

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, NOVEMBER 2, 2009**

Present: Mayor Joe Jerkins
Kirsten Anderson
Beverly James Boyd
Randy Green
Virginia Reagan
Scott Thomas
David "Bo" Traylor

The regular meeting of the Mayor and Austell City Council was held on Monday, November 2, 2009 at 7:00 P.M. at the City Hall.

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

Mayor Jerkins called the meeting to order. Reverend Bob Neal 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. Mr. Green stated he would like to add 12 A. – Bid for Legion Park Cleanup and Mitigation.

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to approve the item added to the agenda. Seconded by Ms. Reagan. Motion passed (6-0).

Mayor Jerkins presented a twenty-year service plaque to Jennifer Vivar, Police Department. Mayor Jerkins thanked Jennifer for her dedication and hard work. Mr. Traylor presented Ms. Vivar with a 20 year pin for her years of service and thanked her for her efforts and dedication.

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 \$2,525.70
- C. Approve Minutes of Regular Council Meeting October 5, 2009

4. EXCEPTION TO CONSENT AGENDA

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5. CITIZENS REPORT

Mayor Jerkins stated he would like to say a few things. Mayor Jerkins stated he had made a long statement last Monday night. I do not want to make it that long tonight. The flooding period that happened on September 21, 2009 and as all of you know we had twenty-one inches of rain. That is a lot of water almost six months worth of rain. We normally get forty-seven to forty-eight inches per year and we had twenty-one inches of rain in one day. This is very unusual to happen. I have contacted the Corps. of Engineers to get a study back that we did in 1995. I personally think to stop this from happening is to put a tunnel in. Soon as I get the information back from the Corps. of Engineers I will be working hard to put a tunnel in and this is the only thing that will help. You cannot clean the trees out and it just has one foot of fall per mile when it gets to Austell. You have five major creeks running through Austell. When you get that much rain they will overflow. The employees started at four-thirty that morning rescuing people. I was out there with them and even our Fire Chief stayed all day to make sure our rescue was going in the right direction. It was so busy they all had to work together and some of them stayed all night Monday night. We rescued a hundred and something people and no one got killed or hurt. Our employees have really worked hard and I am proud of each and every one of them. Most people wouldn't think anything of this but Douglas County had nine people killed during the flood. In our City at least that didn't happen and this is great. We had a lot of people and churches helping people tear out the sheet-rock in their homes and clean their homes. We opened the grocery store that the City owns for donations to give to all of the flood victims. The Red Cross and the Salvation Army have been here and lots of people have donated bottled water. We had a company come in named Tzu Chen Foundation who stated they wanted to help some people. I met with them on a Saturday evening of that same week and asked me to take them around to some of the flooded areas and I did. They came back a couple of weeks later and they gave sixty-three families five hundred dollars each. They picked their own families. We had a lot of people donated money and Jim Graham's ex-wife's school donated twenty-two hundred dollars, it is a school in Roswell. The children actually raised the money. So there are lots and lots of people that have helped us. Sam Olens and I went to Mike Beatty's office at Community Affairs of Georgia and asked for some assistance a couple of weeks ago. FEMA and SBA had planned to close the office at the Threadmill, so I called Senator Johnny Isakson, Congressman David Scott and also Charlie English of GEMA. I told them I felt like the office at the Threadmill should stay open for a while longer because we still had a lot of people still coming in. We had like twenty people today.

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Washington, D.C. sent Tom Hardy with FEMA here to assist me and Tom has done a great job. Once I made the phone call they have really done a lot to help us. Probably fifteen homes are a total loss because their foundation is gone. The buyback program, which I know some of you are interested in that. It is a long lengthy process. I was told today by the GEMA people, I met with two of the high officials today and they told me they will be working with us and we have to go through some training. This will be a short period of time for training. It is a real long process but they will try to kick it off and get something moving on it. We have some homes and condos that people have left and it is very important to me. The two GEMA guys that I met with today are sending someone in the morning to meet with Jim Graham. This person coming from FEMA will actually go out and find the homes and condos where nothing has been done. At that point, when we get the information together GEMA has hired a company to help us locate the banks and the owners of the property. We will take quick action on this and we will get it solved. We have been out and done all the evaluations on the homes and we do not have the information on the computer. This Wednesday GEMA will send someone to help us get all the information into the computer. How much damage has been done to the homes on a fifty percent basis? If it is under fifty percent it will be working back and if it is over fifty percent it will be a problem. Insurance, I know some of you had insurance but most of you didn't. I have some forms to fill out and I plan to take these forms and I think I have about seventy-five. The forms have your name, address and name of your mortgage company. I am going to try to set-up a meeting with the mortgage companies. I don't know that I can but I am going to try. I am going to try to get them to assist the people with their mortgages. Anything they can do like twelve months free interest to get them back in their homes. Some of the people have received thirty thousand dollars from FEMA and with no insurance and it's going to cost them sixty to put their house back together and they don't have the funds to do this. I am going to work on that in contacting the mortgage companies to try to get them to help the people. Mayor Jerkins stated these are some of the things I am trying to help with and at this time if anyone would like to speak please come forward.

Ms. Melissa Milligan stated I am here to represent the New Birth Community Church and we are right down the street on Joe Jerkins Blvd. I am a member of the church. We have a flood story just like everyone else. We actually had been in the church for only two months when the flood hit. We bought significant property on two acres and beautiful property and it really ripped our hearts out. We had water in the sanctuary waist high. The whole first floor was flooded out.

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We are blessed to have a temporary place to meet. We probably have another couple of months before we can get back to our church. The key is what kind of infrastructure will be put in place so that this doesn't occur. We know that back in 2005 there was major flooding in Powder Springs. I think our Pastor was here last month and he shared with us about the four different floods since 1990. We are committed to work with the community as well as you all to avoid the flooding because of our property but also because of working in this church. Even more significantly some of the members in our church lost their homes and their belongings. My question to you, I know you mentioned the possibility of a tunnel sending water out to the Chattahoochee. I am wondering if you are considering a study to figure out what other communities around the nation has experienced regular flooding and what other choices there may be. Mayor Jerkins stated, this has already been done about three times and they have come back with nothing. That is the study I have asked the Corp. of Engineers to send to us. We did this roof here at City Hall I had it studied in the early nineties and I think was 1995 when they got the study back. I can't find the study because when we did this roof this building here flooded with rain water not flood and we lost some of these papers. So I don't have the study but we did contact them to get to us pretty quick. The study basically says we have one foot of fall per mile and you have five major creeks coming through Austell and the water is just sitting here trying to get out. You can dredge it or you can take some of the trees down and it will not help because you do not have enough fall and the only answer is the tunnel. We can study it ten more times but it will come back the same way. The tunnel will work if we can get enough fall at the other end. It would start taking water on and my proposal is that Sweetwater Creek would be here and it would keep flowing until it got to a certain height and run into this tunnel then you have two ways for this water to go out instead of just one. When it comes back out it would come back six or seven miles downstream toward dump flood then it would back into Sweetwater down there, the tunnel would. I don't know what size it would take but this is the only thing that will work. Ms. Milligan stated she was curious, she stated she was here at the meeting a month ago as well, and she wasn't sure if the tunnel was the recommendation of the Corp. of Engineers or if it was your idea. Mayor Jerkins stated it was his idea. The Corp. of Engineers will have to be involved and approve it and it could cost as much as two hundred million which we will have to get the funds for it. We had about eight hundred million dollars worth of damage done in this area. So it justifies spending two hundred million to stop it from happening again. Ms. Milligan stated she was a creative type and always thinking about how to get something done so I know government entities go out and hire a consultant to actually study the problem.

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To figure out on their own and figure out what is next down the road in terms of the Corp. of Engineers. But, there is a possibility of doing a study to figure out what other communities have done and where some of the funds or coming from and what are the possibilities here in Austell. So, I just want to throw this out to the community as well as the government and I feel like this is a good first step for a study. Mayor Jerkins stated he could ask for another study but it will come back the same. I don't know who else you could get to do it. There is almost nothing you can do except the tunnel and it doesn't sound feasible but when you have property that the water cannot get out it is just sitting there. When it gets down to a certain area it takes off like that and it goes and no more flooding at that point. We have these creeks so we can try to get the Corp. of Engineers to do another study but it will come back the same. Ms. Milligan thanked Mayor Jerkins for her time and stated she and her church were here for the community. Mayor Jerkins asked who would like to speak next.

Ms. Catherine McFarland stated she has a home that was flooded on Davis Circle and during the past several years flooding has taken place. I have very good friends whose home flooded on Mitchell Lane and this will be the third time. A few years back I had the opportunity to meet a couple of guys who used to dredge the creek there on Mitchell Lane. The equipment they used to pump the sand from the creek is still sitting in that creek. I was told that in the City of Austell or Cobb County had stopped them from pumping sand out of the creek. These guys apparently had a lucrative business of pumping sand and that would be a tremendous amount of sand that came out of that creek. I don't understand why that creek is no longer having sand pumped out of it. If you go down Clay Road right now and directly beside Mitchell Lane is a big sandbar where the sand has washed up. I also don't understand why you had the study done in 1995 and that is the last time you had anything checked on. Mayor Jerkins stated the study said five of the houses had flooded and that was it. Ms. McFarland asked Mayor Jerkins why Elizabeth Gardens was allowed to build in there when you have an antiquated septic system. The day I saw them carry stuff into there after the second flood on Mitchell Lane. Ms. Boyd stated Elizabeth Gardens is not in the city limits of Austell. Mayor Jerkins stated he didn't know where Ms. McFarland was taking about. Ms. Boyd stated it was off Clay road. Mayor Jerkins stated that address is not in our jurisdiction and he asked when did she build. Ms. McFarland stated it has been in the last couple of years. Mayor Jerkins stated to the audience, our requirements are and Cobb County does this and Powder Springs. A hundred year flood plain FEMA states to get cheap insurance you have to be a foot above the hundred flood plain and they regulate this. We require you to be three feet above the hundred year flood plain.

