

**MINUTES OF THE  
REGULAR COUNCIL MEETING  
CITY OF AUSTELL  
JULY 7, 2008**

Present:	Mayor Joe Jerkins Kirsten Anderson Beverly James Boyd Randy Green Virginia Reagan David O. "Bo" Traylor Scott Thomas	Absent:	Randy Bowens Sandy Farmer
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The regular meeting of the Mayor and Austell City Council was held on Monday, July 7, 2008 at 7:00 P.M. at City Hall.

Also present were: Scott Kimbrough, City Attorney; Carolyn Duncan, City Clerk; General Administration; Jim Graham, Community Affairs Director; Bob Starrett, Chief of Police; Tim Williams, Fire Chief and Denise Soesbee, Finance Director.

**1. CALL TO ORDER**

Mayor Jerkins called the meeting to order. Reverend Bob Neal, Pastor of Freedom Fellowship Church 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. Boyd moved to add 13-B, a request from Diego Chacon of AniMart Pet Store to the Agenda.

*The motion was seconded by Mr. Green. The motion passed 6-0.*

**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 \$725.00
- C. Approve Minutes of Regular Meeting June 2, 2008

*Mr. Traylor moved to follow the recommendation of Mayor Jerkins to approve the Consent Agenda. The motion was seconded by Mr. Thomas. The motion passed 6-0.*

**4. EXCEPTION TO CONSENT AGENDA**

**5. CITIZENS REPORT**

Pastor Frank Johnson, representing the Babyland Improvement Group (B.I.G), addressed the Mayor and Council regarding a project in that community. He stated that the residents of Babyland are working to take back their community

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and that there is a lot of interest and support from the residents. He further stated that the residents will invest in their community, but they would like to also request some assistance from the City of Austell.

He presented a bound copy of the Mission Statement and a history of the Group, which included a list of officers and a rough drawing of the floor plan for a proposed community building. Pastor Johnson explained that a multipurpose building would greatly benefit the citizens in Babyland and could become a hub for community activities.

There was considerable discussion regarding the outreach projects that could be sponsored by the community and the positive effect such a building would have. The Mayor and each of the Council Members expressed their personal support and directed Jim Graham to meet with Pastor Johnson to determine how best the City could help this community effort.

**6. GAS SYSTEM REPRESENTATIVE  
JOE JERKINS**

Mayor Jerkins asked Scott Kimbrough for a report from the Austell Gas System Meeting. Mr. Kimbrough stated that it was a routine meeting which included setting the new gas rates. He commented that gas prices continue to be high, and probably will be in the near future.

**7. FINANCE DEPARTMENT  
BEVERLY JAMES BOYD, CHAIRPERSON  
Denise Soesbee, Director**

A. Financial Report

Ms. Boyd stated that each Council Member has a copy of the monthly Financial Report and asked if there were questions regarding the Report. There were no questions.

B. Audit Engagement Letter; James L. Whitaker, PC

Ms. Boyd stated that in June, 2005 the City had received bids for Audit services and that James L. Whitaker, P.C (formerly Meeks & Whitaker) was chosen at that time. The terms of the original bid were for three (3)

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years beginning June, 2005 and ending June, 2007; however in order to get competitive pricing, the city extended the terms to five (5) years, ending in June, 2009.

The Finance Committee recommends allowing Mayor Jerkins to sign the attached engagement letter for James L. Whitaker, P.C. for the June 30, 2008 audit. The estimated cost is \$28,000 which is approximately \$1,500 more than the actual 2007 audit expense.

*Ms. Boyd moved to follow the recommendation of the Finance Committee to award the June 30, 2008 audit to James L. Whitaker, P.C. for \$28,000. The motion was seconded by Ms. Reagan. The motion passed 6-0.*

**8. GENERAL ADMINISTRATION  
Kirsten Anderson, Chairperson**

**A. Upgrade Court Services Position**

Ms. Anderson stated that approximately eighteen (18) months ago we approved a part-time position in addition to the two full-time positions in Court Services.

She stated that it was necessary to dismiss one full-time employee for cause recently, and that with the Mayor's approval the current part-time employee was moved into the full-time slot because of her knowledge and experience with Court.

When we approved the part-time position, it was because of a workload increase. I believe the current workload in Court Services warrants changing the part-time position to full-time in order to maintain the high level of service we provide.

