

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 3, 2014**

Present: Mayor Joe Jerkins
Kirsten Anderson
Ollie Clemons
Randy Green
Virginia Reagan
Scott Thomas
Suzanne Thomason

The regular meeting of the Mayor and City Council was held on Monday, March 3, 2014 at 7:00 P.M. at City Hall.

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

1. CALL TO ORDER

Mayor Jerkins call the meeting to order, Pastor Pierce gave the Invocation and Mayor Jerkins led the Pledge of Allegiance.

Mayor Jerkins asked the Council Members if they had any items to add to the Agenda. Ms. Anderson stated she would like to add Item 11A. – Approval of Curb and Gutter Removal and Replacement. Mr. Clemons stated he would like to add Item 13B. – CDBG 2014 Subrecipient Agreement.

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to add the Items to the Agenda. Seconded by Ms. Reagan. Motion passed (6-0).

Mayor Jerkins presented Randy Bowens, Public Works Director with a twenty-five year service plaque and thanked him for his loyalty and his outstanding service to the City of Austell.

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 \$ 1,775.00
- C. Approve Minutes of Regular Meeting February 3, 2014

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Ms. Anderson moved to follow the recommendation of Mayor Jerkins to approve the Consent Agenda. Seconded by Mr. Green. Motion passed (6-0).

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

Mayor Jerkins asked if anyone would like to speak to the Mayor and Council. No one spoke.

6. GAS SYSTEM REPRESENTATIVE

JOE JERKINS

Mr. Kimbrough stated he attended the Gas Board Meeting on Thursday night and obviously the cold weather we have had the last several months has benefited the gas company and it is going very well for the gas company. The gas prices have slipped up a little bit with the cold weather all over the country. The demand for gas is going up and the Gas System is doing very well.

7. FINANCE DEPARTMENT

VIRGINIA REAGAN, CHAIRPERSON

Denise Soesbee, Director

A. Financial Report

B. Comprehensive Financial Report 2012-13 Presentation

Ms. Reagan stated at this time Mr. Doug Moses of Mauldin&Jenkins will give the presentation of the 2012-13 Audit Results.

Mr. Moses presented the 2012-13 Audit Results. He asked if any Council Members had questions. No one did.

Ms. Reagan moved to accept the report. Seconded by Mr. Thomas. Motion passed (6-0).

8. GENERAL ADMINISTRATION DEPARTMENT

KIRSTEN ANDERSON

Carolyn Duncan, Director

A. Telemedicine Proposal

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Ms. Anderson stated Heritage Corporate Benefits presented a program to the Mayor, Council and Department Directors that is an opportunity for employees to speak directly with a doctor or nurse for a diagnosis and perscription via telephone or video technology for common and acute illness.

My Ideal Doctor, Telemedicine is an affordable program that allows employees and their families to interact with a doctor when the primary care physician is not available or if an individual is considering ER or Urgent Care.

Ms. Anderson moved to follow the recommendation of the General Administration Committee approve this coverage for the employees of the City of Austell. The cost is \$8.25 per month per member (individual) and \$10.25 per month per member (family). The City will pay \$6.00 of the monthly premium and the employee will pay the difference. (\$2.25) per month for individual and \$4.25 per month per family). Seconded by Mr. Green. Motion passed (6-0).

**9. POLICE DEPARTMENT
VIRGINIA REAGAN, CHAIRPERSON
Bob Starrett, Police Chief**

- A. Police Report
- B. Code Enforcement Report
- C. Patrol Vehicle Purchase
(Estimate to be given to Council at Pre-Agenda)

Ms. Reagan moved to follow the recommendation of the Police Commttee to purchase 3 Patrol vehicles, 2014 Ford Explorers from the lowest bidder. Hardy Ford, and for the installation of equipment as listed. The costs will be a total of \$104,164.42. \$100,000 will be taken from SPLOST Funds. \$4,164.00 will be taken from Other Equipment Line Item 54.2500. Seconded by Mr. Thomas. Motion passed (6-0).

