legal age to purchase alcohol is 21. No person under 21 will be sold alcoholic beverages.
- Employees must ID anyone, regardless of age, attempting to purchase alcohol.
- Employees shall follow their training to verify age.
- A driver's license manual will be available at each register where alcohol is sold.
- Age charts will be used when checking ID to assist in determining customer's age, once a valid ID has been shown.
- Signs announcing the ID checking policy will: be posted in a visible location.
- Employees will report any theft or illegal activity to the police. Employees will not ring up any such transactions.
- The sale or service of alcohol to an intoxicated customer is prohibited.
- Manager will assist in an intervention with problem customers upon request of seller or server.
- Signs announcing the policy of not serving or selling alcohol to intoxicated customers shall be posted and in a visible location.
- All employees must report incidents to a manager.
- Employees shall notify the police to report any intoxicated customer who leaves the facility and get behind the wheel of a vehicle.
- Alcohol compliance handbook will be maintained at Sparkles of Kennesaw,
- A copy of the alcohol policy will be given to each new hire. All employees will sign a statement stating they have read and understand all policies pertaining to alcohol compliance.
- All managers and café employees will successfully complete responsible alcohol sales and service training prior to starting work.
- Failure to comply with company policy will result in immediate termination and may result in penalties and fines.
- Employees will be monitored for compliance with these policies by manager on duty and periodic review of in store video cameras.

the impact of standardized tests and keep the state's College and Career Readiness Preparedness Index accountability scores for schools flexible. Finally, it wants to see charter schools that apply for waivers from the state to use the same system that public school districts use.

Headed into this week's weeklong Thanksgiving break, Superintendent Chris Ragsdale urged the community to take precautions this holiday season to slow the spread of the coronavirus.

"I would be remiss if I didn't pass along the cau-

bers from going up as we're seeing in Cobb, the state and the nation," Ragsdale said. "(Cobb-Douglas Public Health) are stressing the importance of maintaining social distance even through the holiday period. Yes, we all know it's going to be difficult to do that, especially when Thanksgiving is the holiday when you come together with family and share a meal, and all that you can be thankful for. I think that we can definitely be thankful, but at the same time, we also need to be cautiously thankful."

For those returning to

work sick, adding that that's been the case in most confirmed COVID-19 cases in the district.

"I cannot stress enough the importance of making sure that everyone is check-

Also at the meeting, the board accepted grant money from the Georgia Department of Education for four of its elementary schools. A total of \$780,322 in 21st Century Community Learning Cen-

\$240,620 for after school programs and Big Shanty and Kennesaw elementary schools, \$220,474 for their "Reach for the Stars Leadership Academy."

**Superior
PLUMBING**

I have made application with the City of Kennesaw at the business license office for a **Retail Pouring License** for:

Café Zodiac located at 2500 N Cobb Pkwy D-1, Kennesaw, GA 30152.

The Mayor and City Council will hear said request on **December 7, 2020** at 6:30 p.m. at Kennesaw City Hall, 2529 J.O. Stephenson Avenue, Kennesaw, GA 30144. All interested persons are hereby notified of said hearing and invited to attend and be heard relative thereto.

Leyland Benn
Licensee

Café Zodiac
Name of Establishment

I have made application with the City of Kennesaw at the business license office for a **Retail Pouring License** for:

Sparkles of Kennesaw located at 1000 McCollum Pkwy. Kennesaw, GA 30144.

The Mayor and City Council will hear said request on **December 7, 2020** at 6:30 p.m. at Kennesaw City Hall, 2529 J.O. Stephenson Avenue, Kennesaw, GA 30144. All interested persons are hereby notified of said hearing and invited to attend and be heard relative thereto.

Ava Couey
Licensee

Sparkles of Kennesaw
Name of Establishment

Optimal Hearing®

MOON: What does this mean? It means you feel indecisive and unsure. Therefore, postpone important decisions until tomorrow, including shopping except for food.

CANCER

(June 21 to July 22)

You are ambitious and hard-working right now. You also want to balance your work with some fun. This is great, but restrict your shopping today to food.

LEO

(July 23 to Aug. 22)

A heart-to-heart conversation with a friend probably a female can take place today. You might discuss your dreams for the future. Nevertheless, don't make plans today; wait until tomorrow.

VIRGO

(Aug. 23 to Sept. 22)

Restrict your involvement with bosses, parents and teachers today, if possible, because this is a poor day for important decisions.

SAGITTARIUS

(Nov. 22 to Dec. 21)

You have to be cooperative and friendly with others today because the Moon is opposite your sign. Meanwhile, agree to nothing important. Don't volunteer for anything. Wait until tomorrow.

CAPRICORN

(Dec. 22 to Jan. 19)

Continue to work alone or behind the scenes and keep a low profile. Do not shop today or make important decisions.

AQUARIUS

(Jan. 20 to Feb. 18)

You will enjoy schmoozing with others today and having a good time. But it's a poor day for important decisions or shopping.

PISCES

(Feb. 19 to March 20)

Enjoy any chance you have to cocoon at home today and relax. This will be your perfect choice. Restrict your shopping to food. Be wise.

warrants, and are public records. A warrant is merely an accusation of a crime, and accused people are innocent until proven guilty.

Monday, Nov. 16

Sheriff's Office

♦ Travis Crankfield of Marietta, false statements/writings, concealment of facts.

Smyrna

♦ Ieshia Lashawnta Mobley of College Park, theft by shoplifting — greater than \$500.

Tuesday, Nov. 17

Cobb County

♦ Star Antoinette Evans of Marietta, aggravated assault article; false imprisonment confinement; and reckless conduct.

♦ Allison Patricia Wean of Kennesaw, four counts of aggravated child molestation.

♦ Saladine Mujahid Cureton of Atlanta, false statements/writings, concealment of facts.

♦ Drew James Bednaz of Lawrenceville, possession of heroin; and drugs original container — misdemeanor.

♦ Tabitha Douglass of Atlanta, theft by shoplifting — greater than \$500.

♦ Anthony Moultrie of Dallas, theft by taking — greater than \$1,500.

♦ Amber Vorhies of Dallas, theft by taking — greater than \$1,500.

♦ Juan Luis Centeno of

Dallas, driving — failure to maintain lane; possession of heroin; possession of methamphetamine; and misc. possession of dangerous drug.

♦ Edward Lee Schelmbauer of Canton, theft by shoplifting — greater than \$500.

♦ Floyd Demetrice Watson of Austell, driving — failure to maintain lane; driving while license is suspended or revoked; and intent to distribute methamphetamine — felony.

♦ Lisa Michelle Marquez of Kennesaw, attempt — theft by taking — greater than \$1,500.

♦ Michael Jason Alexander of Villa Rica, driving — no tag light; and possession of heroin.

♦ Department of Driver's Services

♦ Beatrice Gekondo Onkware of Douglasville, forgery — first degree.

Marietta

♦ Micheal Edwards Mims of Marietta, two counts of aggravated child molestation; two counts of rape; and two counts of incest.

Sheriff's Office

♦ Rayon Antwan Maddox of Austell, fugitive.

♦ Adam C. Puckett of Jonesville, Virginia, fugitive.

Smyrna

♦ Maegn Celeste Hubble of Woodstock, driving — fleeing/attempting to elude; and

678-GET-LOUD

www.LOUDSecurity.com

I have made application with the City of Kennesaw at the business license office for a **Retail Pouring License** for:

Sparkles of Kennesaw located at 1000 McCollum Pkwy. Kennesaw, GA 30144.

The Mayor and City Council will hear said request on **December 7, 2020** at 6:30 p.m. at Kennesaw City Hall, 2529 J.O. Stephenson Avenue, Kennesaw, GA 30144. All interested persons are hereby notified of said hearing and invited to attend and be heard relative thereto.

Ava Couey
Licensee

Sparkles of Kennesaw
Name of Establishment

I have made application with the City of Kennesaw at the business license office for a **Retail Pouring License** for:

Café Zodiak located at 2500 N Cobb Pkwy D-1, Kennesaw, GA 30152.

The Mayor and City Council will hear said request on **December 7, 2020** at 6:30 p.m. at Kennesaw City Hall, 2529 J.O. Stephenson Avenue, Kennesaw, GA 30144. All interested persons are hereby notified of said hearing and invited to attend and be heard relative thereto.

Leyland Benn
Licensee

Café Zodiak
Name of Establishment



GEORGIA LOTTERY

**Monday,
Nov. 30, 2020**

Midday Cash 3: 8-6-6
Evening Cash 3: 6-3-0
Midday Cash 4: 9-4-1-1
Evening Cash 4: 2-8-3-2
Midday Georgia FIVE: 4-4-8-6-8
Evening Georgia FIVE: 2-7-9-5-6

**Sunday,
Nov. 29, 2020**

Night Cash 3: 3-7-0
Night Cash 4: 8-6-5-1
Fantasy 5: 13-23-27-28-42

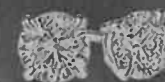
*Unofficial. Matching numbers should be confirmed with the appropriate lottery agency.

