

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 1, 2010**

Present: Mayor Joe Jerkins
Kirsten Anderson
Trudie Causey
Randy Green
Virginia Reagan
Martin Standard
Scott Thomas

Absent: Carolyn Duncan

The regular meeting of the Mayor and Austell City Council was held on Monday, March 1, 2010 at 7:00 P.M. at the City Hall.

Also present were: Scott Kimbrough, City Attorney; Deputy City Clerk, Sandra Farmer, General Administration; Randy Bowens, Public Works Director; Jim Graham, Community Affairs Director; Bob Starrett, Police Chief; Denise Soesbee, Finance Director; Tim Williams, Fire Chief.

1. CALL TO ORDER

- A. Invocation – Reverend David O’Dell – Austell First Baptist Church
- B. Pledge of Allegiance
- C. Add Items to Agenda
- D. Reception – 6:30 P.M. – 10 Year Pin and Plaque – Sharon Garrett

Mayor Jerkins call the meeting to order. Mayor Jerkins stated that Reverend David O’Dell was scheduled to give the Invocation, but in his absence asked Scott Kimbrough to give the Invocation. Mayor Jerkins led the Pledge of Allegiance. He then asked if any Council Member would like to add items to the Agenda. No one added any items to the Agenda.

Mayor Jerkins presented Sharon Garrett with a pin and a plaque for her ten years of service. Mayor Jerkins thanked Ms. Garrett for her dedication and her hard work.

2. CONSENT AGENDA – INFORMATION AND UPDATE

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

3. CONSENT AGENDA

- A. Approve Bills
- B. Approve Legal Bills \$1,396.40
- C. Approve Minutes of Regular Council Meeting February 1, 2010

4. EXCEPTION TO CONSENT AGENDA

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Mayor Jerkins asked if there were any questions regarding the Consent Agenda. Hearing none, he asked for a motion to approve. Mr. Thomas moved to approve the Consent Agenda and Mr. Green seconded the motion. The motion passed (6-0).

5. CITIZENS REPORT

Mayor Jerkins asked if anyone would like to speak to the Mayor and Council. Ms. Juanita Crider stated her name and stated she would like to speak. Ms. Crider stated she lived in the Mulberry Creek subdivision. I have some questions, and my question is if Mr. Treasure is still on board. Also, has the cost analysis been done on the second tier of the application? Mr. Bowens stated no, we haven't done the cost analysis as of yet. Also, some of the homeowners would like to know if the City of Austell will be coming around to re-access the property tax. Mayor Jerkins stated we rely on the County to do the taxes. I am sure something will be done about it. What we do is adopt their tax basis. Ms. Crider stated she had one more question and she wasn't sure if it could be addressed. There is a home in Mulberry Creek subdivision that no clean up has been done and there is still a lot of mold and stuff. At any time can Code Enforcement step in because the home owner has been notified and asked to clean the property up but to no avail. Mayor Jerkins stated what we are trying to do is to get the information back from FEMA to get an O.K. Once this is done then we will start doing something about it. What I mean by this is when FEMA comes back to us and tells us what which homes will be bought and then we can start doing something and get all of it cleaned up.

Ms. Dora Alexander stated her name and stated she had just moved back to Georgia from Pennsylvania. While I was in Pennsylvania I came up with the idea of turning in guns without any stipulations. I worked with Mayor Gray and the Police Chief in Pennsylvania. There are kids out there who have a gun and they don't know what to do with the gun. They hide it in their homes and when trouble comes they take it out and shoot it. The point is even if we can get one or two guns off the street this is my goal. Let someone stand up and try to do something. Other people have tried but maybe this will work. Mayor Gray had distributed posters stating if you turn in your gun we will give so much cash for it. We are not asking for any money. The only thing we are asking for is to turn the guns in without any stipulations, even if the gun was used. We all know there are illegal guns out there. I am asking Mayor and Council if you can give us the opportunity to go forth with this and with the help of the Police Chief. We only had one gun turned in at Pennsylvania but it was a start. This is why I am here tonight. Mayor Jerkins stated he didn't have problem with this and I am sure the Council has no problem with them turning the guns in to us.

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Mayor Jerkins stated we will be glad to take the guns if they want to turn them in. Ms. Alexander asked without any stipulations? Mayor Jerkins stated he didn't know about that because if they committed a crime with the gun we would have to turn them in. Chief Starrett stated if it is a capital offense we can't just let the person go because he turned in a gun. Mr. Kimbrough stated the District Attorney's office is on the square in Marietta and his name is Pat Head and I will give you his number. Ms. Alexander asked who she would talk with about reserving a Park for this where there would be food, music, and somewhere for the children to play. Mayor Jerkins directed Ms. Alexander to Mr. Jim Graham's office. Mayor Jerkins asked Ms. Alexander where she lived. Ms. Alexander stated she lived in Smyrna, GA. Mayor Jerkins informed Ms. Alexander that Smyrna had a Mayor and City Council and she should speak to them. Mayor Jerkins explained to Ms. Alexander there are six cities in Cobb and Smyrna, GA is one of them.

Mr. McGill stated he lived in Mulberry Creek subdivision. He stated there are a couple of articles that have been in the Atlanta Journal Constitution in the last few weeks. One article talks about the Cobb study could change the flood map and could increase the opportunity for the buy outs. It doesn't reference the City of Austell. It just talked about unincorporated Cobb County. Mayor Jerkins stated we will be part of it.