*Ms. Anderson moved to change the part-time position to full-time. Motion seconded by Ms. Boyd. Motion passed 6-0.*

**B Insurance Renewal**

As you recall, when we placed our health insurance coverage last year, Kaiser's premium was much less than Blue Cross Blue Shield, and that is why we changed. As an added incentive for the City of Austell to place coverage with Kaiser, they guaranteed a rate increase of no more than twelve (12) percent for the second year.

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Our representative with Strategic Benefit Solutions, Jim Piccirillo, has worked on our behalf with Kaiser, and I'm pleased to report that Kaiser has done even better than twelve (12) percent. They have come down to only a five (5) percent increase which will bring our increased premium amount to \$29,403.94.

As insurance premiums continue to increase and benefits decline, I am pleased to recommend placing the health insurance coverage for the City of Austell with Kaiser at a five (5) percent increase in premium and no decrease in coverage.

*Ms. Anderson moved to accept the recommendation. The motion was seconded by Ms. Boyd. The motion passed 6-0.*

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

- A. Police Report
- B. Code Enforcement Report

Ms. Reagan noted that each Council Member has a copy of the Police Report and the Code Enforcement Report in their notebook.

- C. Willie's Wrecker Service

Ms. Reagan stated that there would be a Public Hearing on this matter and turned the meeting over to the City Attorney, Scott Kimbrough. He stated that Deputy Chief Natalie Poulk would represent the City of Austell and asked who would represent Dixie Wrecker Service. Mr. Willie Polston stepped forward and they were both sworn in to testify.

Deputy Chief Poulk stated that there had been numerous complaints regarding fees charged by Willie's Wrecker Service. She stated that during her investigation of the complaints, she found several discrepancies between the fees approved by the Council and actual charges to customers. In response to the investigation, Willie's Wrecker provided copies of invoices that did not match invoices presented to the customers. She also stated that Willie's charged the City \$100.00 for a waiting fee which is more than permitted.

There was considerable discussion regarding the erroneous charges. Mr. Polston stated that there may have been some confusion between invoices

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for Powder Springs and Austell. Mayor Jerkins stated that he believed the customers should be reimbursed for the over charges and asked Deputy Chief Poulk if there were more charges involved than the ones presented to the Council. She answered that there were, but she had not had the time to pursue each of them.

Ms. Reagan asked Mr. Polston if he had offered to pay back anyone since this situation has come up and he learned about the problem. He stated that no one has come to him, but he has not actually gone over the records himself, his employees have done that. He also said that he had no problem doing the right thing and that from this time forward, everything would be handled by him personally.

Ms. Boyd stated that she agreed with the Mayor about paying back the over charged customers, but she is also concerned about the apparent creative billing practices. She said it appears that some of the charges were altered on the ticket to add up to the total bill and that some of the charges were even less than they should have been.

Mr. Polston stated that sometimes two copies of the ticket might be left in the truck and another copy left at the office. Mayor Jerkins said that Ms. Boyd is concerned about the fraudulent changes; Mr. Polston stated he was not sure of that. Mr. Green asked if Mr. Polston had made the changes personally, and Mr. Polson answered that he did not.

There was some discussion regarding waiting time charges, and Ms. Reagan stated that Waiting Time charges have been approved since 2002. Mayor Jerkins asked why the City of Austell had been billed so much (\$100.00) for a waiting charge and Mr. Polston replied that he didn't know why because he does not do the billing. He did not look at all the invoices, but stated that he should have been more involved.

Ms. Boyd stated that she didn't think it was fair for our employee to spend a great deal of time going over Willie's Wrecker records and suggested that our auditors should audit his books and Mr. Polston pay for that service. She stated that the tickets should be audited to compare copies of our tickets with Willie's Wrecker tickets so that we could determine how many people should be reimbursed. She suggested that the tickets should be for all Austell customers that received towing service from January 1, 2008 through March 31, 2008. She stated that she believed it would be fair for all concerned and in his best interest to show the Mayor and

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Council that he wanted to do the right thing and get the matter settled. Mr. Polston said that he is willing to do the right thing. Mayor Jerkins stated that the City needs to pay our bill at the proper rate to get that settled. He further stated that we would not pay the over charges.

Scott Kimbrough stated that if there is a further audit to be done, it will be necessary to have another Public Hearing to allow Mr. Polston an opportunity to review what the Auditor has done and ask any questions he may have. It should be done in a public forum at the next Council Meeting or whenever the audit is complete.