MARIETTA DAILY JOURNAL

The Marietta Daily Journal (USPS 3292-40) publishes Tuesday through Saturday morning at 47 Waddell St., Marietta GA 30060. Published by Times Journal Inc. Periodicals postage paid at Marietta, GA. Postmaster: Please send address changes to The Marietta Daily Journal, 47 Waddell St., Marietta, GA 30060.

SUBSCRIPTION RATES:

PERIOD CARRIER/US MAIL
1 month \$22.00/12.00
3 months \$65.00/36.00
6 months \$125.00/72.00
1 year \$240.00/144.00





**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Receipt of the October 2020 crime statistics.
Agenda Comments:	
Funding Line(s)	

ATTACHMENTS:

Description	Upload Date	Type
2020 October Crime Statistics	11/18/2020	Backup Material



October 2020 Crime Statistics

Summary

Part 1 crimes year-to-date have decreased by 23% (104) compared to 2019's year-to-date. A vast majority of the crime reported in October 2020 were larcenies (36). This trend is also present in the data collected for crimes reported in September 2020. Larcenies account for nearly 74% of the crimes that have occurred within our jurisdiction year-to-date. Traffic stops during October 2020 resulted in 59% warnings and 41% citations. Year-to-date traffic citations have decreased by 35% (2,339) and traffic warnings have decreased by 44% (3,582).

Crimes	October 2020	September 2020	YTD (01/01/2020) – (10/31/2020)	YTD (01/01/2019) – (10/31/2019)
Aggravated Assault	3	0	16	22
Auto Theft	5	4	36	37
Burglary	3	3	23	23
Homicide	0	0	0	1
Larceny	36	32	254	348
Rape	1	1	7	7
Robbery	1	0	5	7
Total	49	40	341	445

	October 2020	September 2020	YTD (01/01/2020) – (10/31/2020)	YTD (01/01/2019) – (10/31/2019)
Dispatched Calls for Service	890 (+28)	862	8,481 (-1,131)	9,612
Self-Initiated Activity	1,498 (+688)	810	6,071 (+4,140)	1,931
Traffic Citations	589 (+192)	397	4,304 (-2,339)	6,643
Traffic Warnings*	838 (+350)	488	4,510 (-3,582)	8,092
Arrests*	61 (+4)	57	721 (-471)	1,192

*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



Lt. Joy Policarpio
CID Commander



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Approval of RESOLUTION authorizing the condemnation of Parcel 15, located at 3195 Travelers Trail, as required for the Special Purpose Local Option Sales Tax (SPLOST) Cherokee Street project.
Agenda Comments:	<p>The City has been working diligently to acquire rights of way and easements needed for the SPLOST Cherokee Street project. However, right-of-way Agents have been unable to acquire the properties required for the project from the property owners of Parcel 15 located at 3195 Travelers Trail. In order to avoid costly delays, the City is in a situation where it must use the condemnation process to get the necessary right-of-way, permanent easement, and temporary construction easements. The Public Works staff recommend the Mayor and City Council determine circumstances are such that it is necessary to proceed with condemnation proceedings by Declaration of Taking under O.C.G.A. §32-3-4, et seq. Public Works staff also recommends Mayor and Council authorize the commencement of condemnation proceedings on the property for the Cherokee Street project, adopt the resolution and order approving said condemnation, and authorize the Mayor to execute the necessary documents.</p> <p>The Public Works Director recommends approval.</p>
Funding Line(s)	310.4228.54.148400.0000 SPLOST 2011 Cherokee Street

ATTACHMENTS:

Description

Upload Date Type

Resolution Parcel 15	11/25/2020	Resolution
Exhibit Parcel 15	11/23/2020	Exhibit
ROW Description Parcel 15	11/23/2020	Exhibit
Permanent Easement Description Parcel 15	11/23/2020	Exhibit
Temporary Easement Description Parcel 15	11/23/2020	Exhibit
Temporary Easement Description Parcel 15	11/23/2020	Exhibit

**CITY OF KENNESAW
GEORGIA**

RESOLUTION NO. 2020- _____, 2020

RESOLUTION AND ORDER OF THE MAYOR AND COUNCIL OF THE CITY OF KENNESAW AUTHORIZING CONDEMNATION OF A TRACT OF LAND COMPRISED OF 1,687+/- SQUARE FEET OF PERMANENT RIGHT OF WAY, 474+/- SQUARE FEET OF PERMANENT EASEMENT, 1,703+/- SQUARE FEET OF TEMPORARY CONSTRUCTION EASEMENT AND 744+/- SQUARE FEET OF TEMPORARY CONSTRUCTION EASEMENT, BEING PROJECT PARCEL NO. 15, TAX PARCEL NO. 20012900030, IN LAND LOT 129, 20TH DISTRICT OF THE CITY OF KENNESAW, COBB COUNTY, GEORGIA BY DECLARATION OF TAKING METHOD PURSUANT TO THE PROVISIONS OF O.C.G.A. § 32-3-4, *ET SEQ.*

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF KENNESAW, COBB COUNTY, GEORGIA, AS FOLLOWS:

WHEREAS, Section 4 of Chapter 3 of Title 32 of the Official Code of Georgia Annotated and following sections authorize the City to file a condemnation proceeding in rem under a method known as declaration of taking to acquire private property interests for public road or other public transportation purposes upon payment of just and adequate compensation therefore to the person or persons entitled to such payment upon the Mayor and Council's finding that circumstances are appropriate for the use of said method; and

WHEREAS, the Mayor and Council of the City of Kennesaw, Georgia finds and believes that circumstances are appropriate for the use of the declaration of taking method to acquire property for public road or other public transportation purposes belonging to Emmette A. Wallace, being project parcel no. 15, tax parcel no. 20012900030, in Land Lot 129, 20th District of the City of Kennesaw, Cobb County, Georgia for one or more of the reasons set forth in O.C.G.A. § 32-3-4, as same may be amended from time to time, including a desire in the interests of justice to have a judicial ascertainment of any and all questions connected with the condemnation.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Kennesaw that circumstances are such that it is necessary to proceed with condemnation proceedings by Declaration of Taking method on a tract of land belonging to Emmette A. Wallace, being project parcel no. 15, tax parcel no. 20012900030, in Land Lot 129, 20th District of the City of Kennesaw, Cobb County, Georgia pursuant to SPLOST Cherokee Street project of the City of Kennesaw Public Works Department.

BE IT FURTHER RESOLVED AND ORDERED that legal counsel for the City of Kennesaw, Georgia is authorized and directed to file such proceedings and the Mayor is

authorized to execute this Resolution and Order on behalf of the City Council a Declaration of Taking and any other documents necessary to effectuate same.

SO RESOLVED AND ORDERED by the Kennesaw City Council on this ____ day of _____, 2020.

ATTEST:

CITY OF KENNESAW

James Friedrich, Deputy City Clerk

Derek Easterling, Mayor

P:\Marietta\1260 Kennesaw\1260.009 Engineering\Design\1260.09_RW.dwg 10/23/2019 10:37 AM

CROY REFERENCE NUMBER	COUNTY	PROJECT NUMBER	SHEET NO.	TOTAL SHEETS
1260.09	COBB	1260.09	###	###

***** PARCEL 010 REQ'D DW EASM'T #3 *****		
Line #/ Curve #	DISTANCE	BEARING
010-L3	17.98'	N20°41'33.80"E
010-L4	CHORD BEARING 68.12' CHORD LENGTH 68.12' RADIUS 3333.50'	N21°16'41.26"E
010-L6	34.01'	N68°01'54.77"W
010-L7	81.51'	N21°20'40.77"E
010-L8	33.99'	S75°47'50.42"E
REQ'D AREA = 2824 SQ FT REQ'D AREA = 0.065 AC		

***** PARCEL 011 REQ'D RW #1 *****		
Line #/ Curve #	DISTANCE	BEARING
011-L1	125.67'	S22°49'38.98"W
011-L2	12.92'	N75°47'50.42"W
011-L3	CHORD BEARING 90.14' CHORD LENGTH 90.15' RADIUS 3333.50'	S22°38'17.66"W
011-L4	CHORD BEARING 35.76' CHORD LENGTH 35.76' RADIUS 3329.42'	N23°43'13.04"E
011-L5	12.63'	S74°54'12.07"E
REQ'D AREA = 1640 SQ FT REQ'D AREA = 0.038 AC		