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We require this and the engineer has to send us our surveyor when we give the floor level which has to be that much higher than the hundred year flood plain. We had very few people that flooded and we had fifty-one houses back in 2005 that flooded. Some of them it got about four or five feet above the hundred year flood plain. Some of these other houses were built forty or fifty years ago. So, anyway it got fourteen feet above the hundred year flood plain. Some people don't want to understand that. When you look at twenty-one inches of rain the most rain that has ever fallen in Austell that I can find out and seventeen inches fell on July 11, 2005. Before then on record there has never been over thirteen inches. You didn't have that much flooding but when you get that much rain you will have the flooding. Ms. McFarland asked Mayor Jerkins if he thought the sewer system contributed to the flooding. It probably helped get rid of some of the water. Ms. McFarland asked when the last time the sewer system was updated. Mayor Jerkins stated we don't update the sewer system. We just put them in and keep them cleaned out and working. Do you want me to explain this to you and how it would help the flooding go down and tell you why it would. There is a separate line that runs with the creek it has its own closed system except it has vent pipes that are so big around and has air vents that make a loop and go down. They are probably ten to twelve foot high and they follow the creek. When the flooding got above that the water started running into the vent pipes and come back down into the sewer line. Then it went on to the sewer station which helped eliminate some of the flooding and got rid of some because some of the flood water went into the sewer pipe and went on down to the other location. It helped the flooding instead of hurting it. Ms. McFarland asked wouldn't the pipes already be full with all that water in them? Mayor Jerkins stated not necessarily, they don't have water in them it's human sewer and it does not have flood water in it. The way the flood water got was through the air vents and got in the system and got rid of some of the water. It lowered more than anything instead causing a flood.

Ms. Haynes stated her name and said she lived in Cureton Woods. Ms. Haynes had a couple of questions. One I am waiting on a call from the bank tomorrow to see if we are going to get help or to walk away from our property. It's going to take about eighty thousand dollars to rebuild. Who can I contact if they say they can't help us to get some help. Another question is when we bought I checked the flood plain maps and we were not in the hundred year flood plain. I understand that FEMA released new maps last December. Who's responsibility is it to notify the homeowners that the flood plain maps have changed, because we are definitely in the flood plain. Mayor Jerkins stated the flood map has not changed since last year that I am aware of. They left it the same.

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Ms. Haynes stated it changed on the new map. Mayor Jerkins stated, yes, the new map came out but it didn't change it. It has the same elevation. Ms. Haynes stated no, she looked at both of them. Mayor Jerkins stated Sweetwater Creek is right there and you could be in the middle of Sweetwater Creek and if you are three feet above the hundred year flood plain you would be out of the flood plain. Does this make sense to you? Ms. Haynes stated, no. Mayor Jerkins stated if your floor is built three foot higher than the hundred year flood plain you will be out of the flood plain and not in it. FEMA makes that decision to give cheap insurance and you are eligible. One of the FEMA personnel told me you could get two hundred and fifty thousand dollars worth of insurance for a dollar a day. Ms. Haynes stated if she had known the map had changed she would have bought insurance. Mayor Jerkins stated it didn't change any height level. Ms. Haynes stated it says on the map undetermined. Mayor Jerkins stated it didn't change any level. Ms. Boyd asked Ms. Haynes if she had a copy of that map. Mayor Jerkins stated the levels of the flood plain did not change. Ms. Haynes stated you can't convince me.

Mr. Stewart Brenner stated his name and stated he lives on Clay Road in Cypress Club subdivision. When the flood occurred in September it was un-imaginable and I think it caught everyone by surprise. Let me turn your attention to the flood that occurred in 2005 in July. At the time I think it was the largest flood any of us had ever experienced. It was not that unusual and it was referred to as the hundred year flood and some referred to as greater than the hundred year flood and some referred to it as the five hundred flood. If you look at the FEMA flood map for our subdivision you can see as it is clearly noted on there you can just about see where the outline of the water came in 2005 as the five hundred year flood plain. I mentioned that is not an unusual flood. Mayor Jerkins stated it had never happened before. Mr. Brenner stated, yes, it had happened before. Mayor Jerkins stated not that high before. Mr. Brenner stated he had information in front of him from the United States Geological Survey and in the 2005 flood Sweetwater Creek at Perkerson Mill Road which is where their monitoring station exists registered a gage height at 21.87 feet. Mayor Jerkins asked if that was in 2005. Mr. Brenner stated, yes, it was 2005. In 1990 the same gage registered 19.3 feet, 1982, 19.9 feet, 1975, 18.7 feet, 1949, 18.4 feet, 1916, 20 feet, and my point here it doesn't take a hundred years to happen. A hundred year flood is defined as a .01 is a likelihood of happening in a given year but I believe the Federal Government data shows that is not correct. My question is are there any actions being taken by the City of Austell to order a contractor to perform a survey to update the 2008 flood map which is in effect today. Mayor Jerkins stated, no, FEMA handles all of that and we can't change the map FEMA changes the map.

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Mr. Brenner stated in speaking with representatives from FEMA and the National Flood Insurance Program last week at a meeting in our subdivision they told us the process starts at a local level. The local authorities hire a contractor to perform a survey. Mayor Jerkins asked who are they, you keep referring to. Everyone stated FEMA. Mayor Jerkins stated FEMA says we are responsible for the flood maps. Mr. Brenner stated the contractor is hired to do a survey to study the area and in order to make a change in the map. Mayor Jerkins stated this is the first time he has ever heard of this. Mr. Brenner stated this is according to the National Flood Insurance Program Managers who came down to meet with us. My second question in addition to changing the map or studying these flood maps I wonder if the Council and the Mayor would be open to a meeting with small groups of representatives from the various communities, neighborhoods and subdivisions around Austell. So that we can form a concentrated focus group and so we can study this problem and decide a good go forward position to short term, mid-term, long-term solutions to this repetitive flooding problem that exists in Austell. Mayor Jerkins stated he did not mind meeting with anyone at anytime, matter of fact I met with you for two hours. Mr. Brenner thanked Mayor Jerkins for his time to meet with him.

Ms. Jill Robbins stated her name and stated our subdivision Mulberry Creek is represented by a lot of people who are sitting on the left and the right. From what I have heard and from what the map shows Mulberry Creek should not have been built where it was. Whenever we tell people where we live they say we can't believe a neighborhood was built there. It was fought tooth and nail by the city and it was going to be this and it was going to be that. They decided to put houses there and it was marsh land and people were bringing in dirt to build it up. If I had known we were going to have the flooding in 2005 and I know it was an act of God and I know twenty-four inches of rain is too much. It seems that our neighborhood shouldn't have been built in the first place and the fact that these maps don't get done in a relative fashion. In 1995 that was the last time it was done and that is way too long. There is information that FEMA says the information is updated within seven years. I heard the same information that it starts at the local government to provide data to FEMA to tell them. We know our city best FEMA doesn't know Austell. We need to tell them we have all these creeks and I am not saying don't move there it is a wonderful place but tell these people they need flood insurance. When you zoom in on our subdivision we are surrounded by a flood plain that is AE and the definition is inundated by hundred year plain. Now we are just stuck and yes, the thirty thousand from FEMA is great but it doesn't help when you have eighty thousand dollars worth in damages.

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If I would have been told to buy flood insurance this would not have been a problem. I don't understand why in the first place Mulberry Creek was even built because it was a hot bed of controversy when it was being built. Is that accurate, or was there a fight. Mayor Jerkins stated he did not remember being a fight. Ms. Robbins asked Mayor Jerkins if he knew it was a marshland. Mayor Jerkins stated he was not aware of any marshland. Ms. Robbins asked if dirt was brought into the subdivision. Mayor Jerkins stated he was not aware of any dirt being brought into the subdivision. Everyone laughed. Mayor Jerkins told everyone to please be quiet if they wanted to get up and speak. He told them the meeting would not be run as a circus because he would not tolerate it. He asked them to please stay quiet until their turn. Ms. Robbins stated she thinks this is a problem, she stated she has an original plat map and a letter from FEMA. I have all of this information and a lot of it is different. Our community number is different, our flood panel is different. Somebody had to have come in and done something different over the course of us buying our house in 2003 and now in 2009 so some type of survey was done. These community panels and map panels to be revised. Because I have new map panels on the new flood certification and the old flood certification. Had I known we were surrounded by an area with all that flooding. Mayor Jerkins stated the mortgage company normally notifies you. Ms. Robbins stated no, that is not what this letter states. It states please tell your people you know. Mayor Jerkins stated it did mention the mortgage company in the letter. Ms. Robbins stated, no, it says we are not distributing this to the mortgage company so what you should do is tell your neighbors. Ms. Boyd asked Ms. Robbins when did you receive this letter. Ms. Robbins stated January 20, 2009 it is listed on the FEMA website. Ms. Robbins stated she printed it off the other day and the letter was stamped January 20, 2009 because it was shortly after December 2008 which shows the map panels were redone and everyone is saying no they were not. Ms. Boyd stated she was not aware of any changes. Ms. Robbins stated it was on the FEMA website. Mr. Kimbrough asked who sent it. Ms. Robbins stated it is sent to the Cobb County Board of Commissioners but what I am saying and this is the problem it lists a community number that could have been in Cobb County but it is the same community number on my plat map. So the problem, people want to say it's not our responsibility it's FEMA and that's not in the City of Austell its Cobb County but really we are all in this together because we are all sunk. We are all submerged in water. I don't know who is going to take the responsibility but somebody does. Mayor Jerkins stated we have to go by what FEMA says and to buy the flood insurance which is cheap and if we didn't go by this you could not buy cheap insurance.

