

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
THREADMILL COMPLEX
MONDAY, AUGUST 3, 2020**

Present:

Mayor Ollie Clemons
Valerie Anderson
Melanie Elder (virtual)
Devon Myrick
Marlin Lamar
Sandra Leverette

Absent: Randy Green, Jim Graham & Darrell Weaver

Also, present: Scott Kimbrough, City Attorney; Denise Lowe, Finance Director; Bo Garrison, Public Works Director; Brandon Merritt, Fire Chief; Bob Starrett, Police Chief; and Elizabeth Young, City Clerk

1. CALL TO ORDER

Mayor Clemons called the meeting to order, Pastor Billy Hooper gave the invocation & Mayor Clemons led the Pledge of Allegiance. Mayor Clemons asked if anyone needed to add items to the agenda. Mayor Clemons added item 15 B Cares Act Funding for COVID Related Expenses.

Mrs. Anderson moved to follow the recommendation of Mayor Clemons to add item 15 B. Seconded by Mrs. Leverette. Motion passed. (5-0)

2. CONSENT AGENDA – INFORMATION AND UPDATE

(No Action Required by Council – See Specific Department Director before a Meeting.)

3. CONSENT AGENDA

- A. Approve Bills
- B. Approve Legal Bills - \$2,260.00
- C. Approve Minutes of Regular Council Meeting July 6, 2020

Mrs. Anderson moved to follow the recommendation of Mayor Clemons to approve the Consent Agenda. Seconded by Mrs. Leverette. Motion passed. (5-0)

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

Mr. Curtis Norvell stated he lives on Spring Street & had a petition signed by his surrounding neighbors to prohibit fireworks. Mayor Clemons stated we would check into the fireworks & noise ordinance & see if there are any changes that can be made.

Mr. Tony Cain stated he lives on Virginia Drive & has had trouble with his neighbors for years. He spoke with Deputy Chief Poulk & is waiting on a letter from her so he can give it to the state.

6. GAS SYSTEM REPRESENTATIVE OLLIE CLEMONS, MAYOR

A. Mr. Kimbrough stated due to the pandemic, there has been a hold on cutting customers off since March. Beginning August 4, they will begin disconnecting accounts, but will work with individuals who have been disconnected for non-payment.

7. FINANCE DEPARTMENT VALERIE ANDERSON, CHAIRPERSON Denise Lowe, Finance Director

A. Financial Report

8. GENERAL ADMINISTRATION MELANIE ELDER, CHAIRPERSON Elizabeth Young, Director

A. No Report

9. POLICE DEPARTMENT RANDY GREEN, CHAIRPERSON Bob Starrett, Police Chief

A. Police Report

10. FIRE DEPARTMENT MARLIN LAMAR, CHAIRPERSON Brandon Merritt, Fire Chief

A. Fire Report

11. PUBLIC WORKS DEPARTMENT

SANDRA LEVERETTE, CHAIRPERSON
Bo Garrison, Director

A. Milling & Paving of Hotel Street

It is the recommendation of Public Works Department to accept and approve the bidding of PKS Paving & Concrete Construction, as the lowest bidder in the amount of \$28,950.00 for the Milling and Paving.

This project will include:

- Milling: 636 x 18 x 2"
- 7 Foot milling machine
- Paving 636 x 18 x 2" (F) Topping
- 5 trucks
- Clean job on completion

The funds will be disbursed from the SPLOST account # 335-4200-54-1400 (Roadway resurfacing).

Quotes:

Chambers and Sons Paving Services, LLC	\$31,050.00
PKS Paving & Concrete Construction	\$28,950.00

Mrs. Leverette moved to follow the recommendation of Mayor Clemons to approve the milling & paving of Hotel Street. Seconded by Mr. Lamar. Motion passed. (5-0)

12. PARKS DEPARTMENT
DEVON MYRICK, CHAIRPERSON
Jim Graham, Director

A. Event Beer Sales

The Community Affairs Department received a request from special event applicant Eduardo Lotola to sell beer within a defined area of the parking lot during the car show to be held at the Threadmill Complex on August 29, 2020.

The special event permit will be held by Krazy Vatos. The beer may only be purchased and consumed within the designated area and must be in a clear plastic cup. The event will also require four Austell police officers.

Mr. Myrick moved to follow the recommendation of Mayor Clemons to approve the event beer sales. Seconded by Mrs. Anderson. Motion passed. (5-0)

13. COMMUNITY AFFAIRS
VALERIE ANDERSON, CHAIRPERSON
Jim Graham, Director

- A. Code Enforcement Report
- B. Derek Caffè Annexation

The Community Affairs Department received an application from Derek Caffè to annex 5060 Austell Powder Springs Road into the City. Mrs. Anderson turned it over to Mr. Kimbrough for a public hearing. Mr. Kimbrough asked Mr. Caffè to come forward & swore him in. Mr. Caffè stated this is the 2nd time trying to annex into the city. The issue last time was sewer concerns. He stated if we annexed the property into the city, the city would not take on any responsibility because any sewer lines that are on the property are maintained by the owner. Also, Cobb County's recommendation is for us to deny this request based on the historical district.

