

**MINUTES OF THE  
REGULAR COUNCIL MEETING  
CITY OF AUSTELL  
MONDAY, MAY 7, 2012**

Present: Mayor Joe Jerkins  
Kirsten Anderson  
Trudie Causey  
Virginia Reagan  
Scott Thomas  
Suzanne Thomason

Absent: M. Standard

The regular meeting of the Mayor and City Council was held on Monday, May 7, 2012 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 Department; Randy Bowens, Public Works Director; Jim Graham, Community Affairs Director; Bob Starrett, Police Chief and Tim Williams, Fire Chief.

**1. CALL TO ORDER**

Mayor Jerkins called the meeting to order. Pastor John R. Bailey gave the Invocation and Mayor Jerkins led the Pledge of Allegiance. Mayor Jerkins asked the Council if anyone had any items to add to the Agenda. Ms. Anderson stated she would like to add 11E. – Approval of Intergovernmental Agreement with Cobb County-2030 Comprehensive Transportation Plan Update.

*Mr. Thomas moved to follow the recommendation of Mayor Jerkins to approve the items added to the Agenda. Seconded by Ms. Reagan. Motion passed (5-0).*

Mayor Jerkins presented a Plaque and Ms. Anderson presented a Pin to Duane Demeritt for fifteen (15) years of service with the City of Austell. Mayor Jerkins stated Duane is a fantastic employee who does a lot for Mr. Bowens. If there is a problem all I have to do is pick up the phone and he takes care of it for me. He has always worked hard and has done a good job and we really appreciate and thank Duane for his service and dedication to the City.

Mayor Jerkins presented a Plaque and Mr. Thomas presented a Pin to Gary Dobbs for ten (10) years of service with the City of Austell. Mayor Jerkins stated we don't realize how dangerous it is to be a Fireman or a Policeman. About a month ago we had a house fire and Gary went in and was burned on his neck and ears and it was very dangerous. We appreciate everything you have done for the citizens of Austell and all your hard work.

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Mayor Jerkins presented a Plaque and Ms. Anderson presented a Pin to Sandy Farmer for ten (10) years of service with the City of Austell. Mayor Jerkins stated Ms. Farmer works with Carolyn Duncan in the Mayor's office. Mayor Jerkins stated it takes both of them to look after me. Mayor Jerkins stated Sandy has done a great job. If I need anything I just ask and she gets it done for me. She is always real pleasant on the phone and very good to work with. Mayor Jerkins thanked Ms. Farmer and told her how much he appreciated her and her efforts and service to the City.

Mayor Jerkins presented a Plaque and Ms. Anderson presented a Pin to Jerry Sharp for ten (10) years of service with the City of Austell. Mayor Jerkins stated sometimes you see Jerry on the tractor or you might see him on the leaf truck, or chipper. He runs a lot of equipment for us and we certainly appreciate him and he works hard and does a fantastic job. He is always busy doing something. We really appreciate your hard work and your efforts to the City of Austell.

Mayor Jerkins presented a Pin to Jason Casteel for his five years of service to the City of Austell. Mayor Jerkins stated Jason works in the Threadmill and he has done a great job. He has worked a lot on the heating and air conditioning in the Threadmill among other things. We really appreciate him being with the City of Austell.

Mayor Jerkins presented a Pin to Christia Pockrus for her five years of service to the City of Austell. Christia works in the Community Affairs Department. She does a lot of the rent leases for us at the Threadmill and works hard and we appreciate Christia very much for all her hard work.

Mayor Jerkins presented a Pin to Kathy Roberts for her five years of service to the City of Austell. Kathy works in the Community Affairs Department and works with the Planning and Zoning with Jim Graham. Kathy does a great job and we appreciate you being with 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 \$3,432.25
  - C. Approve Minutes of Regular Council Meeting April 2, 2012

*Ms. Anderson moved to follow the recommendation to approve the Consent Agenda.  
Seconded by Ms. Reagan. Motion passed (5-0).*

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**4. EXCEPTION TO CONSENT AGENDA  
5. CITIZENS REPORT  
6. GAS SYSTEM REPRESENTATIVE  
JOE JERKINS**

Mr. Scott Kimbrough stated he attended the meeting and we adopted the rate schedule applicable to this billing period. The Gas System once again is the lowest for the 26<sup>th</sup> or 27<sup>th</sup> month in a row as the lowest gas in the deregulated market. They continue to do a very good job.