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Ms. Catherine Faizine and I live in the Cypress Club subdivision. I am new to the area and I just purchased my home in May. I live in the end of the cul-de-sac and my house is a total loss. I am about fifty percent (50%) loss of home. I have received thirty thousand dollars from FEMA like everyone did and it will cost me a hundred and fifty-five to rebuild. I didn't pay that much for the house it was a foreclosure. I have been trying diligently since this storm happened what can I do? What are you going to do for me because my son and I are displaced. I cannot continue going this way. I have spoken with all of my neighbors and none are rebuilding. So, it is not advantageous for me to go back there and rebuild if I am the only one at the end of the cul-de-sac. There are health issues and you have vagrants coming into the neighborhood and my home may be vandalized. So what do I do? Mayor Jerkins stated other than walk away I don't know. Ms. Faizine asked Mayor Jerkins how can you tell me to just walk away. Mayor Jerkins asked how would you suggest us helping you. Ms. Faizine stated this is why I am asking for your help. Also, I want you guys to give me a letter stating that I can't rebuild then I can move on and SBA will give me all the money I need and I can go. Tell me I can't rebuild and the assessments were done and I ask how the assessments were done and I was told they stood at the curb and looked at the water line. I have no water line because my house was pressure washed just like all my other neighbors. Mayor Jerkins asked how high did it get. Ms. Faizine stated it was nineteen feet. Mayor Jerkins asked what did the people from the City say. Ms. Faizine stated she didn't know because they haven't gotten back with her. They were looking at lines that was not there. When SBA came in and did the assessment they didn't realize it was that much damage and when FEMA came they didn't realize it either. The house is a total loss. I have no walls, no floors, no nothing. All I have is sheetrock and the ceiling. Mayor Jerkins stated there is a buyback plan and it takes a long time to go through the process. Ms. Faizine stated she understood. Mayor Jerkins stated the money works its way through GEMA and has to be coordinated with the city and has to go back to FEMA and let them approve and they don't pay the full amount. Ms. Faizine stated she understood that but what she is asking for is a simple piece of paper stating I cannot rebuild at 4873 Nature Trail and let me go on my way. Mayor Jerkins asked Mr. Bowens if he had the information on her property. Mr. Bowens stated that house flooded in 2005. Ms. Faizine stated yes, it did and no one told me. Mr. Bowens stated we do have the documentation for that home and we will give you a letter. Mayor Jerkins stated we can give you a letter but that doesn't mean they will buy you out. Ms. Faizine stated she was not even concerned with that she just wanted her letter to move and so she and her child can get back to normal. Mayor Jerkins asked Mr. Bowens if he had the information and Mr. Bowens stated, yes he did.

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Ms. Donna Henley stated her name and stated she lived in Cypress Club. I have been doing all kind of research and I did have an inspector come out from Community Affairs. To be honest it was joke. This man came marching through my house and said this needs to be and that needs to be and he didn't give me one piece of paper about the inspection. I had nothing to show for it. He was an elderly gentleman who used to be a builder way back when. I don't understand now that these assessments have been made by the City/Public Works or whatever and have they done anything different than this person. Mayor Jerkins stated they have to go by a formula and they have to go through a training program and then they go out and use this formula based on how high it got. The inside if it's one story or two story that type thing and when they get the formula they come back to the office and put it together and calculate whether it's a hundred percent or if its forty or sixty or whatever. That is how they do it by a formula. Ms. Henley asked so it's not haphazard like the inspection was. Mayor Jerkins stated he didn't know but Mr. Bowens can answer this. Mr. Bowens stated the inspection we do for substantial damages is nothing but a report that we have to assess on how much actual work has to be done to the actual structure. We are required by the National Flood Insurance Program to do this study so we can determine the water level in each structure and how much got in there. We check for foundation and a lot of people don't understand this because we do not have to go inside the structure because it is a slow spill on the exterior as well as the interior. We determined the amount of water that actually went into the structure and the foundation or super structure or framing damage that is done to the house. When you see that outside we assume that every house has been ripped out of all the drywall. Our assessment is basically done from the exterior of the property to determine the level of the water in that community or that cul-de-sac or that particular area. Ms. Henley asked if this was done by the City of Austell. Mr. Bowens stated, yes it is done by our group. Mr. Bowens stated once we make that assessment we have to come back and take that documentation along with the tax records for the assessment for property value. We take all those numbers and we put all those numbers and put into the computer and the actual program from the National Flood Insurance Program and calculate the actual percentage of damage. The data is being stored and we keep the records for the National Flood Insurance program for any buyout programs that might come up, how much water got into that house, and that is basically what we do. Ms. Henley stated there is a Cobb County Flood Damage Control Group that I have talked to. They said they come out and do two assessments and one survey before you can even get a building permit. Who do you deal with, Cobb County or the City of Austell? It seems like Cobb County has been more organized than the City of Austell. Mr. Bowens asked you mean a building permit?

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Ms. Henley stated, yes. Mr. Bowens stated that would be Mr. Graham's office. Mr. Graham stated Cobb County has about four thousand employees. Mayor Jerkins stated Cobb County had one tenth of one percent of their area flooded and we had twenty-four percent. Ms. Henley stated Nature Trail wasn't even on their list. Mayor Jerkins stated because it is not in the county it is in the City. Ms. Henley stated so we are wasting our time dealing with Cobb County. Mayor Jerkins stated, yes. Mr. Graham told Ms. Henley she was out of Cobb County's jurisdiction. Mr. Graham stated the Inspector should have told you about the structural damage as well as any other damages like we did when we made the assessment. We have had people pushing us so they can get back to their lives. We tried to work with everyone to make sure they dried their homes out properly and some didn't even get a permit. We tried to get around to everyone we could and we had to hire another Inspector to come out and help him. We only had one for all the citizens. Mr. Graham stated you have to realize we don't do the kind of building that Cobb does so we don't need forty Inspectors. Ms. Henley stated she was dealing with the SBA and they are saying if your house is considered damaged please let us know and then it is a different ballgame. Mr. Graham stated that's what these assessments are for. Ms. Henley stated so that's what is coming out. Mr. Graham stated for the flood insurance people that need the same assessment that will be what will come out. Ms. Henley asked if the property owner will get a letter. Mr. Graham stated we will try and we will put it on the website and mail out something to every property owner. Ms. Henley asked a date from today, a week from now or two weeks from now or what. Mr. Bowens stated we have additional people coming in tomorrow in Community Affairs to assist with that. We have in-house personnel that we are training and we actually went out and did seven hundred assessments. We finished about the same time Cobb County did who had large amount of personnel. Cobb County in fact had a lot of volunteers out there who went out and did their assessments. For a fact I know in Sweetwater Landing some of the volunteers had to go back out again because some houses that got twenty feet of water in them only got assessed for forty percent damages. So Cobb County had to go back out and re-evaluate those houses. The main thing is having consistency in doing it and assessing the property and everybody being on the same page. But, unfortunately that was wasn't the case in a lot of it. We have elected to use in-house personnel and what we have to do is download a lot of this data into the computer. Mr. Graham stated it will be a lengthy process but we want to make sure this data is entered properly to make sure you are getting the absolute best assessment you can get. Ms. Henley stated, yes, she wants this, but the only thing I did see was the inspections I saw was pretty unprofessional and I don't want that to be a decision on the property based on that.

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Mr. Graham stated the inspector was never sent out to do that, he was sent to do permits, for the electricity to be turned on but not sent out to do assessments.

Ms. Ethel Rivera stated her name and said she lived in Cypress Club subdivision and my house too was flooded. I had over of eight feet of water in my house. It went to the baseboards on the second floor. I was asked to get a letter from the City of Austell to send to my mortgage company so I will not have to pay for two places. I have not seen one letter yet. The same people (the Inspector) that came to the other lady's house came to mine and he did the very same thing just walked around and pointed as to what needed to be done and nothing was written down. Mr. Graham stated just what we said just a few minutes ago the inspectors are not doing the assessments. Ms. Rivera asked when will these evaluations be done? Mr. Graham stated this is a mass undertaking and we are downloading everything and if we give you the wrong information that would be an injustice to you. We only have about two or three people entering all this data. Mr. Graham illustrated a stack of paper so high and explained to Ms. Rivera how long it would take to download and then enter everything. What we are trying to work on is the ones that have fifty percent damage for your insurance purposes. We are working on those as quickly as we can. If you are under fifty percent you will be the next one. Correct me if I am wrong we are working on the ones that we think got twelve of water and we know that would be fifty percent. Mr. Bowens stated what a lot of people don't understand is that these assessments are not geared toward declaring your house a disaster or condemning your house. Like I said from the beginning these assessments are more trend purposes for the National Flood Program. So, unless your house suffers super structural framing damage or your roof collapsed or part of your structure fell off or your foundation just cracked all apart it's going to be very difficult in its present state for it to be declared condemned. Mr. Graham stated what the insurance companies want to know is the level of damage that has been done and if it is over fifty percent and what the cost will be to put it back together and if it is worth it or not. Ms. Rivera stated her mortgage company wants that information. They also want to know if I am living in the house or not. I told them I was not living in the house but they don't believe it and they want to see something on paper. Mr. Bowens is right this will help the mortgage people and the flood insurance people that requires information and because it is a evaluation of the damages done to your house. Mr. Graham asked Ms. Rivera how much damage she has. Ms. Rivera stated it got to the second floor. Mr. Graham stated it went over some people's roof. Ms. Rivera stated I am just trying to figure out a date when you guys will be finished. Mr. Bowens stated realistically we will be looking at another two weeks.

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Hopefully we will have an accurate assessment of your property and everybody's property. With the data downloaded into the computer we can reference it and we can start sending letters out. Mayor Jerkins asked if she comes up and gives her address will this be something you can do. Mr. Bowens asked Ms. Rivera to please come up to the Threadmill Suite 101. Ms. Karen Kamna stated her husband was really good at data entry and he would be willing to volunteer to help. Mayor Jerkins thanked Ms. Kamna and stated we need all the help we can get. FEMA is sending another person on Wednesday to help.

Ms. Zelda Noland stated her name and stated she had a rental unit on Salt Springs Place. We had probably had eighteen inches on the first flood and we probably can rebuild as far as we are concerned. We did not have flood insurance. The houses down below us in the cul-de-sac looks like a disaster area and I don't think there is anyone in there. Number one, before we start restoring and rebuilding, we need to know if any of those have been condemned and even our unit if it is going to be condemned. I don't think it is but I don't know. Mayor Jerkins asked Ms. Noland if her unit was connected to their unit. Ms. Noland stated there are six units. Mayor Jerkins asked, if they are separate units. Ms. Noland stated no, there are six townhouses. Mayor Jerkins asked are they all tied together. Mayor Jerkins stated this is some of things they will start doing in the morning in the condo areas like Salt Springs; and Greystone, I think, had some condos in it. Mayor Jerkins stated it is very important to look at these condos. Ms. Noland asked Mayor Jerkins, so you are saying we have to get a permit from the City of Austell before we can start on our homes. Mayor Jerkins stated we like to see the homes dried out. The small amount of water or eighteen inches is still a lot we like to see the sheetrock cut out, and have you done this. Ms. Noland, stated, no we have not. Mayor Jerkins stated it could have mold and it needs to be out of there and before you build back we need to make sure there is no mold. Ms. Noland asked who do I see for this. Mayor Jerkins stated you can see Mr. Graham or anyone in his office. Ms. Noland asked when can you get there because we have been sitting for over a month waiting. Mr. Graham stated what we did on these inspections and you're right you were probably the second building up, is that correct? You had eighteen inches of water and the lower buildings had fourteen feet of water. You are one of the end units on that second building and they were getting about two feet of water. Ms. Noland stated she was the last building on that unit going up the hill where the wall is. Mr. Graham stated we assessed yours at two feet of water and you said eighteen inches, is that correct. Ms. Noland stated she wasn't there because we couldn't get in to measure it.