Mayor Jerkins asked Mr. Polston if he were willing to agree for our Auditor do the work. Mr. Polston said that he would like to talk with the Auditor first. He stated that he wanted to know what the cost would be. Mayor Jerkins said he did not know the fees, but that the Auditor is not cheap.

Ms. Anderson stated that it would not have to be our Auditor, it could be an independent third party. Ms. Boyd agreed. Mr. Kimbrough stated that if the City is asking Mr. Polston to pay for the audit with our Auditor, we should give him the opportunity to review an estimate of the costs. Ms. Boyd asked if the matter should be postponed until the next meeting. Mayor Jerkins stated that in order for the Auditor to come up with an estimate, Mr. Polston would have to provide all the information.

It was asked if we have copies of all of the bills presented by Mr. Polston since January 2008. Deputy Chief Poulk stated that we do not. The only tickets/bills we have are the ones she had pulled because of complaints. In response to the question, she stated she did not know the total number of customers who were involved. We do not have any of the originals.

Ms Anderson stated that she was bewildered as to how you can come up to the same total as the receipt that the complainant brings to us, but the receipt you provide shows different services and charges. Mr. Polston state that he did not have an answer. Ms. Boyd asked if it were not true that all the receipts should match and that this is where the deception comes in. Mayor Jerkins stated that it might be necessary to contact the customers and see if they can provide the information we need regarding the charges. Mayor Jerkins said that we might be better off to assign an employee to call the customers.

Mr. Kimbrough suggested tabling the issue with direction to come up with the totals for Willie's Wrecker Service. Ms. Anderson asked what would

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happen to the people who have already submitted receipts. Ms. Boyd stated that she believes Mr. Polston wants to do the right thing, Chief Starrett asked if Willie's would be allowed to tow during this period. Mayor Jerkins stated that would not be a problem since he agrees to work with us on the matter.

Mr. Kimbrough stated for the record that a certified letter had been sent to Mr. Polston on June 18<sup>th</sup> and accepted on June 23<sup>rd</sup> and appeared to be signed for by Mr. Polston.

*Ms. Boyd moved that the Public Hearing be closed. Mr. Green seconded the motion. The motion passed 6-0.*

Mr. Kimbrough stated that the Public Hearing was closed.

*Ms. Reagan moved to table the issue until the information can be compiled. The motion was seconded by Mr. Thomas. The motion passed 6-0.*

D. Dixie Wrecker Service

Ms. Reagan stated that the next item on the Agenda is Dixie Wrecker Service and turned the meeting over to Mr. Kimbrough for a Public Hearing.

Mr. Kimbrough called for the Public Hearing on Dixie Wrecker Service. He stated that Deputy Chief Natalie Poulk would represent the City and asked who would represent Dixie Wrecker Service. Mr. Larry Freeman stepped forward and both he and Deputy Chief Poulk were sworn in.

Deputy Chief Poulk stated that because she had received complaints from citizens regarding charges by wrecker services, she requested receipts from all the wrecker services that have contracts with the City of Austell, Dixie Wrecker Service, Henson's and Willie's Wrecker Service. No complaints had actually been logged against Henson's or Dixie Wrecker; however, when Mr. Freeman brought in his invoices, he told Deputy Chief Poulk that he had been adding a \$15.00 fuel charge for every tow, but there were no complaints from anyone. Mr. Freeman stated that the cost of the towing service remained the same, but to cover the rising cost of fuel, he began adding a fuel charge for each tow. He quoted the current price of fuel and at the same time last year which indicated an increase of more than 300% increase. Mayor Jerkins stated that if he had not wanted to tow for the City which has set rates he should have declined to do so.

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He also stated that he understood fuel costs were rising, but Mr. Freeman could not just add fees because he wanted to.

Mr. Freeman stated that he may not have been correct, but he added the fee to offset his fuel costs and he did not think it was out of line considering what other Police Departments allow for towing charges. Mayor Jerkins stated that Mr. Freeman did have an option not to pull.

Mr. Green stated that he had mentioned this matter to the Council last year and the Council did not take any action. He further stated that we were asking the towing companies to tow for fees that were set six years ago. Ms. Reagan stated that Mr. Freeman should have come before the Council and Ms. Boyd agreed and said that she was pleased that he did not try to hide the charges. Mr. Thomas stated that the Council was in sympathy, but once the Council makes a decision, it is final. After more discussion regarding the matter, Mayor Jerkins said that there was no use in continuing to argue about the matter and to bring it to a close, would Mr. Freeman agree to pay back the \$15.00 to each of his Austell customers since January 2008. He stated that if that is what he has to do and they can be located and that he might need help on finding some of the owners. Mayor Jerkins said that Dixie Wrecker would not be responsible for those that could not be found.

