

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, AUGUST 4, 2014**

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

The regular meeting of the Mayor and Council was held on Monday, August 4, 2014 at 7:00 P.M. at City Hall.

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

1. CALL TO ORDER

Mayor Jerkins called the meeting to order. Reverend David Pearce gave the Invocation and Mayor Jerkins led the Pledge of Allegiance.

Mayor Jerkins asked if anyone would like to add items to the Agenda. . Mayor Jerkins stated he would like to add 15B. – AME Church.

Mr. Clemons moved to follow the recommendation to approve the 15B.- AME Church item added. Seconded by Mr. Green. Motion passed (6-0).

Mayor Jerkins stated we have a real important person here tonight we need to recognize. Mayor Jerkins stated Ms. Poulk had been with the City of Austell for fifteen (15) years. I knew Ms. Poulk when she worked for Code Enforcement in Lithia Springs when they were a City. Mayor Jerkins stated Ms. Poulk had done a real real good job as Deputy Chief and we couldn't do without her. She has done a fantastic job and we are so proud to have her working for us. Like I said we couldn't do without you. Mayor Jerkins presented Deputy Chief Poulk with a plaque and pin. Deputy Chief Poulk thanked everyone.

2. CONSENT AGENDA – INFORMATION AND UPDATE

(No Action Required by Council – See Specific Department Director before Meeting.)

3. CONSENT AGENDA

- A. Approve Bills
- B. Approve Legal Bills \$1,100.00
- C. Approve Minutes of Regular Council Meeting July 7, 2014

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, AUGUST 4, 2014
PAGE 2**

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

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

Mr. Lamar Hagood stated his name and stated he lived in Douglasville, GA. We have a towing business and we just wanted to check to see if we could get into the rotation process here in Austell. Mayor Jerkins stated we already have four and I think this is all the Council will allow. Mayor Jerkins stated you can turn your name in to the Police Department and if one of the towing companies dropped out then we would notify you. Mr. Hagood thanked the Mayor for his consideration.

Mayor Jerkins asked again if anyone would like to speak to the Mayor and Council.

Mr. Tony Cain stated his name and stated he was a resident of Austell. I spoke last month at the City Council meeting and I hesitated to say some of the things I want to say tonight because the churches are here. There has been so much strife in Austell for the last few years coming from a few people. It surprises me because these are church going people who are causing this and people who have been going to church for decades and most of their life. There have been some terrible things said about the Mayor and the Council, the Police Department and the City employees. A lot of this has been posted on the website which is now telling people not to post this kind of thing on there anymore. It has also been in the City Council chamber here and I am just taking up for you folks because you are doing such a good job. That is what I was doing last month and I hope that you folks who are here tonight and go to the City Council minutes and read them after you approve them tonight. One thing I spoke about is how well the Mayor and the City Council are running the City. This is from the Douglas County Sentinel and I spoke about this last week and it is a legal notice. It is a notice of property tax increase in the City of Douglasville. It is fifty-two point thirteen percent (52.13%). Now the reason they are raising property taxes by fifty-two point thirteen percent (52.13%) is because the City Council of Douglasville has made so many bad decisions. They were going to improve Downtown and that is what these critics are saying we need to improve downtown. Well, that is what the City of Douglasville was going to do and it has put them in tremendous bond debt. Each one of the bonds is for twenty years and they can't pay them. Mayor Harvey Persons of Douglasville stated they have to raise property taxes to stay soft. Because you folks have not tried to do a bunch of bond issues to make Austell into Smyrna or downtown Atlanta we the residents are not stuck with all this bond debt for decades. I just wanted to thank you for that.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, AUGUST 4, 2014
PAGE 3**

Another thing in the Douglas County Sentinel is that the Board of Commissioners in Douglas County is raising their property taxes. For the last four years it amounts to a forty-one percent (41%) property tax increase. This sounds like a lot to me. So I spoke last month about how well run this City is and when you live somewhere else and you know the difference as I do then you are appreciative of what you have. Everyone has heard this on the news the Douglas County District Attorney and this was in the Atlanta Journal Constitution. The Douglas County District Attorney secretary was indicted. There are thirty-four felony charges against her, twenty-four misdemeanor charges against her and she is facing two hundred years in prison and that is just the beginning of it. They will use her as leverage to find out what else is going on. Here is something else you folks have been so careful with our money and here is the DeKalb County Commissioners in the AJC paper. The DeKalb County Commissioners spending scrutinized there is an audit going on now because their Commissioners are using their County issued credit cards for personal expenses including trips to other countries and taking their families and friends. We just don't have anything like this in this City. I hope everyone will understand what a good job you folks have done. I pointed out last month and I will finish up here. Behind the Mayor is a Norman Rockwell painting and it is the freedom of speech one of Norman Rockwell's freedom paintings. I had a friend who was arrested at a town hall meeting in Smyrna and her name is Mary Kuykendall and you can look that up on the internet. The reason she was arrested was because the Mayor of Smyrna didn't like what she was saying and she was arrested. It ended up costing the City of Smyrna eighty-five thousand dollars (\$85,000.00) and I don't think anyone has been arrested here for speaking. I just wanted to thank you folks for what you have done and I just wanted to tell you I think you are great.