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Mr. Graham stated by the time we got to that wall it was about two feet and that's what we anticipated. If we couldn't get in we looked inside to see what we could find. Mr. Graham stated you can start your tear-out anytime. Ms. Noland stated they have tore out carpet and move the refrigerator out. Mr. Graham stated to Ms. Noland if you had eighteen inches of water in your house the mold has started getting into wall and into the insulation. You need to cut out at least two to three feet of insulation because that is how the mold grows from wet insulation. Ms. Noland asked then I have to come to you. Mr. Graham stated we would like to inspect before you start putting back. Ms. Noland stated you better get out there in a hurry because we are ready to start.

Mayor Jerkins stated you really need to cut out the insulation because you are about to start a mold problem. Ms. Noland stated that could be done in about a day. Mr. Graham stated the wall outlets are about eighteen inches high and we do want you to take those out. Apparently it didn't get into the electrical panel box because they are usually about four feet. But, we do want you to take those outlets out. We are not going to make you rewire your house. Ms. Noland stated you are talking about the plug-ins. Mr. Graham stated, yes, along the baseboards on the floor level. Were asking you to cut out the sheetrock and cut-out the insulation and call us to come out and look at that. Ms. Noland asked who to call. Mr. Graham stated to call 770-944-4309 and tell them you need an inspector to come out and make an electrical inspection. Ms. Noland stated so it would be just an electrical inspection not an overall inspection. In your case we need to check the electrical. If it is totally damaged then it will be more extensive.

Ms. Noland stated her next thing was someone in the City of Austell should have notified the homeowners of Austell that they were in a flood plain so they could have gotten the flood insurance. We were never told we were in a flood plain. Mr. Graham stated no, you were not in a flood plain. Ms. Noland stated no, we were not but we still got flooded. Mayor Jerkins stated to Ms. Noland the fourteen feet changed things. When it got fourteen feet over the hundred year flood plain that changed everything. What is going to happen when it gets twenty feet above the flood plain. Everybody needs to get flood insurance that lives in this area. Ms. Noland said they will not sell flood insurance to us. Mayor Jerkins stated, yes, they will. We are currently involved with FEMA to make sure you can get flood insurance at a cheap rate. They have told me for about a dollar a day you can get about two hundred and fifty thousand and that would be three hundred sixty-five dollars a year. If you don't need but a hundred and fifty thousand it would be a lot cheaper. It is not expensive and you can get it. FEMA guarantees that because we are in the program. Ms. Noland stated she would be back to see Mayor Jerkins.

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Ms. Janie Boreland stated her name and stated she was a board member of Cypress Club subdivision. I just want to thank you Mayor Jerkins for the removal of the debris. We do have a lot of concerns tonight but we do have praise to thank you and thank you for letting us run a little bit longer with all of our concerns. We are going to have a meeting with our homeowners. I just want to take some information back and to make sure I am clear. The same weekend that Randy Bowens and the team were doing assessments another board member and myself went through our subdivision and tried to identify all the homes that were abandoned and to see if people were still there. We do have a list. Mayor Jerkins stated we need that list. Mr. Graham stated to Ms. Boreland that he needed the list as soon as possible. Mayor Jerkins stated we have a meeting with GEMA first thing in the morning at 9:00 A.M. Ms. Boreland stated the second part to this my concern is that some of the people along with myself will be meeting Wednesday at South Cobb High School there is a program and people there who are volunteering to help with rebuilding of the homes. They will put in the sheetrock and you will pay for the material. The people are pretty much at a standstill and so far from one of our contacts it may be the first of the year before they can get to some of the homes. So GEMA is coming through trying to determine who is living there and who has abandoned their home. I am on Egret Court so I am in the back and Stu who was speaking earlier is the only one person on our street who has literally started rebuilding and putting up. I am not sure what they are waiting on. If it is the cost, or in my case I am waiting on the program. So, there may not be any life in there until the first of the year. I am checking on my home daily and again many of us can't get back in because of the cost. I just want to make sure when I take the information back to our homeowners meeting that it's not something like legal action taken against them because they have not returned by the end of November or December. So, what information am I to take back to the residents. Mayor Jerkins stated in the morning GEMA is sending a person to meet with Jim and Randy at 9:00 A.M. They will actually go out and get the addresses of the ones they can tell the people have walked away from. At that point this person will take the information and GEMA has a company hired to locate these people the mortgage holders and the people that own the houses. They already have this in place to do this. So, tomorrow we are hitting that wide open trying to get that information together. Once they get the information they will contacting them by phone and to do everything they can to contact the mortgage companies and the person that owns the property. So, we are going wide open with that. It is very important because there is mold in some of these houses and it needs to be taken care of. We have that headed in the right direction and it will be done fast.

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The ones that do not do something now, once we contact them have to go through a process and our Fire Chief actually handles that. We will send them a registered letter and a regular letter giving them ten days to get something done or report back to Council and this is our normal process. If they don't take action then we have to go through the process. Hopefully, they will take action the banks or whoever own the property. The condos are something we will look at first because they have walls in between them. They should have all that done tomorrow as far as getting the information on the ones that are left. At that point we turn them over to another company that locates all the information we need. It should take place fast.

Ms. Boreland thanked Mayor Jerkins. Ms. Boreland stated she too agreed with Stu about having a representative from each subdivision whether it's a board member and you have a wealth of resources when you bring people together. You will be surprised with all the different backgrounds how they can contribute. As the young lady said as far as Community Development we just want to help out. We just want to put our heads together and come up with a solution. Mayor Jerkins stated we want to help you and I have a contact person that has called me and there is a bunch of volunteers. We have a lot of people that wants to help and I have that information in my office if that would be helpful to you. I know some of you have received thirty thousand dollars and it's going to take sixty to fix back. Some of these volunteers are willing to come in and maybe you get it fixed back for the thirty thousand. You wouldn't have the other expense so they could get you moving. The volunteers are important and we have a lot of good people that would like to help. Ms. Boreland stated she appreciated everything and she would be in touch with Mayor Jerkins to get the phone numbers.

Ms. Nancy Green stated her name and said she lived in Deerfield Creek. How can I get my name put on the list for the mortgage company. Mayor Jerkins stated I have the forms right here and it is also on the internet. How can I get a dumpster for the debris? Mayor Jerkins stated we cannot give you your own dumpster. Ms. Green stated she understand that but as far as my neighborhood. The dumpster in my neighborhood is at the end and we have a lot of homes. Mayor Jerkins asked is it piled up. Ms. Green stated, yes, it is. Mayor Jerkins asked Mr. Bowen to please get another dumpster out to this neighborhood. Mayor Jerkins stated we can't put on private property but we will get one on the road. If you get the debris out there or even on the outside if you sign a paper our machine will pick up out of your yard and put in the dumpster for you. We did that already but now we another dumpster. Mayor Jerkins stated we will get another dumpster out there and we will load ourselves. Mayor Jerkins gave Ms. Green some of the Mortgage forms for her and her neighborhood.

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Mr. Danny Covington stated his name and said he lived in Salt Springs Place. I am one of the ones who the lady was talking about that lives at the bottom of the hill and I had twenty feet of water. I am ready to go back and remodel if it is possible. You said fifty percent of damage to the homes and does FEMA estimate this or what. Mayor Jerkins stated, no sir, we have a formula we just talked about it. If the outside structure is not damaged, like the footings, the walls, that type thing. Mr. Bowens just explained all this and it may be possible that you can build back. Mayor Jerkins stated we need to get the assessment done. We got all the homes and the condos but we haven't put the formulas in the computer to see what we get. Mr. Covington stated again, he was ready to rebuild but he doesn't have a permit. Mayor Jerkins asked Mr. Covington if he had gutted all of it. Mr. Covington stated, yes, he had. I have wiped it down and everything. Mayor Jerkins asked Mr. Covington if he had it drying. Mr. Covington stated, yes, he did but the house beside me probably hasn't been wiped down and treated for mold. I asked the contractor if he didn't treat the mold could he guarantee I wouldn't have it in five years. Mayor Jerkins stated, that's why it needs to be treated. This is the situation we are trying to send out in the morning and we will try to locate the people or the mortgage company and take some action on that. Mr. Graham asked Mr. Covington if the house next door had been gutted. Mr. Covington stated all the homes have been gutted. They have had volunteers wiping the inside of the houses down but that is not treating the mold. Professionals need to come in and pressure wash. My contractor will pressure wash mine and use the chemicals to make sure no mold is in my house. I am just trying to find out who's responsibility it would be to treat these homes. I feel I can't remodel until this happens and I need to step on. Mayor Jerkins stated mold grows from dampness and once the dampness dries the mold stops when the city let's everyone build back it should be free of all mold. Mr. Covington stated so, before a contractor can come in to my house I have to get the o.k. from the city. Mayor Jerkins stated, yes, we need to inspect and make sure it is dry. Mr. Covington stated, some of the people are gone and I don't blame them because they had too much to remodel. Mr. Graham asked, so they gutted it but they are not coming back. Mr. Graham stated ya'll have a unique situation because you have a common wall and that is a problem. Mr. Graham stated there is legality as to what we can do and can't do. This is what we are addressing now one will walk and do nothing. To protect you, but I don't what we can do if they are treated properly. I realize you want to build back but unless we can make them treat their homes and I will have to speak with our legal staff on this and see if we can force them into it. Mr. Covington stated some are renters and some are homeowners. Some homeowners use it as rental property. Mr. Graham stated if they are home owners we will have to deal with the mortgage company and this is the process we will take.