Mr. Kimbrough stated that a certified letter had been sent to Mr. Freeman regarding this Public Hearing and signed for by him on June 20, 2008.

*Ms. Reagan moved to close the Public Hearing. The motion was seconded by Ms. Boyd. The motion passed 6-0.*

Mr. Kimbrough stated that the Public Hearing was closed.

*Ms. Reagan moved follow the recommendation of the Police Committee and to put Dixie Wrecker on probation for a period of ninety (90) days and pay back his customers the \$15.00 fuel charge going back to January 1, 2008. The motion passed 5-1. Mr. Green cast the No vote.*

E. Wrecker Service Fees

Ms. Reagan stated that the next item on the Agenda was Wrecker Service Fees. She stated that Austell has not increased the wrecker service fees since 2002. The Police Committee recommends that the City of Austell adopt the Cobb County Wrecker Service Fees.. *(A copy of the fee schedule*



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*is attached to the minutes.*). Cobb County approved a fee increase from \$75.00 to \$90.00 for a basic tow in 2005. Ms. Boyd asked if all Cobb County charges would apply to the change. Ms. Reagan replied they would.

*Ms. Reagan moved to follow the recommendation of the Police Committee to adopt the 2005 Cobb County Wrecker Fee Schedule and further that we follow their increases. Motion seconded by Mr. Thomas. The Motion passed 6-0.*

F. Nana's Fish-N-Wings – Alcohol License Request

Ms. Reagan stated that an application for a Privilege License has been received from Nana's Fish-N-Wings, located at 5770 Veteran's Memorial Highway, Austell. This application is for consumption on the premises for malt beverages and wine. A copy of the application is attached. Background checks and a survey has not been completed at this time, for the Pre-Agenda meeting, but should be completed by the regular Council Meeting. Ms. Reagan asked Chief Starrett if the survey had been completed. Chief Starrett stated yes.

Ms. Reagan asked if everything is in order. Chief Starrett stated that according to our Code the facility must be located one hundred (100) yards (300 feet) from a church and two hundred (200) yards (600 feet) from a school or college campus. They are the correct distance from the church in the neighborhood, but they are too close to Peachy Poo Day Care Center, a child care center in the neighborhood. He further stated that he had called the State Department to get an official definition of school. According to several people with whom he spoke, a day care facility would be considered a school, but he was not able to get anything in writing. Chief Starrett said that he had talked with our City Attorney and that Mr. Kimbrough thought it would be considered a school, but it would be a Council decision.

A discussion ensued between Ms. Boyd and Chief Starrett regarding the day care in question and the type of services they provide. According to Chief Starrett, they provide a kindergarten program as well as day care. Ms. Boyd expressed the opinion that this day care facility does not constitute a school. Mr. Kimbrough stated that there is a distinction between a day care center and a day school. If it is certified to offer a state funded pre-K program, it might make a difference and suggested that we get a ruling from the state.

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Chief Starrett stated that the restaurant has been in operation for several years, and they just want to add the sales of beer and wine. The day care center has also been in operation for several years. Mayor Jerkins stated that alcohol has been sold in another part of the building for at least twenty-five (25) years, but now they want to get a new license to serve beer and wine with food.

Mayor Jerkins stated that the Council will entertain a question from the individual bringing the request, but it is not a Public Hearing so no one else would be allowed to speak. Ms. Boyd stated that she would like to know if anyone in the audience is opposed.

Mr. Traylor stated that he had a problem with consumption of alcohol that close to children. Mayor Jerkins stated that the State had problems with a liquor store and a restaurant that sells alcohol being in the same facility. He stated the building would have to have put walls up between the two enterprises. Mr. Nana, the owner, stated that a wall was already in place.

Ms. Boyd asked Mayor Jerkins to see if anyone would like to speak in opposition. Mayor Jerkins said that this was not really set up to be a Public Hearing, but opened the floor for questions. No one spoke.

Mr. Green asked for clarification on the required number of feet from the restaurant to the school and to a church. Mayor Jerkins stated that is 600 feet to a school and 300 to a church. It is 444 feet from the day care center and it is 490 feet from the closest church. Mr. Nana stated that this distance is measured as "the crow flies", but if you walk it on the street, it is further. Mr. Kimbrough stated that this is the way distance is measured in situations such as this. Mayor Jerkins stated that the distance was measured from property line to property line.

