

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, JUNE 7, 2010**

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

Absent: Randy Green
Sandy Farmer

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

Also present were: Scott Kimbrough, City Attorney; Carolyn Duncan, City Clerk; 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

Mayor Jerkins called the meeting to order. Scott Kimbrough gave the Invocation and Mayor Jerkins led the Pledge of Allegiance. Mayor Jerkins asked if any Council Member would like to add items to the Agenda. Ms. Reagan stated she would like to add 7C. – 2010 -2012 Audit Services Bid Results. Mr. Standard stated he would like to add 11A. Project Management for Hazard Mitigation Grant Project. 11B.- Purchase of New Stormwater Management/Erosion Control Program Management Compliance Tracking Software.

Ms. Anderson moved to follow the recommendation of Mayor Jerkins to approve items added to the agenda. Seconded by Ms. Reagan. Motion passed (5-0).

2. CONSENT AGENDA – INFORMATION AND UPDATE

3. CONSENT AGENDA

- A. Approve Bills
- B. Approve Legal Bills \$1,373.00
- C. Approve Minutes of Regular Council Meeting June 7, 2010

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

4. EXCEPTION TO CONSENT AGENDA

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5. CITIZENS REPORT

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

**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mayor Jerkins stated Mr. Kimbrough attended the meeting and Mr. Kimbrough stated the meeting was a normal scheduled meeting and we worked on the franchise for Powder Springs.

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

- A. Financial Report
- B. 2010 -11 Budget – 2nd Reading
(Please see attached sheets:)

Ms. Reagan moved to follow the recommendation of the Finance Committee to approve the 2010-11 Budget. Seconded by Mr. Thomas. Motion passed (5-0).

- C. 2010 – 2012 Audit Services Bid Results
(Please see attached sheets:)

Ms. Reagan moved to follow the recommendation of the Finance Committee to award Mauldin & Jenkins firm for a 3 year audit contract. Seconded by Mr. Thomas. Motion passed (5-0).

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

- A. No Report

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9. POLICE DEPARTMENT

VIRGINIA REAGAN, CHAIRPERSON
Bob Starrett, Police Chief

A. Police Report

B. Code Enforcement Report

C. Fat Cats – Alcohol License

Ms. Reagan stated Kenneth Estes has applied for an Alcohol License for Fat Cats, located at 2523 Veterans Memorial Highway. There is nothing in his history that would eliminate him from having the license. The Police Committee requests that Council approve this license. A copy of this application is attached.

Ms. Reagan moved to follow the recommendation of the Police Committee to approve Fat Cats Alcohol License. Seconded by Ms. Anderson. Motion passed (5-0).

D. Portable Stage – Surplus to the City of Mount Zion

Ms. Reagan stated the City of Mount Zion has requested we surplus a portable stage to their city. According to Jim Graham, we have a portable stage made from a trailer that we do not plan to use anymore. The Police Committee asks Council to approve this surplus transfer.

Ms. Reagan moved to follow the recommendation of the Police Committee to approve this surplus transfer. Seconded by Mr. Thomas. Motion passed (5-0).

E. Patrol Cars – Surplus to the City of Mount Zion

Ms. Reagan stated the City of Mount Zion has requested we surplus two of Police Vehicles that have been taken off of patrol due to high mileage, and repairs needed, to their city. The Police Committee asks Council to approve this surplus matter.

Ms. Reagan moved to follow the recommendation to approve the surplus matter. Seconded by Mr. Thomas. Motion passed (5-0).

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F. El Manantial Restaurant – Alcohol License

Ms. Reagan stated an application has been received from Juventina Trujilla for El Manantial, a Mexican Restaurant located at 1862 Veterans Memorial Highway for an alcohol license. The license will be for consumption on premises of malt beverages. Nothing has been found in the history check to deny this request. The Police Committee requests Council approve this license. A copy of the application is attached.

Ms. Reagan moved to follow the recommendation of the Police Committee to approve El Manantial Restaurant Alcohol License. Seconded by Mr. Thomas. Motion passed (5-0).