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Mr. Graham stated the mortgage companies depending on what interest they have in the homes. Mr. Covington stated he had an idea to tear them all down. Mr. Graham stated that might be a possibility. The legalities that we have to go through we can't make a decision like that. There are so many facets we have to work with like the mortgage companies and every time we take we take two steps forward these other questions come out and I will have to talk with our legal staff. I wouldn't advise building back until I found out something more. If the other person has not treated his you will have some mold. Mr. Covington stated there are six houses in a row and there might be four treated and the rest not treated. Mr. Graham stated he was one of the inspectors starting from the bottom of the hill and ya'll did have about twelve or fourteen feet of water. From the bottom working our way up I know what you are saying and they are not destroyed by no means but they had a lot of water in them. Mr. Covington stated the worst thing about this is the mold and mildew. Mr. Graham stated this is a problem we all will have right now. Mr. Covington stated he had the money right now to remodel but to spend fifty thousand dollars to remodel and let it set for two years from now. Mr. Graham stated he wouldn't advise you to do that. Mr. Covington stated he didn't want to walk away. Mr. Graham stated if I come up with anything I will call you and let you know what we are going to do and I will try to help you out. Mr. Graham asked Mr. Covington to please write his name and phone number down for him.

Ms. Mercedes McGee stated her name and said she lived in Mulberry Creek subdivision. I would like to back-track for a second. Mr. Bowens stated the assessments they did was for the insurance purposes and that's why they only looked at the outside because it was slow rise. Mayor Jerkins stated the assessments are for the Insurance, FEMA and all. Mulberry Creek was not a slow rise it was moving and it was fast. I know this because we were inside of our house. The furniture was tossed around and the windows were broken and things moved around and pulled up from the floors. I know ya'll only go to the outside and you said those assessments are not determined by the substantial damage so what inspection will do that. Who will inspect inside and assess substantial damage on the inside and we had over eight feet of water in our house. I live directly across the street from fourteen feet in her house so who will make those assessments? Mayor Jerkins stated we have the formula we have to go by and they get the height of the water whether it is one-story or two-story. If it got into the roof and ceiling it would be assessed differently. They have the formula and they have to get the information on the house. They look at the outside foundation of the house, walls, to make sure there is no structural damage. Ms. McGee stated, so they don't look at anything in the inside of the house.

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Then they will put that into the computer and do the formula on it and then they have to get the value of the house and they use this for a tax base to find the value of the house. Ms. McGee stated the other thing she would like to discuss is on the flood insurance. I stopped by the FEMA office last week because I heard something about FEMA providing flood insurance for three years. Mayor Jerkins stated if you get a claim number and have a claim number with FEMA they take out three years of insurance. This will come out of your funds and they will take care of this. Ms. McGee stated FEMA has already given us the funds so they can't go back and subtract the funds. What dollar amount is that covering? Mayor Jerkins stated it would depend on the value of the home I guess, as far as I know. Mayor Jerkins stated he thought FEMA took the money out from the beginning. Ms. McGee stated no, I've checked and they didn't do that. Mayor Jerkins stated he didn't know when they started this. Mayor Jerkins asked if Tom with FEMA was in the back of the room. The maximum grant you were given from FEMA was thirty thousand three hundred minus the six hundred. It can be used for dwelling or contents. Ms. McGee stated they did not minus the six hundred. Tom stated maybe they haven't yet, I don't know. A lady in the audience stated if they have already received their grant money and if they have received the thirty thousand and three hundred and that has not been taken out. Ms. McGee asked if they could go back and take advantage of that program. The FEMA representative stated to please call the 800 number (1-800-621-3362) and you can ask specific questions regarding your case. Ms. McGee stated the last thing I have is going back to the buyout program on that map Jill was saying they updated in 2008 and they went back and put six lots in the flood plain in Mulberry Creek. I looked at the same site she did and I didn't bring my printout with me but they put six lots in the AD section and there is another branch in the X zone that covers the rest of us. So, the updates and everything we have heard on that has been negative and I will not go back over all of that and beat that dead horse. There has to be something we can do for Mulberry Creek subdivision. There are twenty-five homes on Sunlight Drive that is the extent of our subdivision. Nineteen of those homes received substantial damage and two others had water in them. It is a ghost town when you drive down the street until you get to the cul-de-sac where people did not get water. Most of us don't want to go back in there and rebuild because we had so much water and too much damage to the homes. Our backs are against the wall because we have mortgages and at a point where we have no other choice but to go in there and rebuild. We flooded in 2005 and now in 2009. We will spend hundreds of thousands of dollars putting that house back together and the next flood could totally wipe us out.

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I don't know what the answer is but I think we should have some kind of meeting with the residents of Mulberry Creek and maybe you Mayor could address our particular subdivision and our issues because they are very severe. Mayor Jerkins stated they may change the rules but as far as the buyback program I don't think you will qualify for that unless they change the rules. If you are above the hundred year flood plain and if your floor level is where we required you to build it at least three feet above the hundred year flood plain you will not qualify for the buyback program. Ms. Boyd asked Mayor Jerkins if the map changed a year ago. Mayor Jerkins stated the map didn't change in Austell but we can look at that. Ms. Boyd stated, yes, we can look at this and they just might be in the buyout program. Mayor Jerkins stated he put down seventy-five houses to go into the program to buyback and I don't know what it will take and there are very few of them under that hundred year flood plain and most of them as far as I know were built years and years ago. It has to meet that requirement. They might change that but I don't know, but it has to be below that hundred year flood plain before your eligible to get bought out. They may change it. Ms. McGee stated it was not developed correctly there has always been standing water there are reports on file and I have e-mailed Duane. There is always standing water in the street every time it rains because of where the runoff is and it is above where the dip is and the water can't run uphill so there is always standing water. We were just over at the house the other day and there is water flowing on the side of house onto the street and that causes standing water. This is the way it has been every time it rains. The water runs off of the pond above us I guess there is a home that has a pond and it runs downhill into our back yards. We have standing water all the time and it does not drain. Mayor Jerkins stated he understood and he stated he would glad to meet with the residents of Mulberry Creek and try to work on something. Like I said if you flooded four years ago back in 2005 your house would be on the list of the buyback program. We will have to see what they decide on that. We have fifty-one that flooded in 2005. I have put those down and added some more to it. They wanted an estimate on it last week and that is what I estimated seventy-five. What they do on this I am not sure. Ms. Boyd stated some of their houses did flood. Mayor Jerkins stated I have that fifty-one down that flooded in 2005 and some of them didn't get very deep and some of them might have gotten three feet or so. They are the ones that are setup for the buyback. Ms. McGee stated so if you didn't get flooded in 2005 and in 2009 you couldn't get home because your street was flooded that means you will not be included in the buyback program. Mayor Jerkins stated according to FEMA and they may change that, I don't know.

Ms. McGee stated all of the Mulberry Creek residents have attended all the Cobb County meetings to get answers only to find out that Cobb County does not represent the City of Austell residents at all but we pay Cobb County taxes.

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It just does not seem fair that from the other meeting we contacted Woody Thompson and the other representatives and Woody Thompson hosted this meeting at the Ron Anderson building but none of the City of Austell questions could be addressed. Mayor Jerkins stated he would like to mention to everyone how the tax works. Inside the city and Marietta as well as everywhere else has a tax base and the county has one. We charge 3.123 which is 3 mils .12 which is a little over three and a tenth in other words and is the millage rate on our taxes which is real cheap. Cobb County gives you a discount of nearly 3 mils off of their taxes because we own our own Fire department. So if you are in the county you are paying almost as much taxes as you are in the city between the two. You are getting all of our services actually or nearly free because you don't live in the county and you live in the city. Your taxes are cheaper in Cobb County than they would be if you lived in Cobb County and not the city. It would be about 3 mils higher. They county doesn't give you any services but they provide roads and different things. They provide the court system, the hospitals, and they do contribute a lot. You don't see it but they do use the tax money for certain things. This is basically how it works. Ms. McGee stated along the tax lines did they say they would waive the late fees for Cobb County on taxes and do we have any type of program with the City on that as well. Mayor Jerkins stated his thoughts were since FEMA was going to do three years of insurance for the people I wanted to do three years of tax exempt for the people. Scott Kimbrough our City Attorney was going to check into this for me and I don't know if he has an answer or not. I spoke with Sam Olens of Cobb County Chairman and he said he didn't think we could do this. I think we can and Scott may have an answer and may not. Different districts that have different tax bases and I felt like if we could exempt the residents that were flooded three years of taxes would help some. I don't know if Scott has found out anything as of today. Mr. Kimbrough stated all he had found out so far is that you would have to through the State legislature and get an act passed that would exempt certain areas from the property taxes for a specific period of time. Certain land owners would be treated differently than others because of this disaster and you would have to get the act pasted. There are a lot of different types of tax districts that have been setup and different type of taxes such as S.P.L.O.S.T. where it is a separate percentage that is put on to goods that are purchased. These are all done to raise revenue. The idea the Mayor has is to give people a break and not specifically designate where the extra money comes from but to give people a break. When it is does certain veterans who are tax exempt, senior citizens who were exempted from certain taxes. So, it is done, but it cannot be done here at the local level. I am not sure it can be done at State level but that is where it comes from. Ms. McGee stated I hate to keep bringing up the Cobb County meeting but they also said they would waive permit fees.

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Mr. Kimbrough stated as far as the waiver of local fees and waiver of permit fees that can certainly be done here. But, getting the people exempt that is a whole different ballgame. Ms. McGee stated this is my last question. Will that list of potential buyout homes be posted on the website or should we come down to the Threadmill or how will we find out. Mayor Jerkins stated I have the fifty-one on the list and asked if we had these on the website. If you know you flooded in 2005 and I added some more to the list then you will be on the list. Ms. McGee stated they bought the house in 2006 and I heard conflicting reports on whether it was flooded or not. Mayor Jerkins asked how deep it did it get this time? Ms. McGee stated it was eight feet. Mayor Jerkins stated I doubt that it got any in it because in most areas it got ten or eleven feet higher this time. The lady directly in front of me had fourteen feet in her home. She probably had three foot and something I guess in it before. It got about ten or eleven foot higher than before. Ms. McGee stated with all our issues and concerns I would just like to thank you for a quick response for Mulberry Creek subdivision for getting the dumpsters out to us and for helping us get our areas cleaned up and we just appreciate it. Mayor Jerkins stated we know you are having problems and we are trying to help everyone and I know a lot of people will not agree but we have spent a lot of time trying to help. Ms. Boyd asked if everyone could take a ten minute break. Mayor Jerkins, stated, yes.