Mayor Jerkins said that Ms. Ann Turner wanted to speak at this time, and since it had been opened up for comments, the Council would hear from her. Ms. Turner stated that the package store is on the north side of VMH and is the second building in on the north side of Harris St. The day care is what used to be West Atlanta Emergency Services. That is the next street further east which would be Davis Street. So, in order to get from one to the other, you have to come out of there, cross Harris St., walk on VMH and then go up back on Hill St. She said she doesn't envision any youngster walking that by himself.

Mayor Jerkins said that our concern is violating our own law. It says "as the crow flies" and that is our law, measuring from the front door of the

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business to the property line of the church or school. Mr. Kimbrough stated that the issue is whether the facility is considered to be a school or day care center. Mayor Jerkins stated that we should get the State to rule on the issue. Mr. Thomas suggested tabling this until the next meeting.

Mr. Nana stated that the reason he wanted to serve alcohol was because some of his old customers from Atlanta come to this location and want to enjoy beer or wine with their meals.

*Ms. Reagan moved to table this issue until the next meeting. The motion was seconded by Mr. Green. The motion passed 6-0.*

**G. Gretchen Koch – Alcohol Serving Permit**

Ms. Reagan stated that an alcohol serving permit application has been received from Gretchen Koch. She received a DUI on May 27, 2004. Austell's current requirements will not allow her to receive a permit due to her having a DUI in the last ten years. Ms. Koch is asking Council to waive this requirement, and allow her to receive a permit. She has not been in any trouble since the DUI in 2004. Her application is attached.

*Ms. Reagan stated the Police Committee recommends waiving the requirements and approving her permit application. Mr. Thomas seconded the motion.*

Mayor Jerkins asked Ms. Koch if she pled NoLo to the DUI charge. She stated that she pled guilty. Mayor Jerkins stated that he thought there would be a difference in permitting the license if a NoLo was the plea. After some discussion, regarding the wording of our Ordinance, Mayor Jerkins suggested that we look into the law on this. Ms. Boyd agreed, stating that we waive this all the time.

*Mayor Jerkins asked for the vote. The vote was 6-0. The motion passed.*

Ms. Boyd asked for a brief break. *Ms. Reagan moved for a 10 minute break. The motion was seconded by Mr. Thomas. The vote was 6-0. The motion passed.*

Upon returning from the break, Mayor Jerkins stated that the next item was the Fire Department, Scotty Thomas, Chairman.

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

A. Fire Report

Mr. Thomas stated that the first item on the Agenda is the Fire Report and asked if there were questions. There were none.

B. Unsafe Building Abatement Hearing – Quarterman Property

Mr. Thomas turned the meeting over to Mr. Kimbrough for the Unsafe Building Abatement Hearing on property located 2468 Shannon Drive, Austell. Mr. Kimbrough noted that Chief Williams will testify for the City of Austell and asked if Mr. Quarterman had representation. Mr. Wes Dunlap, Mr. Quarterman's attorney, Mr. Quarterman and Chief Williams were sworn in.

Chief Williams stated that this matter concerns a house fire that occurred on February 2, 2008 at 2468 Shannon Drive. The structure sustained considerable damage due to the fire. City officials and I inspected the property and due to the intensity of the fire, the home has significant fire damage and there is smoke damage throughout the home. There is some structural damage to the roof and due to these circumstances, we recommend that the house be placed in unsafe abatement and that the property should be demolished. It doesn't appear that under the specifications of the actual Unsafe Abatement Code that the property could not be repaired under the requirement because of the cost factors involved.

Mr. Kimbrough asked if there were any questions of Chief Williams. There were none.

Mr. Dunlap stated that his client, Mr. Quarterman, agreed that the property should be demolished and asked that the Council give him thirty (30) to sixty (60) days to have the house torn down. Mr. Dunlap stated that Mr. Quarterman has had some physical problems. He agreed to take affirmative action and have the house demolished, but would like to set a time frame.

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Mayor Jerkins clarified that Mr. Quarterman agreed to have the property completely cleared in sixty (60) days. Mr. Dunlap reiterated that would be the case. He said that his client had secured two bids that day to demolish the property and that someone was also interested in purchasing the property.

Mayor Jerkins said that if the property sells before sixty (60) days and the house has not been demolished by that time, the Council will hold your client responsible to make sure it is done within sixty (60) days. Mr. Dunlap stated that this would not be a problem since Mr. Quarterman has the construction background to do the work himself if necessary.