**7. FINANCE DEPARTMENT  
VIRGINIA REAGAN, CHAIRPERSON  
Denise Soesbee, Director**

A. Financial Report

B. 2011 – 2012 Budget Revisions

Ms. Reagan stated please find attached a copy of the budget revisions for 2011-12. Please see summary below:

- 1) Loan proceeds and purchase of fire truck \$450,229.32
- 2) Loan proceeds and purchase of park equipment \$157,354.66
- 3) Loan proceeds and purchase of police cars \$82,457.76
- 4) Loan proceeds and purchase of street sweeper \$135,000.00
- 5) Loan proceeds and purchase of tool shed \$40,855.00

All of these items will be accounted for in the SPLOST fund.

*Ms. Reagan moved to follow the recommendation of the Finance Committee to approve the 2011-2012 Budget Revisions. Seconded by Ms. Anderson. Motion passed (5-0).*

C. 2012 -2013 Preliminary Budget

Ms. Reagan stated the City is going to face some tough financial challenges for the upcoming fiscal year. These challenges include a decrease of \$580,000 in franchise revenue from Austell Gas, an increase of 13.8% for healthcare premiums, and increases in fuel prices for the second year in a row.

In an effort to address these issues, this budget includes (1) rate increase for streetlights and property taxes,

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(2) delayed hiring of vacant positions and substantial reductions in overtime and finally (3) cost controls on all professional services. (4) Budget for Public Assistance Grant Fund and HMGP Grant Fund. Without these actions, the City would most likely face furloughs and decreased services to the public.

Mr. Kimbrough stated he would call for a Public Hearing and this would be the first Public Hearing for 2012 – 2013 Preliminary Budget. Mr. Kimbrough asked if anyone had any questions about the Preliminary Budget that has been presented. Mr. Kimbrough stated hearing none we need a motion to close the first Public Hearing for the 2012 - 2013 Preliminary Budget.

*Ms. Reagan moved to follow the recommendation of Mr. Kimbrough to close the Public Hearing. Seconded by Ms. Anderson. Motion passed (5-0).*

**8. GENERAL ADMINISTRATION  
KIRSTEN ANDERSON, CHAIRPERSON  
Carolyn Duncan, Director**

**A. Health Insurance Renewal for 2012 – 2013**

Ms. Anderson stated our insurance premiums will increase again this year, according to our Broker, Chip Boyd, with Heritage Corporate Benefits. The General Administration Committee met with a Heritage representative to review the changes that would have to be made to keep our insurance.

Because of the slow economy, in order for the City to continue providing insurance to our employees, the employee will have to absorb a larger portion of the increase.

The Plan has changed slightly as far as the deductible from \$1,000 to \$2,000. Also, we will now have a Prescription Deductible of \$250.00 on Brand Name Prescriptions only. The generic prescriptions will be the same amount as you have been paying on the previous plan.

We have been advised the new rate will be effective June 1, 2012, and will remain in place until May 31, 2013. The increases are compared below to the amounts currently in effect.

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**CURRENT MONTHLY PREMIUMS**

	<b><u>Employee Pays</u></b>	<b><u>City Pays</u></b>	<b><u>Total</u></b>
Single	\$21.67/Per Month	\$469.52	\$491.19
Single + 1	\$280.11/Per Month	\$702.27	\$982.38
Family	\$298.09/Per Month	\$1175.47	\$1473.56

**PROPOSED JUNE 1, 2012 – MAY 31, 2013 MONTHLY PREMIUMS**

Single	\$49.12/Per Month	\$509.70	\$558.82
Single + 1	\$378.35/Per Month	\$739.30	\$1117.65
Family	\$438.09/Per Month	\$1238.37	\$1676.46

**PROPOSED JUNE 1, 2012 – MAY 31, 2013 WEEKLY PREMIUMS**

Single	\$11.34/Per Week
Single + 1	\$87.31/Per Week
Family	\$101.10/Per Week

The increased cost to the City of Austell from June 1, 2012 – May 31, 2013 will be: \$10,370.00/per month and \$124,440.00 annually. It is recommended that the Mayor and Council approve the changes as required.