Mayor Clemons stated the Planning and Zoning Board voted (5-0) to deny the annexation.

Mr. Kimbrough asked if any of the council members had any more questions for Mr. Caffè. Mrs. Anderson asked Mr. Caffè if his property was located across from Pine Street. He stated yes. Mr. Myrick asked if there were any plans to make major changes to the property. Mr. Caffè stated absolutely not. Mr. Kimbrough asked if anyone signed up in opposition of the annexation. Mayor Clemons stated no.

Mrs. Anderson moved to follow the request of Mr. Kimbrough to close the public hearing. Seconded by Mr. Lamar. Motion passed. (5-0)

The Planning and Zoning Board voted (5-0) to deny the annexation. The Community Affairs department recommends to deny this request.

Mrs. Anderson moved to follow the request of Mayor Clemons to deny the annexation. Seconded by Mr. Lamar. Motion passed. (4-1)

- C. Matthew Chandy Annexation

The Community Affairs Department received an application from Matthew Chandy to annex 2337 and 2347 Clay Road into the City. Mrs. Anderson turned it over to Mr. Kimbrough for a public hearing. Mr. Kimbrough asked Mr. Chandy to come forward & swore him in. Mr. Chandy stated he owns the property & would like to annex them into the city. Mrs. Anderson asked what he was going to put there & he stated another gas station. Mrs. Anderson asked Chief Merritt if he had any information on this property. Chief Merritt stated since this is not in the city they have not done any inspections there. Mayor Clemons asked Mr. Chandy if he had made corrections in order to bring it up to code since we have not done inspections on it. He stated yes he had county inspections done. Mr. Kimbrough stated he would suggest us table this matter until next month to allow Chief Merritt to go do the inspections. Mayor Clemons agreed with Mr. Kimbrough to table until next month.

Mr. Kimbrough asked if there were any questions from the council. Mr. Lamar asked when did the electrical, did the county inspect it? Mr. Chandy stated yes. Mr. Kimbrough asked if anyone signed up in opposition for this annexation. Mayor Clemons stated no.

Mrs. Anderson moved to follow the recommendation of Mr. Kimbrough to close the public hearing. Seconded by Mrs. Leverette. Motion passed. (5-0)

Mrs. Anderson moved to follow the recommendation of Mr. Kimbrough to table this until the September council meeting. Seconded by Mrs. Leverette. Motion passed. (5-0)

14. ATTORNEY, DUPREE & KIMBROUGH

A. No Report

15. MAYOR'S REPORT

A. Property Exchange with Habitat for Humanity

The City of Austell received a request from Habitat for Humanity to exchange their property located on Hotel Street adjacent to Pine Street Park, parcel # 18014000350, valued at \$9,000 for the City of Austell property located on Pine Street, (formally the community garden), parcel # 18014000420, valued at \$5,000. The property adjacent to Pine Street Park is an unbuildable lot due to stream buffer requirements. The property on Pine Street is to build a single-family home by Habitat for Humanity. After speaking with our city attorney, Scott Kimbrough, he agreed this would be beneficial for the city.

If approved, the city would execute the exchange of property in accordance with O.C.G.A. 36-37-6 (c) Disposition of municipal property generally.

Mr. Myrick moved to follow the recommendation of Mayor Clemons to approve the property exchange. Seconded by Mrs. Anderson. Motion passed. (5-0)

B. Cares Act Funding for COVID Related Expenses

The CARES Act passed by congress was established to provide relief for Americans adversely affected by COVID-19. The Coronavirus Relief Fund part of the CARES Act was established to be paid directly to the states and other eligible units of local government based on populations.

The state of Georgia along with other eligible counties in Georgia received direct payment based on their population. Cobb County was one of the eligible counties. The Governor of the State of Georgia agreed to disperse a portion of the State's allocation to local governments who did not receive direct funding.

Along with that, the Governor also encouraged the counties who received direct funding to allocate funds to the cities within their county borders.

On last Tuesday, the Cobb County Board of Commissioners approved funding to the Cobb Cities from the COVID Cares Act Funding they received based on their individual populations. Cobb County created an Intergovernmental Agreement for The Sharing and Use of CARES Act Funding. We had it reviewed by our city attorney who stated it looks fine to him.

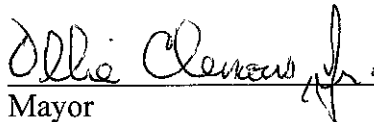
Based on COVID related expenditures we already have and could have in the very near future; my recommendation is to approve the IGA.

Mrs. Anderson moved to follow the recommendation of Mayor Clemons to approve the Cares Act Funding for COVID Related Expenses. Seconded by Mrs. Leverette. Motion passed. (5-0)

C. CMA Meeting-August 18, 2020 @ 6:30 pm
City of Kennesaw @ the Ben Robertson Community Center
2753 Watts Drive,
Kennesaw, GA 30144

16. ADJOURN

Mr. Myrick moved to follow the recommendation of Mayor Clemons to adjourn the meeting. Seconded by Mrs. Leverette Motion passed. (5-0)



Mayor

Attest

8-18-2020

Date