**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mr. Kimbrough stated he attended the meeting two weeks ago. We just handled the regular meeting by adopting the rate schedule for this billing period. The Gas System is still in good financial shape because of the cold winter we had.

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

A. Financial Report

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, AUGUST 4, 2014
PAGE 4**

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

- A. No Report

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

- A. Police Report
B. Code Enforcement Report
C. Reception – Presentation – 15 Year Plaque & Pin to be given to Natalie Poulk

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

- A. Fire Report

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

- A. Hotel Street Resurfacing
Ms. Anderson stated the purpose is to approve road surfacing for Hotel Street. The Department staff has requested price proposals from vendors for resurfacing of approximately 2,782 square yards of Hotel Street. The following is tabulation:

<u>Vendor</u>	<u>Proposal Amount</u>
RP Paving Solutions, LLC	\$33,625.00
Cruse Paving, Inc.	\$35,658.97

Ms. Anderson moved to follow the recommendation of the Public Works Committee to award this project to the lowest and most responsive vendor, RP Paving Solutions, LLC, in an amount not to exceed \$33,625.00.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, AUGUST 4, 2014
PAGE 5**

Funding will come from the fiscal year 2014 Local Improvement and Maintenance Grant in an amount not to exceed \$33,625.00. Seconded by Ms. Reagan. Motion passed (6-0).

B. Brown Street Storm Drainage Replacement

Ms. Anderson stated the purpose is to approve a contract for the replacement of the storm drain, water line, and sanitary sewer line on Brown Street.

The Department staff has requested price proposals from various contractors relating to the replacement of the storm drain, water line, and sanitary sewer line on Brown Street. To date, one proposal has been received as follows:

<u>Vendor</u>	<u>Proposal Amount</u>
C& L Contractors, Inc.	\$158,798.35

Ms. Anderson moved to follow the recommendation of the Public Works Committee to award this project to C & L Contractors, Inc. in an amount not to exceed \$158,798.35. Funding will come from the 2014 Local Maintenance and Improvement Grant, Special Purpose Local Option Sales Tax, and the Storm water Utility Fund in an amount not to exceed \$158,798.35. Seconded by Mr. Clemons. Motion passed (6-0).

C. Public Works Vehicle Building Enclosure

Ms. Anderson stated the purpose is to approve the addition of siding to an existing steel frame building. On May 7, 2012, City Council approved the construction of a new steel frame building, siding, and components. This building is used to store many of the new vehicles that have been acquired for road maintenance. The Department would like to complete this project by enclosing the front side of the building and add roll up doors.

Ms. Anderson moved to follow the recommendation of the Public Works Committee to approve the completion of the steel frame building and award a contract to Arco Building Systems, Inc. in an amount not to exceed \$24,131.00. Funding will come from the fiscal year Special Purpose Local Option Sales Tax in an amount not to exceed \$24,131.00. Seconded by Mr. Thomas. Motion passed (6-0).

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

A. Social Concepts & Development Services September Wellness Event

Mr. Thomas stated we were supposed to have some stipulations that had to be met and have they been met. Mr. Graham stated it is not their fault it is ours. Mr. Kimbrough has the documents now reviewing them.

Mr. Thomas moved to follow the recommendation of the Parks Committee to approve the request from Social Concepts & Development Services to use Collar Park Pavilion and Collar Community Center at no charge to host a wellness event on September 20, 2014 pending all stipulations have been met. Seconded by Ms. Anderson. Motion passed (6-0).

B. Wellness Day in Austell – Annette Hughes

Mr. Thomas asked Mr. Lee Miller if he had spoken with Chief Starrett about changing the route. Mr. Miller stated he had not spoken with anyone further about it. The information I submitted is essentially the same that we discussed at the planning meeting last Monday. Mr. Thomas asked is this to go down Love Street and Spring Street. Mr. Miller stated yes, this is what we would like to do. Mr. Thomas stated he had spoken with the Chief about it and discussed the old route and Garrett School. Chief Starrett stated the route you wish to take it will take Officers to work overtime and direct traffic. Mr. Thomas stated he thought we said we had the money in the budget to pay the officer's over-time. Chief Starrett stated we did not budget this in our budget. Mr. Thomas stated but it is available. Chief Starrett stated it would have to come from the General Fund and I do not know what it has. Mr. Thomas asked Chief Starrett if the route was o.k. with him. Chief Starrett stated it will take some officer's for the overtime and to work it. Mayor Jerkins asked are you talking about down Spring Street. You will have to have eight or nine Police Officers and you will have to pay them at least four hours each. If you call them in that day you are looking at eight or nine hundred dollars. Mr. Thomas asked if we had the funding available. Mayor Jerkins stated he didn't know but you will have to come up with it from somewhere. Ms. Anderson asked if that was eight or nine hundred for each Officer. Mayor Jerkins stated no, it would cost about a hundred dollars per officer so you will need eight or nine officers for that morning to cover the event. For them to come in you have to pay them at least four hours to work so that would be like twenty-five dollars an hour.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, AUGUST 4, 2014
PAGE 7**