Ms. Anderson moved to follow the recommendation of the General Administration Committee to approve the Health Insurance Renewal. Seconded by Ms. Causey. Motion passed (5-0).

**B. Employee Reception: Plaque & Pin – Sandy Farmer – 10 Years Service**

**9. POLICE DEPARTMENT**

**VIRGINIA REAGAN, CHAIRPERSON**

**Bob Starrett, Police Chief**

- A. Police Report
- B. Code Enforcement Report
- C. Privilege License – Acapulquito Restaurant/Bar

Ms. Reagan stated Mr. Mosies Delgado Popoca has applied for an Application for a Privilege License and he is located at 1936 Veterans Memorial Highway. He has been finger printed, and run through Live Scan. His application has been completed and nothing returned negative on his returns. I see no reason to deny his application.

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*Ms. Reagan moved to follow the recommendation of the Police Committee to approve the Privilege License application. Seconded by Mr. Thomas. Motion passed (5-0).*

**D. Privilege License – Quick Serve**

Ms. Reagan stated Mr. Deedar Ali Boricha has applied for a Privilege License for Alcoholic Beverage/Beer & Wine. The business is for Quick-Serve located at 131 Maxham Road. He has been finger printed through Live Scan, his criminal history returns with nothing that would have a negative impact on this application. I see no reason to deny this application.

*Ms. Reagan moved to follow the recommendation of the Police Committee to approve the Privilege License application. Seconded by Mr. Thomas. Motion passed (5-0).*

**E. Privilege License – Clipper Petroleum, Inc. D/B/A Circle M Food Shop #71**

Ms. Reagan stated Mr. Thomas Leibach Bower III, has applied for a Privilege License for Alcoholic Beverage/Beer & Wine. The business is for Clipper Petroleum located at 141 Maxham Road. He has been finger printed through Live Scan, his criminal history returns with nothing that would have a negative impact on this. I see no reason to deny this application.

*Ms. Reagan moved to follow the recommendation of the Police Committee to approve the Privilege License application. Seconded by Mr. Thomas. Motion passed (5-0).*

**10. FIRE DEPARTMENT  
SCOTT THOMAS, CHAIRPERSON  
Tim Williams, Fire Chief**

**Employee Reception: Plaque and Pin Presentation:**  
Firefighter Gary Dobbs – 10 Years of Service

**A. Fire Report**

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

**Employee Reception: Plaque and Pin Presentation:**

- A. Duane R. Demeritt – 15 Years  
Jerry W. Sharp – 10 Years

**Presentation:**

- B. Certificate Presentation for Certified Floodplain Manager Craig Carpenter,  
Stormwater Inspector

Ms. Anderson stated we have a Certificate for Craig Carpenter for Certified Floodplain Manager. Mr. Demeritt who is the representative for this District presented Mr. Carpenter with a certificate for a Certified Floodplain Manager. The Association of State FloodPlain Managers is the largest and most respected organization of Flood Plain professionals. They have established the CFM Program which is Certified FloodPlain Manager. Mr. Demeritt stated it was his privilege to present Craig Carpenter with his CFM Certificate.

**Recommendation and Approval:**

- C. Purchase of Backhoe

Ms. Anderson stated it is the recommendation of the Public Works Committee to approve the purchase of one new caterpillar backhoe. I would like to turn this over to Mr. Bowens to explain because we are planning on purchasing some more equipment for Public Works.

Mr. Bowens stated we have done some research on the backhoe that we will be purchasing. This year we solicited bids for backhoes and the cheapest of those were Caterpillar. I have been discussing with the guys and they have a good track record and a good warranty for it. The backhoe is actually a 416EQ and it is a backhoe with an enclosed cab with an extender holder on it. The current one we have now is not enclosed and what happens in inclement weather when it is really cold outside and the guys call in for a break they have to transport that backhoe to the location and being out in the elements like that it is really devastating to them.

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This backhoe would be an enclosed cab which would have heat and air for the humid days in the summer. What we are proposing once we acquire this backhoe is to pass down the existing backhoe for the street department. It is like a trickle effect the Street department's backhoe that they are currently using will be transferred over to Parks and Recreation department. Everyone will have a backhoe and we will not have to be in conflict when using the backhoe. This is one of the items we had on the list that were proposing to buy. I think in your package you have information from the Georgia Municipal Association and it breaks it down to a four year and a five year financing agreement. We are asking for the four year plan.