***** PARCEL 011 REQ'D TEMP EASM'T #2 *****		
Line #/ Curve #	DISTANCE	BEARING
011-L3	CHORD BEARING 90.14' CHORD LENGTH 90.15' RADIUS 3333.50'	S22°38'17.66"W
011-L6	15.13'	N75°47'50.42"W
011-L7	CHORD BEARING 92.78' CHORD LENGTH 92.79' RADIUS 3348.50'	N22°37'22.23"E
011-L8	15.00'	S65°45'16.44"E
REQ'D AREA = 1372 SQ FT REQ'D AREA = 0.031 AC		

***** PARCEL 011 REQ'D DW EASM'T #3 *****		
Line #/ Curve #	DISTANCE	BEARING
011-L4	CHORD BEARING 35.76' CHORD LENGTH 35.76' RADIUS 3329.42'	N23°43'13.04"E
011-L8	15.00'	S65°45'16.44"E
011-L9	23.53'	N65°45'16.44"W
011-L10	29.57'	N23°40'15.04"E
011-L11	39.00'	S74°54'12.07"E
REQ'D AREA = 1258 SQ FT REQ'D AREA = 0.029 AC		

***** PARCEL 012 REQ'D RW #1 *****		
Line #/ Curve #	DISTANCE	BEARING
012-L1	25.26'	N22°24'51.72"E
012-L2	59.74'	N22°13'12.72"E
012-L3	10.10'	S67°36'45.28"E
012-L4	CHORD BEARING 84.92' CHORD LENGTH 84.93' RADIUS 3270.50'	N22°45'09.22"E
012-L5	9.40'	N68°05'28.28"W
REQ'D AREA = 810 SQ FT REQ'D AREA = 0.019 AC		

***** PARCEL 012 REQ'D TEMP EASM'T #3 *****		
Line #/ Curve #	DISTANCE	BEARING
012-L4	CHORD BEARING 84.92' CHORD LENGTH 84.93' RADIUS 3270.50'	N22°45'09.22"E
012-L6	32.03'	N24°07'50.72"E
012-L7	12.93'	N73°08'05.29"E
012-L8	CHORD BEARING 125.04' CHORD LENGTH 125.05' RADIUS 3260.43'	S23°05'11.12"W
012-L9	10.00'	N68°05'28.28"W
REQ'D AREA = 1202 SQ FT REQ'D AREA = 0.028 AC		

***** PARCEL 012 REQ'D RW #2 *****		
Line #/ Curve #	DISTANCE	BEARING
012-L7	12.93'	N73°08'05.29"E
012-L10	9.86'	N24°07'50.72"E
012-L11	11.80'	S67°45'28.28"E
REQ'D AREA = 58 SQ FT REQ'D AREA = 0.001 AC		

***** PARCEL 013 REQ'D RW #1 *****		
Line #/ Curve #	DISTANCE	BEARING
013-L1	CHORD BEARING 128.56' CHORD LENGTH 128.58' RADIUS 2520.79'	S24°54'39.48"W
013-L2	1.93'	N74°54'12.07"W
013-L3	CHORD BEARING 48.56' CHORD LENGTH 48.56' RADIUS 3333.50'	N24°26'42.60"E
013-L4	CHORD BEARING 68.79' CHORD LENGTH 68.79' RADIUS 3333.50'	N25°27'13.33"E
013-L5	13.91'	N16°21'55.12"W
013-L6	10.88'	S70°50'46.19"E
REQ'D AREA = 250 SQ FT REQ'D AREA = 0.006 AC		

***** PARCEL 013 REQ'D DW EASM'T #2 *****		
Line #/ Curve #	DISTANCE	BEARING
013-L3	CHORD BEARING 48.56' CHORD LENGTH 48.56' RADIUS 3333.50'	N24°26'42.60"E
013-L7	19.62'	N74°54'12.07"W
013-L8	51.82'	N24°39'22.53"E
013-L9	9.77'	S65°20'37.47"E
013-L10	9.40'	S65°20'37.47"E
REQ'D AREA = 964 SQ FT REQ'D AREA = 0.022 AC		

***** PARCEL 013 REQ'D TEMP EASM'T #3 *****		
Line #/ Curve #	DISTANCE	BEARING
013-L4	CHORD BEARING 68.79' CHORD LENGTH 68.79' RADIUS 3333.50'	N25°27'13.33"E
013-L5	13.91'	N16°21'55.12"W
013-L10	9.40'	S65°20'37.47"E
013-L11	79.29'	N25°32'29.10"E
REQ'D AREA = 683 SQ FT REQ'D AREA = 0.016 AC		

***** PARCEL 014 REQ'D RW #1 *****		
Line #/ Curve #	DISTANCE	BEARING
014-L1	11.03'	N25°46'59.63"E
014-L2	12.24'	S24°08'24.92"E
014-L3	12.22'	N67°48'53.32"W
REQ'D AREA = 67 SQ FT REQ'D AREA = 0.002 AC		

***** PARCEL 014 REQ'D TEMP EASM'T #2 *****		
Line #/ Curve #	DISTANCE	BEARING
014-L2	12.24'	S24°08'24.92"E
014-L4	89.00'	N25°46'59.63"E
014-L5	14.79'	S69°06'13.16"E
014-L6	29.13'	S36°29'49.45"W
014-L7	69.52'	S25°45'01.64"W
REQ'D AREA = 948 SQ FT REQ'D AREA = 0.022 AC		

***** PARCEL 015 REQ'D RW #1 *****		
Line #/ Curve #	DISTANCE	BEARING
015-L1	140.28'	S27°49'54.35"W
015-L2	20.09'	N67°58'39.73"W
015-L3	12.11'	S65°23'18.87"W
015-L4	CHORD BEARING 86.61' CHORD LENGTH 86.61' RADIUS 3344.50'	S27°58'20.43"W
015-L5	CHORD BEARING 16.59' CHORD LENGTH 16.59' RADIUS 3344.50'	N28°51'22.70"E
015-L6	30.86'	N41°43'39.20"E
015-L7	4.70'	S56°49'20.92"E
REQ'D AREA = 1687 SQ FT REQ'D AREA = 0.039 AC		

***** PARCEL 015 REQ'D TEMP EASM'T #2 *****		
Line #/ Curve #	DISTANCE	BEARING
015-L10	23.74'	S49°22'02.22"E
015-L4	CHORD BEARING 86.61' CHORD LENGTH 86.61' RADIUS 3344.50'	S27°58'20.43"W
015-L3	12.11'	S65°23'18.87"W
015-L8	5.20'	N67°58'39.73"W
015-L9	102.53'	N22°01'20.27"E
REQ'D AREA = 1703 SQ FT REQ'D AREA = 0.039 AC		

***** PARCEL 015 REQ'D PERM EASM'T #3 *****		
Line #/ Curve #	DISTANCE	BEARING
015-L5	CHORD BEARING 16.59' CHORD LENGTH 16.59' RADIUS 3344.50'	S28°51'22.70"W
015-L10	23.74'	N49°22'02.22"W
015-L11	8.22'	N49°22'02.22"W
015-L12	15.00'	N40°37'57.78"E
015-L13	3.56'	S51°50'48.34"E
015-L14	25.05'	S51°50'48.34"E
REQ'D AREA = 474 SQ FT REQ'D AREA = 0.011 AC		

***** PARCEL 015 REQ'D TEMP EASM'T #4 *****		
Line #/ Curve #	DISTANCE	BEARING
015-L14	25.05'	N51°50'48.34"W
015-L15	28.66'	N41°43'39.20"E
015-L16	25.28'	S56°49'20.92"E
015-L6	30.86'	S41°43'39.20"W
REQ'D AREA = 744 SQ FT REQ'D AREA = 0.017 AC		

***** PARCEL 016 REQ'D TEMP EASM'T #2 *****		
Line #/ Curve #	DISTANCE	BEARING
016-L2	38.21'	N30°32'27.85"E
016-L3	48.60'	N42°17'03.66"E
016-L5	15.17'	S67°46'01.17"E
016-L6	CHORD BEARING 41.90' CHORD LENGTH 41.90' RADIUS 3244.50'	S30°32'49.95"W
016-L7	50.65'	S42°17'03.66"W
016-L8	CHORD BEARING 138.61' CHORD LENGTH 138.62' RADIUS 3255.50'	S28°05'08.80"W
016-L9	14.79'	N69°06'13.16"W
016-L10	CHORD BEARING 101.72' CHORD LENGTH 101.72' RADIUS 6140.60'	N27°59'04.62"E
016-L11	10.49'	N61°32'26.97"W
016-L12	10.00'	S28°30'21.27"W
016-L13	10.49'	S61°26'50.49"E
016-L14	CHORD BEARING 32.85' CHORD LENGTH 32.85' RADIUS 6140.60'	N28°42'21.21"E