**10. FIRE DEPARTMENT
RANDY GREEN, CHAIRPERSON
Tim Williams, Fire Chief**

- A. Fire Report

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**11. PUBLIC WORKS DEPARTMENT
KIRSTEN ANDERSON, CHAIRPERSON
Randy Bowens, Director**

A. Approval of Curb and Gutter Removal and Replacement

Ms. Anderson stated at the February 3, 2014 City Council meeting, it was approved for Greystone Court to be resurfaced. Over the years as additional asphalt has been laid, the road has continuously built up. Because of this, the project approval included milling (grinding) of the existing road. Once this is done, additional work will be required to make a smooth transition for the existing 18 driveways. As you can see in the attached picture, residents have added concrete to the gutter to avoid the bump.

Department staff has received two quotes for the removal and replacement to accomplish this work:

DAF Concrete, Inc.	\$49,870.00
Pavement Restoration, Inc.	\$73,610.00

DAF Concrete, Inc. has recently completed the Cemetery Street Sidewalk Improvements and is currently constructing the new sidewalk installation along Austell-Powder Springs Road.

Ms. Anderson moved to follow the recommendation to approve and award this project to DAF Concrete, Inc. in an amount not to exceed \$49,870.00. Funding will come from the fiscal year 2014 Special Purpose Local Option Sales Tax in an amount not to exceed \$49,870.00. Seconded by Mr. Thomas. Motion passed (6-0).

**12. PARKS DEPARTMENT
SCOTT THOMAS, CHAIRPERSON
Jim Graham, Director**

A. John Street Park Project

Mr. Thomas stated the City of Austell Parks Department recommends approval of the John Street Park project. The project will consist of a new playground, picnic pavillion and grills. The project will be funded using money from SPLOST. The estimated cost of the project is \$21,000.00 A quote from GameTime is attached.

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Mr. Thomas moved to follow the recommendation of the Parks Department to approve the John Street Park Project. Seconded by Ms. Anderson. Motion passed (6-0).

**13. COMMUNITY DEVELOPMENT DEPARTMENT
OLLIE CLEMSONS, CHAIRPERSON
Jim Graham, Director**

A. Rezoning and Special Land Use Permit application from Ebenezer Ghanaian Presbyterian Church for property located at 5171 North Avenue.

Mr. Clemons stated the Department of Community Affairs has received a request from Ebenezer Ghanaian Church to rezone property located at 5171 North Avenue, in LL 1206, parcel 20 of the 19th District, 2nd Section of Cobb County from R-20 to OI. The above applicants have also made an application for a Special Land Use Permit with plans to operate a church on the property.

At this time I would like to turn the meeting over to Mr. Kimbrough for a Public Hearing.

Mr. Kimbrough stated at this time I would like to call for a Public Hearing for Rezoning and Special Land Use Permit application from Ebenezer Ghanaian Church for property located at 5171 North Avenue. Mr. Kimbrough asked who was present to represent the church and did anyone sign up for opposition. No one signed up for opposition. Mr. Kimbrough asked if all the advertisements had been posted and advertised in the newspaper as required by law. Mr. Graham stated, yes they have been advertised.

Mr. Kimbrough swore in Mr. Wills and Mr. KwasiAyd-Ado. Mr. John Wills introduced himself and stated he was the moderator and the Interim Pastor of the Ebenezer Ghanaian Presbyterian Church and this is our clerk. Mr. Benjamin Kwasi Ayd-Ado. Mr. Kwasi Ayd-Ado stated it is a great honor to speak with you tonight. We are here to present before you the rezoning of property located at 5171 North Avenue, in LL 1206, parcel 20 of the 19th District, 2nd Section of Cobb County from R-20 to OI. Furthermore, we need your approval for a Special Land Use Permit with plans to operate a church on this property. We are happy to be a part of this community and it is our hope and prayer that tonight you will approve this request for us and thank you and God Bless you. Mr. Kimbrough asked if anyone had any questions of either gentleman. No one did. Mr. Kimbrough stated having heard none I entertain a motion to close the Public Hearing.

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Mr. Clemons moved to follow the recommendation of Mr. Kimbrough to close the Public Hearing. Seconded by Ms. Anderson. Motion passed (6-0).