10. FIRE DEPARTMENT

SCOTT THOMAS, CHAIRPERSON

Tim Williams, Fire Chief

A. Fire Report

B. Unsafe Building Update

(Please see attached sheets:)

Mr. Thomas stated he would like to turn the meeting over to Chief Williams to discuss the Unsafe Building Update. Chief Williams stated two of the properties that were discussed at last month's meeting that was re-heard is the Mulberry property owned by Mr. Mark Perry and the Pine Street property owned by Ms. Linda White-Williams. Council voted to issue citations to each one of these owners for any code violations on those properties. That has taken place and they are currently awaiting their court dates.

Chief Williams stated the Rockhill property was also heard by Mayor and Council. This was the first hearing for this property and just as a reminder they will be back here next month. Council had voted to approve a sixty day period for the property owner to present a plan of renovation to Mayor and Council. I will send a letter out to remind them as well. They are to be here next month and that will be July 12, 2010 meeting due to the holiday. Mr. Standard asked if they had started the renovation. Chief Williams stated no, not that he was aware of.

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C. Adoption of Cobb County Emergency Operations Plan

Mr. Thomas stated Cobb County Emergency Management Agency (CEMA) has asked all Cobb cities to approve the revised Cobb County Emergency Operations Plan. The actual revisions were completed in 2009. A master copy is available for your review upon request.

With your approval, Mayor Jerkins will forward a signed letter stating the City of Austell's approval.

Mr. Thomas moved to follow the recommendation for Mayor Jerkins to sign the letter stating the City of Austell's approval. Seconded by Ms. Anderson. Motion passed (5-0).

**11. PUBLIC WORKS DEPARTMENT
MARTIN STANDARD, CHAIRPERSON
Randy Bowens, Director**

A. Project Management for Hazard Mitigation Grant Project
(Please see attached sheets:)

Mr. Standard moved to follow the recommendation of the Public Works Committee for the City council to approve the attached contract with Floodplain management services, Inc. in a contractual amount not to exceed \$72,243.00. Seconded by Mr. Thomas. Motion passed (5-0).

B. Purchase of New Stormwater Management/Erosion Control Program Management Compliance Tracking Software
(Please see attached sheets:)

Mr. Standard moved to follow the recommendation of the Public Works Committee to approve the purchase of new program management software in an amount not to exceed \$8,745.00. Seconded by Mr. Thomas. Motion passed (5-0).

12. PARKS DEPARTMENT

RANDY GREEN, CHAIRPERSON

Jim Graham, Director

A. Bids for Legion Park Reconstruction

Mayor Jerkins stated the Community Affairs Committee recommends the approval of Mayor and Council for acceptance of the following bids received for reconstructive work at Legion Park:

- Retaining Wall
Roach Landscaping & Grading\$58,540.00

- Fencing
Groover Fencing Company.....\$73,259.75

- Lighting
All Star Lighting..... \$124,555.00

Mayor Jerkins stated we will move forward with one project at a time. This is to make sure FEMA gives us our money back.

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to approve the CDBG Subrecipient Agreement. Seconded by Ms. Reagan. Motion passed (5-0).

13. COMMUNITY DEVELOPMENT DEPARTMENT

TRUDIE CAUSEY, CHAIRPERSON

Jim Graham, Director

A. New City Engineer

Ms. Causey stated Keck & Wood has served as the City's engineering firm for approximately 10 years. It is the recommendation of the Community Affairs Committee that Mayor Jerkins and the City Council approve the change of services to a well qualified local firm Croy Engineering of Marietta.

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One factor in this recommendation would be the City will be saving a substantial amount in hourly wage travel charges. Keck & Wood's officers are located in Duluth.

Ms. Causey moved to follow the recommendation of the Community Affairs Committee to approve Croy Engineering of Marietta as the new City Engineer. Seconded by Ms. Anderson. Motion passed (5-0).

B. Request For Rezoning

Ms. Causey stated the Department of Community Affairs has received a request from Sam Williams to rezone property located at 5600 A/B Austell-Powder Springs Road from GC to RD. Mr. Williams has also made an application to rezone property located at 5600 C and 5616 Austell-Powder Springs Road from GC to R-20. At this time I would like to turn the meeting to Mr. Kimbrough for a Public Hearing.