REQ'D AREA = 3273 SQ FT
REQ'D AREA = 0.075 AC

***** PARCEL 016 REQ'D RW #1 *****		
Line #/ Curve #	DISTANCE	BEARING
016-L1	11.91'	S67°46'01.17"E
016-L2	38.21'	N30°32'27.85"E
016-L3	48.60'	N42°17'03.66"E
016-L4	CHORD BEARING 84.10' CHORD LENGTH 84.10' RADIUS 6140.60'	S29°15'05.37"W
REQ'D AREA = 694 SQ FT REQ'D AREA = 0.016 AC		

***** PARCEL 016 REQ'D PERM EASM'T #3 *****		
Line #/ Curve #	DISTANCE	BEARING
016-L11	10.49'	N61°32'26.97"W
016-L12	10.00'	S28°30'21.27"W
016-L13	10.49'	S61°26'50.49"E
016-L15	CHORD BEARING 10.02' CHORD LENGTH 10.02' RADIUS 6140.60'	N28°30'21.27"E
REQ'D AREA = 105 SQ FT REQ'D AREA = 0.002 AC		

***** PARCEL 017 REQ'D RW #1 *****		
Line #/ Curve #	DISTANCE	BEARING
017-L1	150.49'	S30°41'46.37"W
017-L2	4.70'	N56°49'20.92"W
017-L3	20.79'	S41°43'39.20"W
017-L4	CHORD BEARING 129.89' CHORD LENGTH 129.89' RADIUS 3333.50'	S30°58'50.38"W
017-L5	0.07'	S57°56'02.20"E
REQ'D AREA = 162 SQ FT REQ'D AREA = 0.004 AC		

***** PARCEL 017 REQ'D TEMP EASM'T #2' *****		
Line #/ Curve #	DISTANCE	BEARING
017-L3	20.79'	S41°43'39.20"W
017-L4	CHORD BEARING 129.89' CHORD LENGTH 129.89' RADIUS 3333.50'	S30°58'50.38"W
017-L6	25.28'	N56°49'20.92"W
017-L7	21.96'	N41°43'39.20"E
017-L8	CHORD BEARING 120.09' CHORD LENGTH 120.10' RADIUS 3358.50'	N30°55'59.44"E
017-L9	CHORD BEARING 8.16' CHORD LENGTH 8.16' RADIUS 3358.50'	S32°01'37.83"W
017-L10	25.00'	S57°56'02.20"E
REQ'D AREA = 3761 SQ FT REQ'D AREA = 0.086 AC		

***** PARCEL 017 REQ'D DW EASM'T #3 *****		
Line #/ Curve #	DISTANCE	BEARING
017-L9	CHORD BEARING 8.16' CHORD LENGTH 8.16' RADIUS 3358.50'	S32°01'37.83"W
017-L11	21.52'	N55°03'38.00"W
017-L12	7.09'	N34°56'21.99"E
017-L13	21.14'	S57°56'02.20"E
REQ'D AREA = 162 SQ FT REQ'D AREA = 0.004 AC		

***** PARCEL 018 REQ'D DW EASM'T #1 *****		
Line #/ Curve #	DISTANCE	BEARING
018-L1	8.24'	N31°56'39.08"E
018-L2	21.42'	S57°56'02.20"E
018-L3	8.24'	S32°03'57.80"W
018-L4	21.40'	N57°56'02.20"W
REQ'D AREA = 177 SQ FT REQ'D AREA = 0.004 AC		

NOTE:
RIGHT OF WAY AND EASEMENTS FOR
PARCEL 019 HAVE BEEN REMOVED FROM
THIS PLAN SET.
SEE SEPARATE EXHIBIT(S) FOR PARCEL
019 DATED 04-15-2019

CROY
ENGINEERING

200 NORTH COBB PARKWAY, BLDG. 400, SUITE 413
MARIETTA, GA 30062
PHONE: (770) 971-5407 FAX: (770) 971-0620

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Engineers
Planners
Surveyors

REVISION DATES

03-08-2016		
02-12-2019		
04-15-2019		
10-24-2019		

CITY OF KENNESAW

CHEROKEE STREET WIDENING

RIGHT OF WAY PLANS

DRAWING NO.

60-13

Required Right-of-Way for Parcel 15: Emmette A. Wallace

All that tract or parcel of land lying and being in Land Lot 129 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, aka 3195 Travelers Trail, and referenced as Parcel 15 on Right of Way Plans of Proposed Cherokee Street Widening prepared by Croy Engineering for City of Kennesaw dated August 16, 2016 and also being more particularly described as follows:

COMMENCING at the intersection of the northerly right-of-way line of Travelers Trail (Variable right-of-way) with the westerly right-of-way line of Cherokee Street (Variable right-of-way); said point also being the POINT OF BEGINNING.

THENCE, from the POINT OF BEGINNING and westerly on a bearing of North 67 degrees 58 minutes 40 seconds West, for a distance of 20.09 feet to a point;

THENCE, northeasterly on a bearing of North 65 degrees 23 minutes 19 seconds East, for a distance of 12.11 feet to a point;

THENCE, northerly along a curve to the right having a radius of 3344.50 feet an arc length of 86.61 feet, being subtended by a chord of North 27 degrees 58 minutes 21 seconds East, a distance of 86.61 feet to a point;

THENCE, northerly along a curve to the right having a radius of 3344.50 feet an arc length of 16.59 feet, being subtended by a chord of North 28 degrees 51 minutes 23 seconds East, a distance of 16.59 feet to a point;

THENCE, northerly on a bearing of North 41 degrees 43 minutes 39 seconds East, for a distance of 30.86 feet to a point;

THENCE, easterly on a bearing of South 56 degrees 49 minutes 21 seconds East, for a distance of 4.70 feet

THENCE, southwesterly on a bearing of South 27 degrees 49 minutes 55 seconds West, for a distance of 140.28 feet to the POINT OF BEGINNING.

The herein described required right-of-way area of land contains 1,687 Square Feet or 0.039 Acres of land, more or less. The above described property is subject to any and all Easements, Encumbrances and or Restrictions of record.

Permanent Easement 3 for Parcel 15: Emmette A. Wallace

All that tract or parcel of land lying and being in Land Lot 129 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, aka 3195 Travelers Trail, and referenced as Parcel 15 on Right of Way Plans of Proposed Cherokee Street Widening prepared by Croy Engineering for City of Kennesaw dated August 16, 2016 and also being more particularly described as follows:

COMMENCING at the intersection of the northerly right-of-way line of Travelers Trail (Variable right-of-way) with the westerly right-of-way line of Cherokee Street (Variable right-of-way); THENCE, westerly along the northerly right-of-way line of Travelers Trail on a bearing of North 67 degrees 58 minutes 40 seconds West, for a distance of 20.09 feet to a point; THENCE, northeasterly and leaving said northerly right-of-way line on a bearing of North 65 degrees 23 minutes 19 seconds East, for a distance of 12.11 feet to a point; THENCE, northerly along a curve to the right having a radius of 3344.50 feet an arc length of 86.61 feet, being subtended by a chord of North 27 degrees 58 minutes 21 seconds East, a distance of 86.61 feet to a point; said point also being the POINT OF BEGINNING.

THENCE, westerly on a bearing of North 49 degrees 22 minutes 02 seconds West, for a distance of 23.74 feet to a point;

THENCE, westerly on a bearing of North 49 degrees 22 minutes 02 seconds West, for a distance of 8.22 feet to a point;

THENCE, northerly on a bearing of North 40 degrees 37 minutes 58 seconds East, for a distance of 15.00 feet to a point;

THENCE, easterly on a bearing of South 51 degrees 50 minutes 48 seconds East, for a distance of 3.56 feet to a point;

THENCE, easterly on a bearing of South 51 degrees 50 minutes 48 seconds East, for a distance of 25.05 feet to a point;

THENCE, northerly along a curve to the right having a radius of 3344.50 feet an arc length of 16.59 feet, being subtended by a chord of South 28 degrees 51 minutes 23 seconds West, a distance of 16.59 feet the POINT OF BEGINNING.

The herein described permanent easement area of land contains 474 Square Feet or 0.011 Acres of land, more or less. The above described property is subject to any and all Easements, Encumbrances and or Restrictions of record.

Temporary Construction Easement 2 for Parcel 15: Emmette A. Wallace

All that tract or parcel of land lying and being in Land Lot 129 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, aka 3195 Travelers Trail, and referenced as Parcel 15 on Right of Way Plans of Proposed Cherokee Street Widening prepared by Croy Engineering for City of Kennesaw dated August 16, 2016 and also being more particularly described as follows:

COMMENCING at the intersection of the northerly right-of-way line of Travelers Trail (Variable right-of-way) with the westerly right-of-way line of Cherokee Street (Variable right-of-way); THENCE, westerly along the northerly right-of-way line of Travelers Trail on a bearing of North 67 degrees 58 minutes 40 seconds West, for a distance of 20.09 feet to a point; said point also being the POINT OF BEGINNING.