Mr. Clemons moved to follow the recommendation of the Planning and Zoning Commission and the Community Affairs Committee to approve both applications from Ebenezer Ghanaian Church. Seconded by Mr. Thomas. Motion passed (6-0).

B. CDBG 2014 Subrecipient Agreement

Mr. Clemons stated the Department of Community Affairs recommends approval by Mayor Jerkins and the Council of the attached 2014 CDBG Subrecipient Agreement. The total amount of this year's funds to be awarded is \$19,880.00 and will be used to construct a new ADA compliant restroom facility at Legion Park. Seconded by Mr. Thomas. Motion passed (6-0).

14. CITY ATTORNEY, DUPREE & KIMBROUGH

A. No Report

15. MAYOR'S REPORT

A. CMA MEETING

TIME:

LOCATION:

MARCH 11, 2014

6:30 P.M.

Powder Springs

Patricia C. Vaughn Arts Center

4181 Atlanta Street

Powder Springs, GA 30127

B. Proclamation – Red Cross

Mayor Jerkins read the Proclamation and thanked the Board member for attending the Council meeting.

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

The Board Member thanked the Mayor and Council for their support and help for the Red Cross.

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C. Memorandum of Understanding between TW Telecom LP and The City of Austell for right-of-way through the City.

Mayor Jerkins stated Mr. Kimbrough had been in touch with Georgia Municipal Association. Mr. Kimbrough stated that is correct, I spoke with Ryan Fender with Georgia Municipal Association earlier today with regard to TW Telecom application to put fiber along the rights-of-ways here in the City of Austell. Basically, TW Telecom has the right to apply to do this and not necessarily provide service to any citizens or companies here in the City of Austell but to use that right-of-way and their fibers as a pass through to get to another location. They can provide service here in the City of Austell, individuals, and citizens as well as corporations. Basically, what they pay the City is based on how they are acting and what type of services they are providing. By statue, once they put this in the ground on the rights-of-ways then they will have to pay for the use of the rights-of-ways. Then they will provide services to the people of the City of Austell. They have to provide us with three percent (3%) of the local revenues or by statue the cost that is on the schedule there. I am not sure what we would fall under but they would owe us the greater of three percent (3%) of local revenues or basically what they would be renting our rights-of-ways for. They have the ability to apply and speaking with Mr. Fender they have followed the proper procedures for making this application and would be able to put the lines in if approved and owe us money depending on what types of services if any they offer to the citizens here and the corporations of Austell. Mr. Kimbrough asked if anyone had any questions. No one had any questions.

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to approve the Memorandum of Understanding between TW Telcom LP and The City of Austell for right-of-ways through the City of Austell. Seconded by Ms. Reagan. Motion passed (6-0).

Mayor Jerkins asked if anyone else would like to speak. Mr. Graham stated because of all the weather related problems we have had, we finally came up with a date for the Ribbon cutting for Veterans Park. It will be Saturday, March 29, 2014 at 1:00 P.M. We will be sending invitations but I just wanted to tell everyone the date. We just setup the first meeting with the American Legion and VFW we hope we get a good response that day. We have invited a lot of dignitaries and we hope a lot of them will attend. We are hoping it doesn't rain or snow.

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Mr. Bowens stated everyone received a proposal for the upcoming SPLOST they are proposing to do. If you have any questions about that please feel free to ask anyone of the Directors. Ms. Thomason stated she had a question. What about the drain over at Sweetwater and Mulberry with the barrel sitting on top of it. Mr. Bowens stated the crew that is working on Austell-Powder Springs Road will be coming up to fix that. That particular drain most people thought this was part of the LCI project it was but only to replace the top that was on it. The contractor will handle this and hopefully soon.

Ms. Anderson stated she would like for everyone to attend the CMA meeting on Tuesday, March 11, 2014. Chairman Tim Lee will be speaking about the Braves coming to Cobb.

16. ADJOURN

Mr. Thomas moved to adjourn the meeting. Seconded by Ms. Reagan. Motion passed (6-0).