Mr. Thomas stated councilmen Randy Green was running a fever so I sent him home. Mayor Jerkins asked if there was anyone else who would like to speak tonight.

Mr. Terrance Golden stated his name and said he lived in the Mulberry Creek subdivision. You were speaking about the buyback program and how there are certain houses in the program and lots of houses that aren't and based on the homes that were flooded in 2005. Mayor Jerkins stated, yes, that's correct and that has a lot to do with it. Mr. Golden stated he was not one of the ones that flooded in 2005 and my house had nine feet of water. There are several of us that had several feet of water in our homes. We are just wondering if there are several houses in our subdivision that is on the buyback program what are they going to do with the rest of us. Are they going to tear down six homes and leave nineteen and how does that work? Mayor Jerkins stated, he couldn't answer that. All I can say is the way FEMA is working and unless they change the rules and the reason we got the ones that flooded before because they were somewhere close to where they will buy them back. It is not a sure thing that they will buy them back of the fifty-one that flooded in 2005. What FEMA says on the hundred year flood plain I will say it's 892 and I am not sure what it is above the sea level. The city requires you to be three feet above that to build a house and FEMA requires it to be one foot. On the buyback program if you are not and what I am talking about is your flow level if it is not below the 892 it is not likely to be bought out.

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If you didn't get flooded in 2005 because the water got up about four foot higher than the hundred year flood plain or maybe a little higher. So, you are not likely to be in the program. Unless they change the rules and that's possible. That's why we have down fifty-one homes because they were in this range to be bought out and this is not for sure because we haven't checked the floor level. Mr. Golden asked what influence does the city government have on those decisions, you have to help us to figure something out and we are at a loss. Mayor Jerkins stated we are trying to do everything we can and we cannot change FEMA's rules. They have the money and it has to go through GEMA and the city and GEMA have to work together to come up with their rules and figure them out and try to put the homes down that fit into that category. Then at that point it goes back to FEMA and FEMA has to o.k. it because they furnish the money. It's only seventy-five percent and they don't count your land. Let's just say you have a hundred thirty thousand dollar house valued and thirty thousand was your lot and your house is worth a hundred thousand they will pay seventy-five thousand of your hundred thirty thousand house. This is the rules they have. Mr. Golden asked if the City of Austell provide any monies or is it just FEMA. Mayor Jerkins stated it is just FEMA. We were under the impression it was seventy-five percent FEMA and twenty-five percent City of Austell. Mayor Jerkins stated we don't have twenty-five percent to go with that. The State sometimes put some money into it. As of right now the State has done nothing. Normally, they will come up with the twenty-five percent but at this point they haven't done anything. Ms. Boyd suggested Mr. Golden to call Congressman David Scott because he has more to do with FEMA than we do. FEMA is under the Federal government. So, if everybody will get in touch with David Scott and ask him to do something and I don't think he has even called has he Mayor? Mayor Jerkins stated, yes, he has called me and been very helpful. As a matter of fact, he called me and asked me if I would meet with some people and one the guys that spoke earlier he was one of them I met with. David Scott's office had set the meeting up but didn't have anyone at the meeting. I met with for two hours on Thursday evening and they were from Cypress Club subdivision. Ms. Boyd stated she would keep David Scott's phone burning because he can do more than we can do. Mayor Jerkins stated when I contacted him and Johnny Isakson and Charlie English with GEMA they were going to close this facility at the Threadmill and not stay open and when I made these phone calls they decided to stay open. We are still open today. They have been involved and trying to help. They sent a guy here from Washington, D.C. to assist me. Mr. Tom Hardy is his name and he is really a good guy. Mr. Hardy told me when he arrived he didn't know what I did but they sent him the next day to assist me. Mr. Hardy has been very helpful to me.

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Ms. Brandy Allison stated her name and said she lived in Deerfield Creek. I have one question, and that is on the houses they do decide to buy back, and as far as that land and I am not worried about the subdivision. Will they ever try to rebuild on those lots or will this prevent building back on those lots. Mayor Jerkins stated if FEMA gives the o.k. and unless FEMA changes something in the buyback you will not meet our requirements. You could not build there because you couldn't meet our requirements. Ms. Allison stated, so, there is no way anyone would ever build back. Mayor Jerkins stated no, I don't think so. We require you to be three feet above the hundred year flood plain. FEMA will not buy you out unless you are below the hundred year flood plain. If they buy you out you would be out of that category. Ms. Allison stated so the people in Mulberry Creek you know that six of those homes have already been flooded and they are not going to buy those houses back so they will not ever let anyone build there again. Mayor Jerkins stated if they buy them back no, they will not let anyone build there again. Ms. Allison stated so, the people that remain in that subdivision will not be any better off. Ms. Boyd stated it would be turned into green space. Mayor Jerkins stated it would be cleaned up and we may make a park out of it. The City would have to come in and maintain the area. Ms. Allison stated I know you have discussed the people who have not done anything to their homes and who do you call. I have called the health department about one of our neighbors who hasn't done anything. They told me because it is in Cobb County and in the City of Austell there wasn't anything they could do and I would have to contact the City about it. But, what do you do when the person is still living in the house. You can smell the mold and see the mold run up the walls. Mayor Jerkins ask Ms. Allison if they were in the house, Ms. Allison stated yes, they were in the house. Mayor Jerkins stated that is not good. Ms. Allison stated the power works good and he drives in and out. Mayor Jerkins asked how deep was the water in his house. Ms. Allison stated probably six feet. Ms. Allison stated all he did was punched out walls and washed it down with the hose and he said he wasn't doing anything else. Mr. Hardy said maybe we could get the person's name and address and, since they are living in the house with mold maybe we could have our Community Development Department go over and talk with them. Ms. Allison stated the neighbors have offered to help but they don't want any help. Ms. Allison stated she would certainly get the address to Community Development Department.

Ms. Allison Gabriel stated her name and stated she flooded in 2005. How long will the buyout process take on the homes that flooded in 2005. Mayor Jerkins stated it has been as long as eighteen months. They had some meetings today about that and they said they would try to make things happen a lot faster. Ms. Gabriel asked how much faster? Mayor Jerkins stated I would think about six months.

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What happens you have to qualify for it first and we have to fill out papers first and it is a long process. Then we turn the papers over to GEMA which is State. They look at and make sure it is correct and meets all of the requirements. If it is correct they will send back to us and we will fill out something else and send back. When they receive it and they approve it then they send to FEMA because they are the ones that furnish the money. So, FEMA has to go through the process. At that point, then FEMA sends back to us and tells us what they have decided and that takes time. Ms. Gabriel stated she would like to make one more comment. The garbage service the city hired was excellent and really did a good job. They cleaned up the yard and anything else. Mayor Jerkins stated you need to thank Mr. Bowens and his staff because most of it was done by them. Ms. Gabriel thanked Mr. Bowens. A lady in the audience representing Mulberry Creek thanked Mr. Bowens and his crew for the outstanding job they have did during the flood. Also, I would like to thank the Fire Chief for the rescue of so many residents and I speak on behalf of those people who are not here today. Without the coordinated efforts that you did to get them out and we had no loss of life we greatly appreciate that. I have to say to Mr. Bowens when they came out to do the inspections they were outstanding. If you were around when they came out and if you had any questions to ask they were there with answers. I cannot say they were not professional because they were very professional. I just want to say from Mulberry Creek to the City of Austell there are some kudos that are given and not just negative complaints. Mayor Jerkins stated again, our employees of the City have gone beyond the call of duty for the City and I am very proud of all of them.

**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mr. Kimbrough stated he was unable to attend the meeting. The gas rate schedule was adopted for this billing period.

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

A. Financial Report

Ms. Boyd stated the Audit was in and we will be prepared to present at the December meeting.

8. GENERAL ADMINISTRATION

RANDY GREEN, CHAIRPERSON
Carolyn Duncan, Director

A. Approval of Additional Solicitor

Ms. Duncan stated from time to time we need to add a Solicitor to assist our lead Solicitor, LeAnn MacDougall. We recommend Thomas J. Campbell whose resume is attached. Ms. MacDougall has highly recommended Thomas J. Campbell.

Ms. Boyd moved to follow the approval of Mr. Thomas J. Campbell as Solicitor to assist LeAnn MacDougall. Seconded by Ms. Reagan. Motion passed (5-0).

9. POLICE DEPARTMENT

DAVID "BO" TRAYLOR, CHAIRPERSON
Bob Starrett, Police Chief

A. Police Report

B. Code Enforcement Report

C. Work Permit Waiver Request – Johnnie Griggs

Mr. Kimbrough stated at this time I would like to call for a public hearing for a waiver from Council to be granted for a work permit for Johnnie Griggs. Mr. Kimbrough asked if Ms. Griggs was present. Mr. Kimbrough asked Ms. Griggs to please come forward. Mr. Kimbrough swore in Chief Starrett and Ms. Griggs.

Ms. Griggs stated she was still trying to get her pouring permit and I am still trying to get an expungement which I applied for. I received a letter back and I notified my Attorney for the third time and he hasn't returned my call. They stated they could not expunge that because I pled guilty to it, which I did not. I spoke with Ginissa Miller at the Douglas County State Court and she said if I could not get an expungement on that. Chief Starrett stated to Ms. Griggs can you tell then what the charge was. Mayor Jerkins stated let's first ask Ms. Griggs if we can talk about her criminal history before we start discussing the matter. Ms. Griggs stated she was fine with that.