THENCE, from the POINT OF BEGINNING westerly on a bearing of North 67 degrees 58 minutes 40 seconds West, for a distance of 5.20 feet to a point;

THENCE, northerly and leaving said northerly right-of-way line on a bearing of North 22 degrees 01 minutes 20 seconds East, for a distance of 102.53 feet to a point;

THENCE, easterly on a bearing of South 49 degrees 22 minutes 02 seconds East, for a distance of 23.74 feet to a point;

THENCE, southerly along a curve to the left having a radius of 3344.50 feet, an arc length of 86.61 feet, being subtended by a chord of South 27 degrees 58 minutes 21 seconds West, a distance of 86.61 feet to a point;

THENCE, southwesterly on a bearing of South 65 degrees 23 minutes 19 seconds West, for a distance of 12.11 feet to the POINT OF BEGINNING.

The herein described temporary construction easement area of land contains 1,703 Square Feet or 0.039 Acres of land, more or less. The above described property is subject to any and all Easements, Encumbrances and or Restrictions of record.

Temporary Construction Easement 4 for Parcel 15: Emmette A. Wallace

All that tract or parcel of land lying and being in Land Lot 129 of the 20th District, 2nd Section, City of Kennesaw, Cobb County, Georgia, aka 3195 Travelers Trail, and referenced as Parcel 15 on Right of Way Plans of Proposed Cherokee Street Widening prepared by Croy Engineering for City of Kennesaw dated August 16, 2016 and also being more particularly described as follows:

COMMENCING at the intersection of the northerly right-of-way line of Travelers Trail (Variable right-of-way) with the westerly right-of-way line of Cherokee Street (Variable right-of-way); THENCE, northerly along the westerly right-of-way line of Cherokee Street on a bearing of North 27 degrees 49 minutes 55 seconds East, for a distance of 140.28 feet to a point on the common property line with Key Property Portfolio I; THENCE, westerly along said common property line on a bearing of North 56 degrees 49 minutes 21 seconds West, for a distance of 4.70 feet to a point; said point also being the POINT OF BEGINNING.

THENCE, from the POINT OF BEGINNING and southerly on a bearing of South 41 degrees 43 minutes 39 seconds West, for a distance of 30.86 feet to a point;

THENCE, westerly on a bearing of North 51 degrees 50 minutes 49 seconds West, for a distance of 25.05 feet to a point;

THENCE, northerly on a bearing of North 41 degrees 43 minutes 39 seconds East, for a distance of 28.66 feet to a point;

THENCE, easterly along said common property line on a bearing of South 56 degrees 49 minutes 21 seconds East, for a distance of 25.28 feet to the POINT OF BEGINNING.

The herein described temporary construction easement area of land contains 744 Square Feet or 0.017 Acres of land, more or less. The above described property is subject to any and all Easements, Encumbrances and or Restrictions of record.



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	Approval of RESOLUTION authorizing the condemnation of Parcel 55, located at 3461 Cherokee Street, as required for the Special Purpose Local Option Sales Tax (SPLOST) Cherokee Street project.
Agenda Comments:	<p>The City has been working diligently to acquire rights of way and easements needed for the SPLOST Cherokee Street project. However, right-of-way Agents have been unable to acquire the properties required for the project from the property owners of Parcel 55, located at 3461 Cherokee Street. In order to avoid costly delays, the City is in a situation where it must use the condemnation process to get the necessary right-of-way, driveway easements, and temporary construction easements. The Public Works staff recommend the Mayor and City Council determine circumstances are such that it is necessary to proceed with condemnation proceedings by Declaration of Taking under O.C.G.A. §32-3-4, et seq. Public Works staff also recommends Mayor and Council authorize the commencement of condemnation proceedings on the property for the Cherokee Street project, adopt the resolution and order approving said condemnation, and authorize the Mayor to execute the necessary documents.</p> <p>The Public Works Director recommends approval.</p>
Funding Line(s)	310.4228.54.148400.0000 SPLOST 2011 Cherokee Street

ATTACHMENTS:

Description	Upload Date	Type
Resolution Parcel 55	11/25/2020	Resolution
Exhibit Parcel 55	11/24/2020	Exhibit
ROW Description Parcel 55	11/24/2020	Exhibit
Driveway Easement Description Parcel 55	11/24/2020	Exhibit
Temporary Easement Description Parcel 55	11/24/2020	Exhibit
Temporary Easement Description Parcel 55	11/24/2020	Exhibit

CITY OF KENNESAW GEORGIA

RESOLUTION NO. 2020- _____, 2020

RESOLUTION AND ORDER OF THE MAYOR AND COUNCIL OF THE CITY OF KENNESAW AUTHORIZING CONDEMNATION OF A TRACT OF LAND COMPRISED OF 1,663+/- SQUARE FEET OF PERMANENT RIGHT OF WAY, 300+/- SQUARE FEET OF DRIVEWAY EASEMENT, 536+/- SQUARE FEET OF TEMPORARY CONSTRUCTION EASEMENT AND 142+/- SQUARE FEET OF TEMPORARY CONSTRUCTION EASEMENT, BEING PROJECT PARCEL NO. 55, TAX PARCEL NO. 20009901230, IN LAND LOT 99, 20TH DISTRICT OF THE CITY OF KENNESAW, COBB COUNTY, GEORGIA BY DECLARATION OF TAKING METHOD PURSUANT TO THE PROVISIONS OF O.C.G.A. § 32-3-4, *ET SEQ.*

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF KENNESAW, COBB COUNTY, GEORGIA, AS FOLLOWS:

WHEREAS, Section 4 of Chapter 3 of Title 32 of the Official Code of Georgia Annotated and following sections authorize the City to file a condemnation proceeding in rem under a method known as declaration of taking to acquire private property interests for public road or other public transportation purposes upon payment of just and adequate compensation therefore to the person or persons entitled to such payment upon the Mayor and Council's finding that circumstances are appropriate for the use of said method; and

WHEREAS, the Mayor and Council of the City of Kennesaw, Georgia finds and believes that circumstances are appropriate for the use of the declaration of taking method to acquire property for public road or other public transportation purposes belonging to Betty Hogan McPherson and Bobbie M. Duke, being project parcel no. 55, tax parcel no. 20009901230, in Land Lot 99, 20th District of the City of Kennesaw, Cobb County, Georgia for one or more of the reasons set forth in O.C.G.A. § 32-3-4, as same may be amended from time to time, including a desire in the interests of justice to have a judicial ascertainment of any and all questions connected with the condemnation.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Kennesaw that circumstances are such that it is necessary to proceed with condemnation proceedings by Declaration of Taking method on a tract of land belonging to Betty Hogan McPherson and Bobbie M. Duke, being project parcel no. 55, tax parcel no. 20009901230, in Land Lot 99, 20th District of the City of Kennesaw, Cobb County, Georgia pursuant to SPLOST Cherokee Street project of the City of Kennesaw Public Works Department.

BE IT FURTHER RESOLVED AND ORDERED that legal counsel for the City of

Kennesaw, Georgia is authorized and directed to file such proceedings and the Mayor is authorized to execute this Resolution and Order on behalf of the City Council a Declaration of Taking and any other documents necessary to effectuate same.

SO RESOLVED AND ORDER by the Kennesaw City Council on this _____ day of _____, 2020.