Mr. Kimbrough stated at this time I would like to call for a Public Hearing. The Department of Community Affairs has received a request for Mr. Sam Williams for property located on Austell-Powder Springs Road. The property is located at 5600 A/B Austell-Powder Springs Road from General Commercial to RD. Also, to rezone property located at 5600 C and 5616 Austell-Powder Springs Road from General Commercial to R-20. Mr. Kimbrough asked who was present to speak on behalf of Mr. Williams.

Mr. Sam Williams stated his name and stated he would speak on his own behalf. Mr. Kimbrough swore in Mr. Williams.

"Mr. Williams stated the property was originally a barber shop. It was my wife's grandfather's property. We have taken the property since the flood and renovated 5616 and we are working on 5600 C which was her granddaddy's house. The 5600 A&B was the old Barber Shop, Wood Shop, Cabinet Shop, Heating & Air shop. We have found we would like to turn this into a duplex. I have submitted to zoning and to Mr. Graham copies of what we plan on doing and turn it into a duplex and not have a business there any longer. There is a lot of traffic there and you have a curve there coming out of Legion Field which presents a problem. We are thinking if it became a home instead of a business there may not be as much traffic."

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Mr. Kimbrough asks if anyone had any questions of Mr. Williams. Mayor Jerkins stated this would be going from GC to RD. Mr. Graham stated, yes, from General Commercial to Residential Duplex. Mr. Standard asked if this had been advertised. Mr. Graham stated, yes, it had been advertised for over three weeks. Mr. Thomas stated you have already restored one house. Mr. Williams stated, yes, we have and we are almost finished with the second house. We have started gutting this one. Mr. Kimbrough asked if anyone had any questions for Mr. Williams. No one did.

Mr. Green moved to follow the recommendation of Mr. Kimbrough to close the Public Hearing. Seconded by Mr. Thomas. Motion passed (5-0).

Ms. Causey moved to follow the recommendation of the Community Affairs Committee to approve the request for rezoning for the property located on Austell-Powder Springs Road. Seconded by Mr. Standard. Motion passed (5-0).

C. CDBG 2010 Sub Recipient Agreement

Ms. Causey stated the Community Affairs Committee recommends the approval of this year's CDBG Subrecipient Agreement. This year's project will fund most of the \$36,000.00 cost of replacing playground equipment at Legion Park that was destroyed by September's flood.

Further, we ask that Council vote to declare the flood damaged playground equipment excluding the swing set as surplus and grant authority to donate said equipment with the condition the recipient bear the responsibility of dismantling and hauling the equipment from Legion Park.

Ms. Causey moved to follow the recommendation of the Community Affairs Committee to approve the CDBG Subrecipient Agreement. Seconded by Mr. Standard. Motion passed (5-0).

Mr. Standard asked do we know who we are donating this equipment to. Mayor Jerkins stated the First Baptist Church. Mr. Graham stated he had not actually received a formal request. Ms. Reagan had shown an interest in it and we really don't care it would be first come to get it. However, whoever gets it they need to see how it is dismantled so they can get it back together.

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If they don't do this they will never figure it out and we have to have it taken apart before our new equipment comes in? All we would like to do is to make sure it is surplus. Mr. Standard asked do we have a date when our new equipment will be arriving. Mr. Graham stated now that we have approved this grant we will probably go ahead this week and order it. Then it will be six to eight weeks to arrive.

14. CITY ATTORNEY – DUPREE & KIMBROUGH

- A. No Report

15. MAYOR'S REPORT

- A. CMA MEETING

DATE:	JUNE 8, 2010
TIME:	6:30 P.M.
LOCATION:	SMYRNA, GA

- B. Appointments for Gas Board Members – A.D. Wilder
Ann Collins

Ms. Reagan moved to follow the recommendation of Mayor Jerkins to approve the Appointments of A.D. Wilder and Ann Collins for Gas Board Members. Seconded by Mr. Thomas. Motion passed (5-0).

16. ADJOURN

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