*Ms. Anderson moved to follow the recommendation of the Public Works Committee to approve the purchase of one new Caterpillar backhoe from Yancey Brothers at a cost of \$69,345.00 and to authorize the Mayor to execute corresponding documents. Seconded by Ms. Reagan. Motion passed (5-0).*

**D. Purchase of Steel Frame Building**

Ms. Anderson stated we did discuss this item in the pre-agenda meeting. If you have any questions, we would like to purchase a steel frame building with siding and components.

*Ms. Anderson moved to follow the recommendation of the Public Works Committee to approve the purchase of the Steel Frame Building in the amount of \$45,000.00. This amount includes the cost of delivery and construction of the building. Funding will come from local option sales tax. Seconded by Ms. Reagan. Motion passed (5-0).*

**E. Approval of Intergovernmental Agreement With Cobb County -2030 Comprehensive Transportation Plan Update**

Ms. Anderson stated the purpose is to approve an Inter-Governmental Agreement with Cobb County for a five year update of the Cobb County 2030 Comprehensive Transportation Plan. On February 4, 2008, the Mayor and City Council adopted the Cobb County 2030 Comprehensive Transportation Plan document. This document resulted from a 22-month countywide planning effort from each of the six municipalities within Cobb County.



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A five-year update to the Comprehensive Transportation Plan is required for Cobb County and the six municipalities to remain competitive for federal implementation funds, as well as to address growth and other changes that have occurred since the adoption of the plan.

*Ms. Anderson moved to follow the recommendation of the Public Works Committee for the City Council to approve the attached Inter-Governmental Agreement with Cobb County. Funding in the amount of \$2,391.00 a pro rata share of the total municipal obligation, will be required as part of the City of Austell's financial participation and will be paid for from the 2011 Special Local Option Sales Tax. A breakdown of the local share financial participation for Cobb County and all six municipalities is attached for your review. Seconded by Mr. Thomas. Motion passed (5-0).*

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

**A. Louise Suggs Memorial Park Disc Golf Course Project**

Mr. Thomas stated the City of Austell Parks Department has received a progressive amount of inquiries from the citizens requesting a facility to play disc golf; therefore, the City of Austell Parks Department Committee recommends approval of the proposed disc golf course project at Louis Suggs Memorial Park.

Louise Suggs Memorial Park is located on lands that were once used as the Lithia Springs Golf Course. The Parks Department has researched the growing popularity of disc golf and has made the determination that this location is ideal for a disc golf course.

The Parks Department cannot use funds from Cobb County SPLOST for this project; therefore, the Parks Committee recommends using funds from the Austell Area Community Improvement Fund to fund the course design as follows:

Course design and baskets: \$6,662.00

Miscellaneous installation materials, such as tee signs and concrete - \$1,338.00

The total cost of the project would be estimated at around \$8,000.

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*Mr. Thomas moved to follow the recommendation of the Parks Committee to approve this project with the funding coming from the Austell Area Community Improvement Fund. Seconded by Ms. Reagan. Motion passed (5-0).*