ATTEST

CITY OF KENNESAW

James Friedrich, Deputy City Clerk

Derek Easterling, Mayor

CROY REFERENCE NUMBER	COUNTY	PROJECT NUMBER	SHEET NO.	TOTAL SHEETS
1260.09	COBB	1260.09	###	###

CHEROKEE ST.
STA 100+00.00
N: 1465740.4728
E: 2162415.8708

CHEROKEE ST.
STA 104+00.00
N: 1466114.6684
E: 2162557.2132

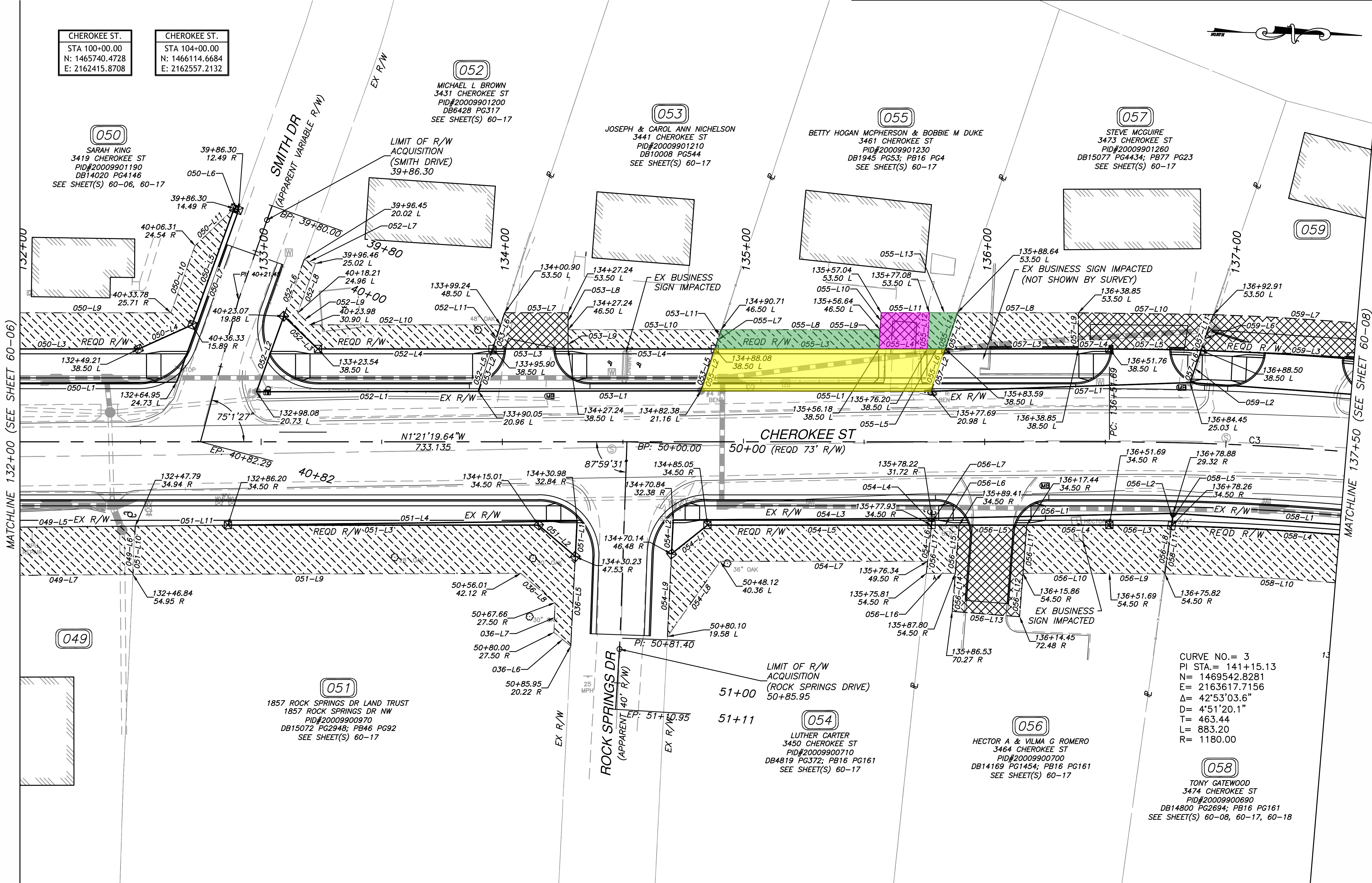
050
SARAH KING
3419 CHEROKEE ST
PID#20009901190
DB14020 PG4146
SEE SHEET(S) 60-06, 60-17

052
MICHAEL L BROWN
3431 CHEROKEE ST
PID#20009901200
DB6428 PG317
SEE SHEET(S) 60-17

053
JOSEPH & CAROL ANN NICHOLSON
3441 CHEROKEE ST
PID#20009901210
DB10008 PG544
SEE SHEET(S) 60-17

055
BETTY HOGAN MCPHERSON & BOBBIE M DUKE
3461 CHEROKEE ST
PID#20009901230
DB1945 PG53; PB16 PG4
SEE SHEET(S) 60-17

057
STEVE MCGUIRE
3473 CHEROKEE ST
PID#20009901260
DB15077 PG4434; PB77 PG23
SEE SHEET(S) 60-17



MATCHLINE 132+00 (SEE SHEET 60-06)

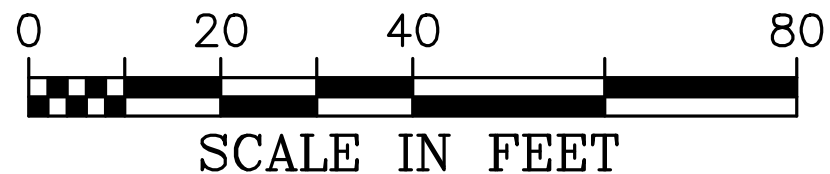
MATCHLINE 137+50 (SEE SHEET 60-08)

CURVE NO.= 3
PI STA.= 141+15.13
N= 1469542.8281
E= 2163617.7156
Δ= 42°53'03.6"
D= 4°51'20.1"
T= 463.44
L= 883.20
R= 1180.00

058
TONY GATEWOOD
3474 CHEROKEE ST
PID#20009900690
DB14800 PG2694; PB16 PG161
SEE SHEET(S) 60-08, 60-17, 60-18

LEGEND

- PROPERTY AND EXISTING R/W LINE — R —
- REQUIRED R/W LINE — C — F —
- CONSTRUCTION LIMITS
- EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES
- EASEMENT FOR CONSTR. OF SLOPES
- EASEMENT FOR CONSTR. OF DRIVES



CROY
ENGINEERING

Engineers
Planners
Surveyors

200 NORTH COBB PARKWAY, BLDG. 400, SUITE 413
MARIETTA, GA 30062
PHONE: (770) 971-5407 FAX: (770) 971-0820

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REVISION DATES

CITY OF KENNESAW

CHEROKEE STREET WIDENING

RIGHT OF WAY PLANS

DRAWING NO.
60-07

M:\1260\09 Cherokee Street - Ben King to West 22\02-Engineering\Design\1260.09_RW.dwg 4/4/2016 11:28 AM

CROY REFERENCE NUMBER	COUNTY	PROJECT NUMBER	SHEET NO.	TOTAL SHEETS
1260.09	COBB	1260.09	###	###

PARCEL 048	REQ'D DW EASM'T #2	

Line #/ Curve #	DISTANCE	BEARING

048-L3	27.75'	N1'21'19.64"W
048-L6	35.83'	N89'48'43.86"W
048-L7	26.79'	N1'21'19.64"W
048-L8	25.82'	N88'38'40.36"E
048-L9	10.00'	N88'38'40.36"E
REQ'D AREA = 977 SQ FT		
REQ'D AREA = 0.022 AC		

PARCEL 048	REQ'D TEMP EASM'T #3	

Line #/ Curve #	DISTANCE	BEARING

048-L4	72.21'	N1'21'19.64"W
048-L9	10.00'	N88'38'40.36"E
048-L10	72.48'	N1'21'19.64"W
048-L11	10.00'	S89'49'21.74"E
REQ'D AREA = 723 SQ FT		
REQ'D AREA = 0.017 AC		

PARCEL 049		REQ'D DW EASM'T #1

Line #/ Curve #	DISTANCE	BEARING

049-L1	33.43'	N1'50'39.64"W
049-L2	15.01'	N88'38'18.72"E
049-L3	33.76'	S1'21'19.64"E
049-L4	14.73'	S89'55'41.51"W
REQ'D AREA = 500 SQ FT		
REQ'D AREA = 0.011 AC		

PARCEL 049		REQ'D TEMP EASM'T #2

Line #/ Curve #	DISTANCE	BEARING

049-L2	15.01'	N88°38'18.72"E
049-L5	69.65'	N1°50'39.52"W
049-L6	20.03'	S88°38'39.26"E
049-L7	68.70'	S1°50'39.56"E
049-L8	4.99'	S88°38'18.72"W
REQ'D AREA = 1383 SQ FT		
REQ'D AREA = 0.032 AC		

PARCEL 050	REQ'D RW #1	

Line #/ Curve #	DISTANCE	BEARING

050-L1	80.00'	S1'52'46.19"E
050-L2	14.50'	N89'49'21.74"W
050-L3	63.87'	N1'21'19.64"W
050-L4	24.32'	N25'37'58.29"W
050-L5	51.28'	N71'33'07.34"W
050-L6	2.00'	N18'17'39.58"E
050-L7	75.52'	S71'32'58.61"E
REQ'D AREA = 1378 SQ FT		
REQ'D AREA = 0.032 AC		