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Ms. Griggs stated that Douglas County told her the drug charge will remain on my record because it was part of the arrest and cannot be expunged from my records although I was not charged with it. Ms. Griggs said she asked Ms. Miller so you are telling me I pled guilty to all of this? Ms. Miller told me no, the only thing you are guilty of and on record would be the D.U.I. but this will not be expunged. Mayor Jerkins asked when the time was on the D.U.I. Mr. Kimbrough stated the arrest was on April 26, 2005. Ms. Boyd stated she thought it was 2007. The sentencing date was July 20, 2007. Mr. Kimbrough stated the reason the expungement was not granted was because the G.C.I.C. views the dismissal of that as part of the negotiations that took place and to you pleading guilty to something else. Anything that is done during negotiations will not be expunged. Chief Starrett stated the drug charge she mentioned and was charged with is not being considered because it is not even part of this. This is dealing with a D.U.I. and a simple battery. Ms. Griggs asked was the simple battery charges not seventeen years ago? Mr. Kimbrough stated the simple battery charge was on October 18, 1994. Ms. Griggs stated the reason for that charge a man pushed me down and when the Judge asked me if I hit him, I said yes, I did, because nobody will put their hands on me. When he pushed me down I hit the back of a door and I came up bleeding and I hit him. Ms. Griggs stated to please let me add that two years ago my last pouring permit expired. I have had a pouring permit before I received the D.U.I. and this was before I went to court. I would be working during the day on Saturday. Mr. Kimbrough asked if anyone had any questions for Ms. Griggs. No one did.

Mr. Traylor moved to follow Mr. Kimbrough's recommendation to close the hearing. Seconded by Ms. Reagan. Motion passed (5-0).

Mr. Traylor moved to follow the recommendation of the Police Committee to approve Ms. Griggs work permit since it is for one day a week. Seconded by Ms. Reagan. Motion passed (5-0).

D. Work Permit Waiver Request – Stephanie Roebuck

Mr. Traylor stated we have a request for a waiver from Council to be granted a work permit. Mr. Traylor asked Mr. Kimbrough if it was necessary to have a public hearing if she was not present. Chief Starrett stated she was notified. Mr. Kimbrough stated it can be tabled but that would be the Mayor and Council's decision. Ms. Boyd stated she did not think it needed to be tabled.

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Mr. Traylor stated at this time we will have a public hearing on Ms. Stephanie Roebuck. Mr. Kimbrough stated he would like to open the public hearing for a work permit waiver request from Ms. Stephanie Roebuck. Mr. Kimbrough asked if Ms. Roebuck was present in the meeting room she was not. Mr. Kimbrough asked Chief Starrett if Ms. Roebuck was sent notification for tonight's meeting. Chief Starrett stated she was given verbal notification yesterday by phone. Mr. Kimbrough stated she has been present before at a previous Council meeting. Chief Starrett stated, yes she has. Mr. Kimbrough asked if Chief Starrett would speak on behalf of the City of Austell. Chief Starrett stated, yes, he would. Mr. Kimbrough swore in Chief Starrett. Chief Starrett stated she has charges on her record in the last ten year period which has caused us to deny this. You have the criminal history in front of you and she was convicted in our court of charges after she attended the last Council meeting so we have denied her request. Mr. Kimbrough asked if anyone had any questions for Chief Starrett. No one did.

Ms. Boyd moved to follow the recommendation of Mr. Kimbrough the public hearing be closed. Seconded by Mr. Traylor. Motion passed (5-0).

Mr. Traylor moved to follow the recommendation of the Police Committee to deny the work permit for Ms. Roebuck. Seconded by Ms. Boyd. Motion passed (5-0).

10. FIRE DEPARTMENT

**SCOTT THOMAS, CHAIRPERSON
Tim Williams, Fire Chief**

- A. Fire Report
- B. Firefighter Fitness Testing / Information Only
(Please attached sheet)
- C. Unsafe Building Update

Mr. Thomas stated at this time he would turn this over to Chief Williams. Chief Williams stated the Austell City Council voted to give the property owner, Mr. Bill Braswell, located at 5575 Old Marietta Road a six month period of time to repair this home from fire damage. The Council stated the structure must be repaired to meet all possible building codes.

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At the completion of six months, repairs to the structure were not complete and building codes were not met. Mr. Braswell was summoned to appear before the Council for a second hearing on this matter at the September 14, 2009 City Council Meeting.

Upon conclusion of the hearing, Mr. Braswell was given a 90 day extension to complete all repairs to the structure. In addition, the windows were to be repaired over the following two week period. Also, Mr. Braswell should report to Council at each meeting.

As of today, there is evidence of work being done to the front windows of the house. The boards have been removed from this area. Chief Williams stated he had been out to this property and there appears to have been some window repair done. Mr. Braswell stated it should have been finished last month but due to sickness and other things it has not. I spoke with her today and she indicated it would be done this week and I am sorry it should have been done last month. I apologize for this.

At the June City Council meeting, the property located at 2442 Brooks Drive, the property owner, Mr. David "Bo" Traylor was given a three month extension (90 days) of time by Austell City Council to take action to remove the structure from the property. I spoke with Mr. Traylor earlier this evening in reference to his property and he is meeting with a GEMA representative in the near future in the purchase of his property. He is under the time restraint as well and it will come back up at the December meeting. Also, the May abatements the property located at 6016 Pine Street, owner, Mr. Scott Miller, was given 60 days to report of progress on this structure. On July 6, 2009, Mr. Miller called and stated that due to the expense of renovating the structure, he has decided to go forward with demolition. A demolition permit has been purchased and approved by the City building inspector. Mr. Miller further stated the property should be gone in thirty days.

As of today, the structure has been demolished and most of the debris has been removed from the property. I will follow up to confirm the property clean up is complete.

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The property located at 5706 Mulberry Street owned by Mr. Mark Perry was given six months to complete renovations on this structure. Mr. Perry was remanded to report to Fire Chief Williams by the first of each month on what progress has been made towards completion.

As of today, Mr. Perry has not contacted my office over the past several months regarding progress on the structure. From the exterior, it appears that some cleanup has been done around the exterior of the property. The roof has been replaced but no further repairs are evident.

Mr. Perry was summoned to appear at the November City Council Meeting for a second hearing concerning this matter. Mr. Perry is here tonight for a public hearing.

The July Abatements the property located at 6064 Pine Street and the owner Ms. Lynda White Williams was given 60 days to repair and replace the roof of the structure. Also, an added on portion to the side of the structure was to be removed within the 60 day period. The City Council approved a total of six months to complete renovations bringing the structure to all codes compliance.

The roof has not been replaced. Some work has been done to the added on portion. In speaking with Ms. Williams this past July, she advised the contractor had not made very much progress towards the required repairs. There has been progress in cleaning up around the property and it does look better.

The property located at 5157 Lakeview Court and the property owner Mr. Eric Eugene Key is one of the properties that were re-damaged in the recent flood. The Council voted to demolish the structure due to its dilapidated condition. Mr. Kimbrough did run a title search and did verify Mr. Key was the owner. We will need some direction from the Council as far as a demolition on the structure.

Ms. Anderson stated she had a question for Mr. Braswell. How much more work do you have to do on your property. Mr. Braswell stated he still had plumbing, electrical, and in addition to the windows. Ms. Boyd asked do you expect it all to be done in the next month. Mr. Braswell stated the windows will be finished by next week. Then they will start the plumbing.

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Ms. Boyd stated she had a question for Mr. Traylor. Ms. Boyd stated last month when Ann Powell was here she brought up some information I was not aware of. If you have rental property or you do not live in the property you cannot get any FEMA reimbursement. If you do not live in your property so therefore that may be why you haven't collected anything in five years. I have asked questions with rental property and from what I understand you don't get reimbursed and they can't buy you out. How is that working for you and it is not working for anyone else. Mr. Traylor stated that was a good question but he did not have an answer. Mr. Traylor stated he had filled out paperwork and met with GEMA and FEMA and went round and round. Ms. Boyd stated well, I think somebody is just giving you the run around. Everybody I have spoken to has told me you do not receive anything if you have rental property. Isn't that what you have heard Mr. Thomas. Mr. Thomas stated that seems to be the general consensus. Ms. Boyd stated Ann Powell stood up and said the duplexes over on Jones Road that she owns stated she wasn't getting any help because she was not living there. Ms. Boyd stated to Mr. Traylor he did not live on his property. Mayor Jerkins stated this is two different issues a buyout program is totally different. There are certain requirements you have to have to qualify for a buyout to get funds from FEMA. If you're a rental person they would give you something. Ms. Boyd stated, Mr. Traylor was not renting the house. Mayor Jerkins stated he realized this but just let me explain, Mr. Traylor was not renting his house but this will not disqualify him from being in the buyout. Mr. Kimbrough stated this could be the case that they may not buy him out but they may give him financial help. Mayor Jerkins stated I don't know if there is anything in the information saying anyone can be bought out whether they rent or not. Ms. Boyd stated she had researched and it says if you have rental property they will do nothing. Mayor Jerkins asked Mr. Demeritt if any of this had come up on any of the properties. Ms. Boyd asked Mr. Demeritt on Mr. Traylor forms does it say he lives on the property. Mr. Demeritt stated, no, it just shows the current owner. Ms. Boyd stated well, they need to ask if it is rental property or not. Mayor Jerkins stated they usually ask this question. Mr. Demeritt stated he could do some research on this. Mayor Jerkins stated what do the letters say when they are returned to you. Mr. Demeritt stated they are asking for additional information. Mayor Jerkins stated like what? Mr. Demeritt stated like voluntary buyout through Mr. Traylor which was the last form we had to do. I spoke to Narin Sams with Region 4 here in Atlanta and I am in the process of setting up a meeting with us. Mayor Jerkins stated this needs to be addressed. Ms. Boyd stated this may be why he hasn't received anything.