Mayor Jerkins stated that if Council agrees that a motion should be made that the property will be cleaned up within sixty (60) days whether the property is sold or not.

Mr. Kimbrough asked if there were further questions. There were none. *Ms. Boyd moved to close the Hearing. Mr. Green seconded the motion to close. The vote was 6-0. The motion passed.*

*Ms. Boyd moved that Mr. Pat Quarterman has sixty (60) days to tear down, move, clean up that lot including the abandoned cars and all of the other code violations that are on that property and that it must be within sixty (60) days or the City will come in and take steps to demolish the property and put a lien on the property. Motion seconded by Ms. Reagan.*

Mr. Dunlap asked if they had a client ready to purchase at the end of the sixty days would it be possible to have a thirty day extension under certain circumstances. Mr. Kimbrough stated that whether or not the property was sold it would have to be cleaned up.

Mayor Jerkins stated that there was a motion on the floor and called for the vote. *The vote was 6-0. The motion passed.*

**11. PUBLIC WORKS DEPARTMENT  
DAVID O. "BO" TRAYLOR, CHAIRPERSON  
Randy Bowens, Director**

- A. No Report  
Mr. Traylor stated that they had no report this evening.

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**12. PARKS DEPARTMENT**

**RANDY GREEN, CHAIRPERSON  
Jim Graham, Director**

A. No Report

Mr. Green stated that they had no report.

**13. COMMUNITY DEVELOPMENT**

**BEVERLY JAMES BOYD, CHAIRPERSON  
Jim Graham, Director**

A Amendment to the City of Austell Comprehensive Zoning Ordinance

Mr. Kimbrough opened the floor for a Public Hearing pertaining to a requested change in the Comprehensive Zoning Ordinance for the City of Austell. He asked if anyone in the audience wanted to speak regarding the matter. No one spoke. He asked who would speak on behalf of the City. Ms. Boyd stated that she would do so.

Ms. Boyd said that the Community Affairs Committee is requesting the following amendment be made to the City of Austell Comprehensive Zoning Ordinance:

“Rooming and Boarding Houses will no longer be allowed in the Central Business District, but will be allowed in Office and Institutional, Office Services, Neighborhood Shopping, Planned Shopping Center and General Commercial. Rooming and Boarding Houses will now require a Special Land Use Permit in all allowable zonings.”

She stated that the Planning and Zoning Commission voted unanimously to recommend approval of said Zoning Ordinance amendment on June 24, 2008. (5-0)

Mr. Traylor asked if the existing establishments on Spring Street would be grandfathered in. Mayor Jerkins answered that they would. Mr. Kimbrough asked if there were any other questions. There were none.

*Ms. Boyd moved to close the Public Hearing. The motion was seconded by Ms. Reagan. The motion passed 6-0.*

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*Ms. Boyd moved that the Austell Comprehensive Zoning Ordinance be amended to read as follows:*

Rooming and Boarding Houses will no longer be allowed in the Central Business District, but will be allowed in Office and Institutional, Office Services, Neighborhood Shopping, Planned Shopping Centers and General Commercial. Rooming and Boarding Houses will now require a Special Land Use Permit in all allowable zonings.

*Ms. Reagan seconded the motion. The motion passed 6-0.*

**B. Request for 20<sup>th</sup> Year Celebration - AniMart**

Ms. Boyd state that the Department of Community Affairs has received a request from Diego and Teri Chacon, owners of AniMart pet store located on Jefferson Street in Back Street Station. They are requesting permission to hold a “twentieth year in business” celebration in the corner of the parking lot; consisting of games, face painting and a moonwalk on August 2<sup>nd</sup>.. The Community Affairs Committee recommends approval by Mayor and Council of this event.

*Ms. Boyd moved to follow the recommendation of the Community Affairs Committee. The motion was seconded by Ms. Reagan. The motion passed 6-0.*

**14. CITY ATTORNEY – DUPREE & KIMBROUGH**

**A. No Report**

**15. MAYOR’S REPORT**

Mayor Jerkins stated that there would not be a CMA meeting this month. He asked if there was other business. Ms. Boyd stated that the new gazebo was looking good and the Council Members agreed. Mayor Jerkins said if there was nothing else to come before the Council the meeting would be adjourned.

**16. ADJOURN** Ms. Reagan moved to adjourn the meeting and the Council agreed