PARCEL 050		REQ'D TEMP EASM'T #2

Line #/ Curve #	DISTANCE	BEARING

050-L3	63.87'	N1'21'19.64"W
050-L4	24.32'	N25'37'58.29"W
050-L5	51.28'	N71'33'07.34"W
050-L8	15.01'	N89'49'21.74"W
050-L9	76.81'	N1'21'19.64"W
050-L10	29.52'	N71'33'07.34"W
050-L11	22.40'	N45'02'04.68"W
REQ'D AREA = 1559 SQ FT		
REQ'D AREA = 0.036 AC		

PARCEL 051	REQ'D RW #1	

Line #/ Curve #	DISTANCE	BEARING

051-L1	14.72'	S88°27'55.95"E
051-L2	20.04'	N39°12'15.76"E
051-L3	128.80'	S1°21'19.64"E
051-L4	144.78'	N2°00'50.36"W
REQ'D AREA = 224 SQ FT		
REQ'D AREA = 0.005 AC		

PARCEL 051	REQ'D TEMP EASM'T #2	

Line #/ Curve #	DISTANCE	BEARING

036-L5	37.17'	S88°27'55.95"E
036-L6	8.99'	S37°46'06.40"W
036-L7	12.34'	N89°20'50.46"W
036-L8	18.70'	S39°12'15.76"W
051-L2	20.04'	N39°12'15.76"E
051-L3	128.80'	S1°21'19.64"E
051-L9	160.78'	S1°30'57.43"E
051-L10	20.03'	N88°38'39.26"W
051-L11	38.42'	S2°00'50.36"E
REQ'D AREA = 3877 SQ FT		
REQ'D AREA = 0.089 AC		

PARCEL 052		REQ'D RW #1

Line #/ Curve #	DISTANCE	BEARING

052-L1	91.97'	S1'29'57.25"E
052-L2	33.30'	N71'32'58.61"W
052-L3	19.62'	N42'22'33.04"E
052-L4	72.36'	N1'21'19.64"W
052-L5	18.49'	S72'54'51.99"E

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PARCEL 054	REQ'D RW #1	

Line #/ Curve #	DISTANCE	BEARING

054-L1	19.13'	S40'07'40.71"E
054-L2	14.11'	N88'31'11.46"W
054-L3	107.39'	N1'42'35.71"W
054-L4	2.80'	S85'19'15.01"E
054-L5	92.88'	S1'21'19.64"E
REQ'D AREA = 349 SQ FT		
REQ'D AREA = 0.008 AC		

*****			*****	
PARCEL 052		REQ'D TEMP EASM'T #2		
*****			*****	
Line #/ Curve #	DISTANCE	BEARING		

052-L3	19.62'	N42°22'33.04"E		
052-L4	72.36'	N1°21'19.64"W		
052-L6	25.00'	N71°32'58.61"W		
052-L7	5.00'	N18°27'01.39"E		
052-L8	21.75'	S71°32'58.61"E		
052-L9	7.13'	N42°22'33.04"E		
052-L10	78.92'	N1°21'19.64"W		
052-L11	10.54'	S72°54'51.99"E		
REQ'D AREA = 940 SQ FT				
REQ'D AREA = 0.022 AC				

PARCEL 053	REQ'D RW #1	

Line #/ Curve #	DISTANCE	BEARING

053-L1	92.32'	S1'28'44.01"E
053-L2	18.49'	N72'54'51.99"W
053-L3	31.34'	N1'21'19.64"W
053-L4	60.84'	S1'21'19.64"E
053-L5	18.25'	S73'08'46.99"E

PARCEL 053		REQ'D DW EASM'T #2

Line #/ Curve #	DISTANCE	BEARING

053-L3	31.34'	N1'21'19.64"W
053-L6	15.81'	N72'54'51.99"W
053-L7	26.34'	N1'21'19.64"W
053-L8	7.00'	N88'38'40.36"E
053-L9	8.00'	S88'38'40.36"W
REQ'D AREA = 433 SQ FT		
REQ'D AREA = 0.010 AC		

PARCEL 053	REQ'D TEMP EASM'T #3	

Line #/ Curve #	DISTANCE	BEARING

053-L4	60.84'	S1'21'19.64"E
053-L9	8.00'	S88'38'40.36"W
053-L10	63.47'	N1'21'19.64"W
053-L11	8.42'	S73'08'46.99"E
REQ'D AREA = 497 SQ FT		
REQ'D AREA = 0.011 AC		

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PARCEL 054		REQ'D RW #1

Line #/ Curve #	DISTANCE	BEARING

054-L1	19.13'	S40°07'40.71"E
054-L2	14.11'	N88°31'11.46"W
054-L3	107.39'	N1°42'35.71"W
054-L4	2.80'	S85°19'15.01"E
054-L5	92.88'	S1°21'19.64"E
REQ'D AREA = 349 SQ FT		
REQ'D AREA = 0.008 AC		

*****			*****	
PARCEL 054		REQ'D TEMP EASM'T #2		
*****			*****	
Line #/ Curve #	DISTANCE	BEARING		

054-L1	19.13'	S40°07'40.71"E		
054-L5	92.88'	S1°21'19.64"E		
054-L6	15.08'	S85°19'15.01"E		
054-L7	86.01'	S1°21'19.64"E		
054-L8	38.14'	S56°20'24.13"E		
054-L9	34.30'	N88°31'11.46"W		
REQ'D AREA = 1834 SQ FT				
REQ'D AREA = 0.042 AC				

PARCEL 055		REQ'D RW #1

Line #/ Curve #	DISTANCE	BEARING

055-L1	95.32'	S1'14'50.20"E
055-L2	18.25'	N73'08'46.99"W
055-L3	68.10'	N1'21'19.64"W
055-L4	20.02'	N1'21'19.64"W
055-L5	7.39'	N1'21'19.64"W
055-L6	18.48'	S72'44'56.61"E
REQ'D AREA = 1663 SQ FT		
REQ'D AREA = 0.038 AC		

PARCEL 055	REQ'D TEMP EASM'T #2	

Line #/ Curve #	DISTANCE	BEARING

055-L3	68.10'	N1'21'19.64"W
055-L7	8.42'	N73'08'46.99"W
055-L8	65.93'	N1'21'19.64"W
055-L9	8.01'	S88'02'40.18"E
REQ'D AREA = 536 SQ FT		
REQ'D AREA = 0.012 AC		

*****			*****		
PARCEL 055			REQ'D DW EASMT #3		
*****			*****		
Line #/ Curve #	DISTANCE		BEARING		

055-L4	20.02'		N1'21'19.64"W		
055-L9	8.01'		S88'02'40.18"E		
055-L10	7.01'		N88'02'40.18"W		
055-L11	20.04'		N1'21'19.64"W		
055-L12	15.03'		S87'58'12.44"E		
REQ'D AREA = 300 SQ FT					
REQ'D AREA = 0.007 AC					

PARCEL 055	REQ'D TEMP EASM'T #4	

Line #/ Curve #	DISTANCE	BEARING

055-L5	7.39'	N1'21'19.64"W
055-L12	15.03'	S87'58'12.44"E
055-L13	11.56'	N1'21'19.64"W
055-L14	15.83'	S72'44'56.61"E
REQ'D AREA = 142 SQ FT		
REQ'D AREA = 0.003 AC		

PARCEL 056		REQ'D RW #1

Line #/ Curve #	DISTANCE	BEARING

056-L1	100.00'	N2°33'15.01"W
056-L2	5.22'	S83°26'26.50"E
056-L3	CHORD BEARING	S0°42'37.63"E
	CHORD LENGTH	25.79'
	ARC LENGTH	25.79'
	RADIUS	1145.50'
056-L4	34.26'	S1°21'19.64"E
056-L5	28.03'	S1°21'19.64"E
056-L6	11.48'	S1°21'19.64"E
056-L7	2.80'	N85°19'15.01"W
REQ'D AREA = 384 SQ FT		
REQ'D AREA = 0.009 AC		

*****			REQ'D TEMP EASMT #4	
*****			*****	
PARCEL 056				
Line #/ Curve #	DISTANCE		BEARING	

056-L3	CHORD BEARING CHORD LENGTH ARC LENGTH RADIUS		S0'42'37.63"E 25.79' 25.79' 1145.50'	
056-L4	34.26'		S1'21'19.64"E	
056-L8	20.14'		S83'26'26.50"E	
056-L9	CHORD BEARING CHORD LENGTH ARC LENGTH RADIUS		N0'46'10.51"W 23.02' 23.02' 1125.50'	
056-L10	35.83'		N1'21'19.64"W	
056-L11	20.06'		N86'51'36.76"W	

PARCEL 056	REQ'D DW EASM'T #3	

Line #/ Curve #	DISTANCE	BEARING

056-L5	28.03'	S1'21'19.64"E
056-L11	20.06'	N86'51'36.76"W
056-L12	18.03'	S86'51'36.76"E
056-L13	28.01'	S3'10'03.71"W
056-L14	15.82'	N86'44'54.35"W
056-L15	20.06'	N86'44'54.35"W
REQ'D AREA = 1035 SQ FT		
REQ'D AREA = 0.024 AC		

Required Right-Of-Way (Area #1) for Parcel 55: Betty Hogan McPherson & Bobbie M Duke

All that tract or parcel of land lying and being in Land Lot 99 of the 20th District, City of Kennesaw, Cobb County, Georgia, aka 3461 Cherokee Street, and referenced as Parcel 55 on Right Of Way Plans Of Proposed Cherokee Street Widening prepared by Croy Engineering for City of Kennesaw dated August 16, 2016 and also being more particularly described as follows:

COMMENCING at the intersection of the northerly right-of-way line of Smith Drive (Variable right-of-way) with the westerly right-of-way line of Cherokee Street (Variable right-of-way); THENCE, northerly along the existing westerly right-of-way of Cherokee Street on a bearing of North 01 degrees 29 minutes 57 seconds West, a distance of 91.97 feet to a point; THENCE, northerly on a bearing of North 01 degrees 28 minutes 44 seconds West, a distance of 92.32 feet to a point; said point also being the POINT OF BEGINNING.