**13. COMMUNITY DEVELOPMENT DEPARTMENT  
SUZANNE THOMASON, CHAIRPERSON  
Jim Graham, Director**

- A. No Report

**14. ATTORNEY – DUPREE & KIMBROUGH**

- A. Redistricting – 2<sup>nd</sup> Public Hearing

Mr. Kimbrough stated at this time he would like to call for a Public Hearing for the second Public Hearing regarding the ORDINANCE OF THE CHARTER OF THE CITY OF AUSTELL GEORGIA, PURSUANT TO THE AUTHORITY GRANTED AT O.C.G.A. SECTION 36-35-4.1 IN ACCORDANCE WITH THE PROCEDURES SET FORTH AT O.C.G.A SECTION 36-35-3(b) (1) AND SECTION 5.15 OF THE CHARTER FOR THE CITY OF AUSTELL, GEORGIA TO REAPPORTION MUNICIPAL ELECTION WARDS BASED UPON PUBLICATION OF THE UNITED STATES DECENNIAL CENSUS OF 2010; TO ESTABLISH NEW ELECTION DISTRICT BOUNDARIES IN COMPLIANCE WITH THE REQUIREMENTS OF THE UNITED STATES CONSTITUTION AND PERTINENT LAWS; GOVERNING FUTURE ELECTIONS FOR MEMBERS OF THE CITY COUNCIL FOR THE CITY OF AUSTELL, GEORGIA; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mr. Kimbrough stated everyone has been given a copy of the new map for the wards and those were redistributed last week as well. Mr. Kimbrough asked if anyone had any questions or comments regarding the proposed new Wards for the 2<sup>nd</sup> Public Hearing on the Ordinance. Having heard none we need a motion to close the Public Hearing.

*Ms. Reagan moved to follow the recommendation of Mr. Kimbrough to close the Public Hearing. Seconded by Ms. Causey. Motion passed (5-0).*

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*Ms. Anderson moved to follow the recommendation to adopt the Ordinance as presented. Seconded by Ms. Reagan. Motion passed (5-0).*

**15. MAYOR'S REPORT**

**A. CMA MEETING**

JUNE 12, 2012

TIME:

6:30 P.M.

LOCATION:

Hosted by Marietta @ Cobb Chamber

**B. MDA Proclamation**

*Mr. Thomas moved to follow the recommendation of Mayor Jerkins to approve the MDA Proclamation. Seconded by Ms. Reagan. Motion passed (5-0).*

Mayor Jerkins stated he would like to give an update on the property next to the park and Bank of America actually owns this property. We have been trying to buy this property which is on Austell-Powder Springs Road and they have finally agreed to sell us the mortgage so we have this taken care of. It has to be put up for sale and it has to be advertised in the paper at the Courthouse. This is to make sure we bought the mortgage for fifteen hundred dollars (\$1500.00). We have to go through this process and Leo Clifton is taking care of this for us. It will take maybe a month or possibly six more weeks to get everything handled. We feel sure we will have it taken care of in six weeks and the City will own that property.

The County is supposed to give us the deed to the other house that adjoins the park which they bought and was flooded. Also, they are supposed to give the deed to the Community center in Legion Park. Mayor Jerkins asked if anyone had any questions or comments. Ms. Reagan stated it was reported to me the creek down below Ms. Bostic's house is a big tree that has fallen in the creek and I thought someone could go and check it out. Ms. Reagan asked Ms. Bostic what street that was and Ms. Bostic stated it was Cemetery Street. Mayor Jerkins asked when did the tree fall? Ms. Reagan stated it fell a long time ago. Mayor Jerkins asked how far down is it and is it on the road right of away or what? Ms. Bostic stated it is not in the road it is in the creek. Ms. Reagan stated she was thinking about the flood that might have caused it. Mayor Jerkins asked if we owned the property. Ms. Reagan stated it is across the creek and do we clean those out of the creek.

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Mayor Jerkins stated normally we do not because it is private property and we do not own the lots down from the creek. Mayor Jerkins stated he would check on this and ask Mr. Bowens if he was familiar with where it is. Mr. Bowens stated he didn't remember seeing a tree there. Mr. Bowens asked Ms. Bostic which side is it on. Ms. Bostic stated it was on the right side. Mayor Jerkins asked Ms. Bostic from your house is it on the right side? Ms. Bostic stated, yes, and someone has broken it up and made a mess. Mayor Jerkins stated he and Mr. Bowens would go and look at the tree. Mayor Jerkins ask if anyone had anything else.

Mr. Bowens stated he would like to remind the Mayor and Council the Public Works department would be making some additional purchases. One of which was the grappling truck that everyone saw at pre-agenda. I am hoping everyone had a chance to see it out front. That will be the next item we will be coming to Council with for the purchase of the grappling truck. I wanted to remind anyone that was not here at the pre-agenda meeting. Mayor Jerkins stated anything we have purchased is coming out of the SPLOST money and not General Funds. We had to cut so much back and take time to put the budget together. If the SPLOST had not passed we would not have been able to buy some of the equipment we have bought.

**16. ADJOURN**

*Mr. Thomas moved to follow the recommendation of Mayor Jerkins to adjourn the meeting. Seconded by Ms. Causey. Motion passed (5-0).*