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Mayor Jerkins stated before, they said, they didn't have the funds available. Mr. Traylor stated they would tell me you have missed the buyout, you have missed the buyout. Powder Springs received the biggest buyout program. Ms. Boyd stated, yes, Powder Springs did receive the largest buyout. Mayor Jerkins stated he had spoken with Lanetta Lloyd at Cobb County and she told me there were only eighteen homes in Cobb County area. Ms. Boyd stated she had heard four years ago they bought out a hundred homes. Mayor Jerkins stated he had heard all kind of things and that Cobb bought out eighty-nine. She told me it was eighteen and it took eighteen months to process. Mr. Graham stated he had talked with the people about the buyout program. They are specified in the hundred year flood plain and that is their qualifications. If they buy them out they just want green space. The same thing that will apply in Salt Springs because some of them they are rental property. They never told us they would not buy out the rental property. Mayor Jerkins stated to qualify you have to be below the hundred year flood plain or they will not buy it. Ms. Boyd asked Mayor Jerkins do you think Salt Springs is in the hundred year flood plain. Mayor Jerkins stated, this is what I am trying to tell the people. Mr. Graham stated they may be in the lower units. Ms. Boyd stated a spark went off in my head when she said she couldn't get any help from FEMA. Mr. Graham stated the buyout is a totally different program. Ms. Boyd stated she would ask the question and get the name and number and call the woman and ask her. Mr. Graham stated what Ann was taking about we couldn't answer her question. She stated she couldn't get any assistance from FEMA or GEMA because it was rental property. But, on the buyout program I couldn't tell her anything at the time just because it's rental property and if they are in a hundred year flood and if they are not they probably will not be considered. Mayor Jerkins stated his opinion if it meets the qualifications it can be bought out. I don't think it's going to matter because if it meets their requirements they want to get rid of it. Like getting money to fix back up. Mr. Demeritt stated Bo Traylor is on the repetitive flood list so that increases that chance of him getting bought out even more. Mayor Jerkins asked Mr. Demeritt if Mr. Traylor was below the hundred year flood plain. Mr. Demeritt stated, yes, he was. Mayor Jerkins stated if he is below the flow level I think he can be bought out because I think they really want to get rid of them. They won't be dealing with it any longer. Ms. Boyd stated she hoped it didn't take this long to help these poor folks. Mayor Jerkins stated he spoke with GEMA guys today and they are going to speed this thing up. Some of these houses will not qualify.

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I have some better views of working with them and they really didn't want me to get into that. I have their attention and I feel better about it. It does look better as far as getting it moving quickly. What ends up happening I don't know because some of them will not qualify even if they got flooded before unless they change it and it's possible getting that much water in them I will push to do it but there is a lot of paperwork to do to get it on its way. Matter of fact they will be working very closely with us next week. It still takes a long time but they will help us. Mr. Traylor stated his was an individual case vs. all these other cases.

D. Unsafe Building Abatement

Mr. Thomas stated we have an Unsafe Building Abatement Public Hearing and at this time I will turn over to our City Attorney, Mr. Scott Kimbrough. Mr. Kimbrough stated at this time we call for a Public Hearing for the Perry property located at 5706 Mulberry Street, Austell, GA. That began back on May 4, 2009. Mr. Perry is present and Fire Chief Williams will speak on behalf of the City. Mr. Kimbrough swore in Mr. Perry and Fire Chief Williams.

Fire Chief Williams stated the property located at 5706 Mulberry Street is still in the same state as it was six months ago. He has done a little bit of clean up around the property. Prior to the first abatement hearing the roof has been replaced on the structure. Mr. Perry is here tonight to speak on his behalf. Our recommendation still stands that if Mr. Perry does not repair the property then the property needs to be taken care of by the City. Mr. Kimbrough asked if anyone had any questions of Chief Williams. No one did.

Mr. Mark Perry stated he had a rough listing of the expenses I have repaired on the roof before the last hearing. I didn't actually have the funds in the bank at the time so I am still paying on that. I was hoping my business was recession proof but it's not. This is one of the reason I haven't continued with anymore work on the structure. The other reason is my son has decided to live with his mother. This has been tough for me. I have spent about eight thousand dollars on the house since May. I had to take my bobcat and get it worked on and they told me three hundred at first and now they said its eight hundred dollars. Anyway, this is how much I have spent so far and I am actually still paying on this and I can't tell you when it will be done. I still have to have my phones to operate my business. That is priority for me.

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At this point my business is probably off 40 to 50% and it has been tough. I don't know what to offer you. I know I need to work on the front porch and that is sort of next but you know I had to get my bobcat fixed to backfill the wall down there for the basement. Until I can get that done I have to wait to get my bobcat back because you can't do that with a wheelbarrow. I just wanted to replace some of the wood on the roof of the porch and clean up the ivy bed and get rid of most of the weeds. I have just had a hard time. Mr. Kimbrough asked if anyone had any questions of Mr. Perry. Ms. Anderson asked how much work needs to be done. Mr. Perry stated it's a lot of work and stated he had an engineer coming by Wednesday that specializes in restoring old homes who will give me some idea about what the repairs will be to bring it up to code. He charges a hundred and fifty dollars an hour to look at it. I just need some professional help to look at it and tell me what he thinks. I can give you that report after he gets this done. Ms. Anderson stated so you really need someone to tell you what all needs to be done. Mr. Perry stated he sort of knew what needed to be done and it is a lot of work and he knew it had been a long time. Most of my equipment I use has been setting up for years and I had to have most of it rebuilt because the gas just sets up in it and ruins it. I have been getting a lot of the equipment rebuilt and fixed but I can't really afford people to come to the house and fix it because it's too expensive. Hopefully, the economy will pickup and I'll be able to get back out there and spend some money on it. It's like shopping for a new car you can't go into the car lot unless you have money. I could set up there and piddle at it but I really don't have the money. Mr. Thomas asked Mr. Perry if he had any requests for the council. Mr. Perry stated he needed more time. I want to live in the house and I want to finish the house. At this point, I can't give you a timeline. I am sure when this guy looks at and I talked to a contractor about coming to the house and he said it would take a crew two weeks to dress up the outside of it. I can't pay seven or eight people to work under a contractor and put new siding and windows. I just don't have the money right now. Mr. Thomas asked how much time or do you foresee what it would take to reach your goal. Mr. Perry stated call Obama and ask him. They say the economy is getting better but it's not. I still look in the paper and see all the foreclosures in Cobb County every month. I don't see the economy getting any better. Hopefully, people will have to eventually get their teeth fixed and I'll be back in business. Mr. Kimbrough asked if anyone had any questions of Mr. Perry or Chief Williams. Mr. Traylor asked Mr. Perry so your intentions are to put new windows in and new siding on and repair the porch.

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Mr. Perry stated yes, I spoke with Randy Green about buying windows and I said unless you give them to me and put them in I can't buy them and I appreciate the offer to give me a good deal on them. Like I said I just have to have some funds. I can't over spend because I only have so much money. My Dad passed away a year ago and my mother just doesn't know how to manage money and she is losing it as fast as she can and especially with the stock market doing what it is. My Dad used to help me out every now and then but now he's not available anymore. Ms. Boyd stated when you get the front of the house looking better and get the porch rebuilt. I know you have been working on the ivy and you trimmed up the shrubbery and if you can get the front of it to where it is not such an eyesore. You have the fence around it so we can't see in the back. If you can get the front fixed I think the council would have more tolerance and patience. I appreciate the effort of putting the roof on it and I appreciate your efforts in cleaning up in the front. The eyesore is the front and if you could get your porch cleaned up and make it look better without putting the windows in it because no one is living in it. Just clean it up and do some painting and get some of the rotten stuff off of it and put a new porch on it that shouldn't be that much Mark. Mr. Perry stated they re-roofed the roof on the porch after they did the roof I had some guys come out and do that because when they were doing the roof the wood under the porch was damaged and they had to redo the porch. That has to be done under there. The problem is I dug that basement and I have to backfill against that wall and I can't do it with a wheelbarrow and I have to get that bobcat working. I barely got it working to get all that debris up. I hauled off nine point four seven tons of stuff and I hauled twelve cars to my Alabama property to get them off the lot so I have cleaned up the best I can. If things turn around a little bit then I can work on that. I thought my church would and help me but it didn't work out because a lot of them have flood problems. Mr. Kimbrough asked if anyone had any further questions. No one did.

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

Mr. Thomas asked the council what they thought about giving Mr. Perry another six months. Ms. Anderson stated what if we give him another six months but report back in three months. Ms. Boyd stated we asked him to report to the Chief and he didn't do that on a regular basis. Mr. Perry stated he was across the street and the Chief could step into my office.

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Ms. Boyd stated to Mr. Perry you are supposed to make the effort and he doesn't have to call you. I thought I had returned his calls, he stated. Mr. Kimbrough stated the public hearing is over and we need a motion.

Mr. Thomas moved to follow the recommendation of the Mayor and Council to give Mr. Perry another six months with the exception to come back to us in three months to give us a report on what he has accomplished. Ms. Boyd stated why don't we just give him three months. Mr. Thomas stated, o.k. Mr. Kimbrough stated we have a motion and a second. Mr. Thomas asked is it three months? Ms. Reagan stated no, six month to report back in three months. Mayor Jerkins asked Ms. Reagan if she seconded the motion. Ms. Reagan stated no, Ms. Anderson seconded. Motion passed (4-1). Ms. Boyd voted against.

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

A. No Report

**12. PARKS DEPARTMENT
RANDY GREEN, CHAIRPERSON
Jim Graham, Director**

A. Bids for Legion Park Cleanup / Mitigation

Mr. Graham stated the Parks Committee has taken bid for the cleanup and mitigation of the Legion Park concession stand and maintenance/equipment shed. They are as follows:

1. SERVPRO	\$25,764.74
2. SERVICEMASTER	\$16,910.00
3. KASSARS	\$15,976.40

Mr. Traylor moved to follow the recommendation of the Parks Committee to approve the lowest bid or \$15,976.40 from Kassars. Seconded by Ms. Reagan. Motion passed (5-0).

13. COMMUNITY DEVELOPMENT DEPARTMENT
VIRGINIA REAGAN, CHAIRPERSON
Jim Graham, Director

- A. No Report

14. CITY ATTORNEY – DUPREE & KIMBROUGH

- A. No Report

15. MAYOR'S REPORT

- A. CMA Meeting

DATE:	November 10, 2009
TIME:	6:30 P.M.
LOCATION:	MARIETTA

Mayor Jerkins stated he would like to discuss something. I met with our insurance companies the other day and we went to the barn and the park. We actually have ten million dollars worth of flood insurance but some things will not fall under the insurance company, like fences, public paving and different things. FEMA is working with Jim Graham and Randy Bowens and assessing everything and taking everything down. Then at that point they will come back and see what the insurance will pay and then FEMA will pickup from there. Just wanted to let you know what is going on and there is a lot to do. We have both FEMA and GEMA working with us and we are headed in the right direction.

Mayor Jerkins asked if anyone had any questions. Ms. Anderson stated she noticed the lights up in Legion Park and wondered if they were fine or did they need to be replaced. Mayor Jerkins stated some of them will have to be replaced. What we are actually doing, our engineering firm will come in and put that package together. The ball field has to be measured off and that type thing. So our engineering firm will come in and draw all of it so we can get some bids on it and put it back together. A lot of work has to be done.

16. ADJOURN

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