THENCE, from the POINT OF BEGINNING northwesterly on a bearing of North 73 degrees 08 minutes 47 seconds West for a distance of 18.25 feet, to a point;

THENCE, northwesterly on a bearing of North 01 degrees 21 minutes 20 seconds West for a distance of 68.10 feet, to a point;

THENCE, northwesterly on a bearing of North 01 degrees 21 minutes 20 seconds West for a distance of 20.02 feet, to a point;

THENCE, northwesterly on a bearing of North 01 degrees 21 minutes 20 seconds West for a distance of 7.39 feet, to a point;

THENCE, southeasterly on a bearing of South 72 degrees 44 minutes 57 seconds East for a distance of 18.48 feet, to a point;

THENCE, southeasterly on a bearing of South 01 degrees 14 minutes 50 seconds East for a distance of 95.32 feet, to the POINT OF BEGINNING.

The herein described required right-of-way contains 1,663 Square Feet or 0.038 Acres of land, more or less. The above described property is subject to any and all Easements, Encumbrances and or Restrictions of record.

Required Driveway Easement (Area #3) for Parcel 55: Betty Hogan McPherson & Bobbie M Duke

All that tract or parcel of land lying and being in Land Lot 99 of the 20th District, City of Kennesaw, Cobb County, Georgia, aka 3461 Cherokee Street, and referenced as Parcel 55 on Right Of Way Plans Of Proposed Cherokee Street Widening prepared by Croy Engineering for City of Kennesaw dated August 16, 2016 and also being more particularly described as follows:

COMMENCING at the intersection of the northerly right-of-way line of Smith Drive (Variable right-of-way) with the westerly right-of-way line of Cherokee Street (Variable right-of-way); THENCE, northerly along the existing westerly right-of-way of Cherokee Street on a bearing of North 01 degrees 29 minutes 57 seconds West, a distance of 91.97 feet to a point; THENCE, northerly continuing along said right-of-way of Cherokee Street on a bearing of North 01 degrees 28 minutes 44 seconds West, a distance of 92.32 feet to a point; THENCE, northwesterly on a bearing of North 73 degrees 08 minutes 47 seconds West for a distance of 18.25 feet, to a point; THENCE, on a bearing of North 01 degrees 21 minutes 20 seconds West for a distance of 68.10 feet, to a point; said point also being the POINT OF BEGINNING.

THENCE, from the POINT OF BEGINNING northwesterly on a bearing of North 88 degrees 02 minutes 40 seconds West for a distance of 8.01 feet, to a point;

THENCE, northwesterly on a bearing of North 88 degrees 02 minutes 40 seconds West for a distance of 7.01 feet, to a point;

THENCE, northwesterly on a bearing of North 01 degrees 21 minutes 20 seconds West for a distance of 20.04 feet, to a point;

THENCE, southeasterly on a bearing of South 87 degrees 58 minutes 12 seconds East for a distance of 15.03 feet, to a point;

THENCE, southeasterly on a bearing of South 01 degrees 21 minutes 20 seconds East for a distance of 20.02 feet, to the POINT OF BEGINNING.

The herein described required driveway easement contains 300 Square Feet or 0.007 Acres of land, more or less. The above described property is subject to any and all Easements, Encumbrances and or Restrictions of record.

Required Temporary Easement (Area #2) for Parcel 55: Betty Hogan McPherson & Bobbie M Duke

All that tract or parcel of land lying and being in Land Lot 99 of the 20th District, City of Kennesaw, Cobb County, Georgia, aka 3461 Cherokee Street, and referenced as Parcel 55 on Right Of Way Plans Of Proposed Cherokee Street Widening prepared by Croy Engineering for City of Kennesaw dated August 16, 2016 and also being more particularly described as follows:

COMMENCING at the intersection of the northerly right-of-way line of Smith Drive (Variable right-of-way) with the westerly right-of-way line of Cherokee Street (Variable right-of-way); THENCE, northerly along the existing westerly right-of-way of Cherokee Street on a bearing of North 01 degrees 29 minutes 57 seconds West, a distance of 91.97 feet to a point; THENCE, northerly continuing along said right-of-way of Cherokee Street on a bearing of North 01 degrees 28 minutes 44 seconds West, a distance of 92.32 feet to a point; THENCE, northwesterly on a bearing of North 73 degrees 08 minutes 47 seconds West for a distance of 18.25 feet, to a point; said point also being the POINT OF BEGINNING.

THENCE, from the POINT OF BEGINNING northwesterly on a bearing of North 73 degrees 08 minutes 47 seconds West for a distance of 8.42 feet, to a point;

THENCE, northwesterly on a bearing of North 01 degrees 21 minutes 20 seconds West for a distance of 65.93 feet, to a point;

THENCE, southeasterly on a bearing of South 88 degrees 02 minutes 40 seconds East for a distance of 8.01 feet, to a point;

THENCE, southeasterly on a bearing of South 01 degrees 21 minutes 20 seconds East for a distance of 68.10 feet, to the POINT OF BEGINNING.

The herein described required temporary easement contains 536 Square Feet or 0.012 Acres of land, more or less. The above described property is subject to any and all Easements, Encumbrances and or Restrictions of record.

Required Temporary Easement (Area #4) for Parcel 55: Betty Hogan McPherson & Bobbie M Duke

All that tract or parcel of land lying and being in Land Lot 99 of the 20th District, City of Kennesaw, Cobb County, Georgia, aka 3461 Cherokee Street, and referenced as Parcel 55 on Right Of Way Plans Of Proposed Cherokee Street Widening prepared by Croy Engineering for City of Kennesaw dated August 16, 2016 and also being more particularly described as follows:

COMMENCING at the intersection of the northerly right-of-way line of Smith Drive (Variable right-of-way) with the westerly right-of-way line of Cherokee Street (Variable right-of-way); THENCE, northerly along the existing westerly right-of-way of Cherokee Street on a bearing of North 01 degrees 29 minutes 57 seconds West, a distance of 91.97 feet to a point; THENCE, northerly continuing along said right-of-way of Cherokee Street on a bearing of North 01 degrees 28 minutes 44 seconds West, a distance of 92.32 feet to a point; THENCE, northwesterly on a bearing of North 73 degrees 08 minutes 47 seconds West for a distance of 18.25 feet, to a point; THENCE, on a bearing of North 01 degrees 21 minutes 20 seconds West for a distance of 68.10 feet, to a point; THENCE, on a bearing of North 01 degrees 21 minutes 20 seconds West for a distance of 20.02 feet, to a point; said point also being the POINT OF BEGINNING.

THENCE, from the POINT OF BEGINNING northwesterly on a bearing of North 87 degrees 58 minutes 12 seconds West for a distance of 15.03 feet, to a point;

THENCE, northwesterly on a bearing of North 01 degrees 21 minutes 20 seconds West for a distance of 11.56 feet, to a point;

THENCE, southeasterly on a bearing of South 72 degrees 44 minutes 57 seconds East for a distance of 15.83 feet, to a point;

THENCE, southeasterly on a bearing of South 01 degrees 21 minutes 20 seconds East for a distance of 7.39 feet, to the POINT OF BEGINNING.

The herein described required temporary easement contains 142 Square Feet or 0.003 Acres of land, more or less. The above described property is subject to any and all Easements, Encumbrances and or Restrictions of record.



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	City Manager reports, discussions and updates.
Agenda Comments:	
Funding Line(s)	



**Regular Meeting Agenda
12/7/2020 6:30 PM
Council Chambers**

Title of Item:	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.
Agenda Comments:	
Funding Line(s)	