6. GAS SYSTEM REPRESENTATIVE

JOE JERKINS

Mayor Jerkins stated he attended the meeting and the gas company has sold a lot of gas. Some of the people are complaining because they burned so much gas. The gas prices are actually a little bit lower than it was last year but people are burning more this year.

7. FINANCE DEPARTMENT

VIRGINIA REAGAN, CHAIRPERSON

Denise Soesbee, Director

A. Financial Report

8. GENERAL ADMINISTRATION

KIRSTEN ANDERSON, CHAIRPERSON
Carolyn Duncan, Director

A. Change in Game Room License Fee

Ms. Anderson stated in order to keep our Game Room License Fees in line with fees charged by Cobb County, we recommend reducing the Game Room fee from \$5,000.00 to \$4,000.00. The remainder of the fees associated with an establishment that provides food and alcohol along with a gaming component will stay the same. This is in line with Cobb County's fees.

Ms. Anderson moved to follow the recommendation of the General Administration Committee to approve the change in Game room fees. Seconded by Ms. Reagan. Motion passed (6-0).

B. Correction – Minutes February 1, 2010 – Added Ms. Anderson present for meeting.

Ms. Anderson stated her name had been added to the minutes as being present at the February 1, 2010 Council meeting.

9. POLICE DEPARTMENT

VIRGINIA REAGAN, CHAIRPERSON
Bob Starrett, Police Chief

A. Police Report

B. Code Enforcement Report

Mr. Standard asked what ZP meant on second page of the Code Enforcement Report. Ms. Reagan stated it meant Zone Patrol.

C. Reception – 6:30 P.M. – 10 Year Pin & Plaque – Sharon Garrett

10. FIRE DEPARTMENT

SCOTT THOMAS, CHAIRPERSON
Tim Williams, Fire Chief

A. Fire Report

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B. Unsafe Abatement Update

Chief Williams stated not a lot has changed since the last meeting on any of the properties. The property located at 6064 Pine Street, owned by Lynda White Williams, was given 60 days to repair and replace the roof of the structure. On a drive by last week there hasn't been any activity at the house. Also, on Mr. Perry's property it looked like there was quite a bit of work going on his property. I don't know exactly what he was working on but there was some activity going on.

11. PUBLIC WORKS DEPARTMENT

MARTIN STANDARD, CHAIRPERSON

Randy Bowens, Director

A. Replacement of Color Printer (Page 1 through 7)

Mr. Standard stated we will replace a color printer which was discussed at the pre-agenda meeting. Did we go ahead and order the printer? Mr. Demeritt stated, yes, we did order the printer.

Mr. Standard moved to follow the recommendation of the Public Works Committee to approve the replacement of the Color Printer in the amount of \$2500.00. Seconded Ms. Reagan. Motion passed (6-0).

B. Water Line Replacement to Maytag Laundry (Page 8 through 10)

Mr. Martin stated the existing water line to Maytag Home-Style Laundry located at 2937 Veterans Memorial Highway has been replaced. The funding will be in the amount and not to exceed \$6,755.00 in the fiscal year 2009/2010 budget.

Mr. Martin moved to follow the recommendation of the Public Works Committee to approve the Water Line Replacement to Maytag Laundry. Funding in the amount not to exceed \$6,755.00 is available in the fiscal year 2009/2010 budget. Seconded by Mr. Thomas. Motion passed (6-0).

12. PARKS DEPARTMENT

RANDY GREEN, CHAIRPERSON

Jim Graham, Director

A. No Report

13. COMMUNITY DEVELOPMENT DEPARTMENT
TRUDIE CAUSEY, CHAIRPERSON
Jim Graham, Director

- A. Discussion of Electronic Messaging Sign
Ms. Causey stated she would like to withdraw the discussion on the sign for further study and would like to table this item. Seconded by Ms. Reagan. Motion passed (6-0).

14. CITY ATTORNEY – DUPREE & KIMBROUGH

- A. No Report

15. MAYOR'S REPORT

- A. CMA MEETING
DATE: No Meeting in March
- B. Park Land to be Sold to the County
Mayor Jerkins stated we need a motion to approve the land we are selling to Cobb County. We have a piece of land which is eleven plus six acres we are selling for \$250,000.00. I think all the Council Members are familiar with this and we will be closing on this property this week. The Senior Citizen building will be built there since the other building was flooded.

Ms. Reagan moved to follow the recommendation of Mayor Jerkins to approve selling eleven (11) acres plus another part of six (6) acres of City property to the County for \$250,000.00. Ms. Reagan asked if we needed to give an address on this property. Mr. Kimbrough stated there is no address. Seconded by Mr. Thomas. Motion passed (6-0).
- C. Census 2010 Proclamation
Mayor Jerkins stated the counties and the cities are doing a Proclamation for the 2010 Census. Mayor Jerkins read the Proclamation.

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to approve the Census 2010 Proclamation. Seconded by Ms. Reagan. Motion passed (6-0).

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16. ADJOURN

Mr. Green moved to follow the recommendation of Mayor Jerkins to adjourn the meeting. Seconded by Ms. Reagan. Motion passed (6-0).