You have that many streets that have to be blocked off just down Spring Street. Mayor Jerkins stated we could come up with the money from the General Fund if you want to put that much in it but you will have a good bit of expense. The lady from the audience who is with C.A.M.P. and helping with the event stated she certainly wouldn't want an expense for the City, but one of the things we hope this event will do is bring in outsiders to the community and we would like to showcase the community. That strip along with the park is a showcase feature as opposed to the PVC barn at Garrett because it just looks better. There is a possibility we could toss in some money to make it cover half of that cost if that would help. This is a fund raising event and we hope to recover our money and I would be willing to say we could do four hundred dollars (\$400.00) for that expense if that would help. We don't want to cost the City money on this and it is all about bringing awareness and showing folks what a great community this is. Mayor Jerkins stated you have to have trained people to do this with because they have passed a new law that you have to block the intersections and there is several down Spring Street. If a car were to come down and hit someone then you have trouble. Mayor Jerkins asked Chief Starrett if he could get that many officers to come in. Chief Starrett stated, yes he could. Mayor Jerkins stated I guess we can come up with the money out of the contingency fund he asked Ms. Soesbee, Finance Director. Ms. Soesbee stated, yes we can.

Mr. Thomas moved to follow the recommendation to approve the Wellness Day in Austell with the exception they will contribute whatever money they can to the funding of the Officer's overtime. Seconded by Ms. Reagan. Motion passed (6-0).

Chief Starrett asked when the event will be. Mr. Miller stated it will be September 20, 2014 and the race will start at 8:00 A.M. We will have people there at 7:00 A.M. and the volunteers even earlier.

Mr. Thomas stated the other thing you are requesting is the event on September 19, 2014 at the Community Center. I understand you have filled out the paperwork on that. Mr. Miller stated the paperwork has been completed.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, AUGUST 4, 2014
PAGE 8**

**13. COMMUNITY DEVELOPMENT
OLLIE CLEMONS, CHAIRPERSON
Jim Graham, Director**

A. Annexation and Rezoning application from Ebenezer Ghanaian Presbyterian Church for property located at 5171 North Avenue.

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

The Planning and Zoning Commission voted to recommend the Mayor and Council approve both applications from Ebenezer Ghanaian Church on August 4, 2014, (5-0).

Mr. Clemons stated he would like to turn this over to Mr. Kimbrough for a Public Hearing.

Mr. Kimbrough stated at this time we will call for a Public Hearing and at this time we will do a rezoning and once this is completed we will do an Annexation.

Mr. Kimbrough stated at this time I would like to call for a Public Hearing. The application is from Ebenezer Ghanaian Church to rezone the property located at 5171 North Avenue, in LL 1206, parcel 2 of the 19th District, 2nd Section of Cobb County from R20 to OI. Has anyone signed up to speak in opposition? No one did. Who has signed up to speak on behalf of Ebenezer Ghanaian Church?

Mr. Kimbrough swore in Mr. John Wells the interim pastor for Ebenezer Church. Mr. Wells stated the property we purchased from the Girls, Inc. has the building property at 5171 North Avenue. The parking lot for that was two houses previously. One of those lots was in Cobb and one was in Austell and we would like for all property to be in Austell and this is a simple duration of our request. Mr. Kimbrough stated as for the annexation part and as far as the rezoning the property to go from R-20 and this is how it was zoned with the houses on there with the single family residences located on there to OI to operate the church on. Mr. Wells stated it will be a parking lot now and it is paved. Mr. Kimbrough asked if anyone had any questions. No one did. Mr. Kimbrough stated we now need a motion to close the Public Hearing.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, AUGUST 4, 2014
PAGE 9**

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

Mr. Clemons moved to follow the recommendation to approve the property located at 5171 North Avenue, in LL 1206, parcel 2 of the 19th District, 2nd Section of Cobb County and to rezone the property from R-20 to OI. Seconded by Mr. Green. Motion passed (6-0).

Mr. Kimbrough stated at this time we will call for a Public Hearing for the application for Ebenezer Ghanaian Presbyterian Church to annex the property located at 5171 North Avenue, in LL 1206, parcel 2 of the 19th District, 2nd Section of Cobb County. Mr. Kimbrough asked Mr. Wells if he would like to speak on the annexation of the property.

Mr. Wells stated he was not sure when the house was demolished and the space was paved and the parking is already paved. I am not sure when it was moved at a residential building. It is the Church and its parking lot to be annexed. Mr. Kimbrough asked previously where the houses where that is basically an island of Cobb County and the City of Austell. Mr. Graham stated we have talked with Cobb County and they do not have a problem with us cleaning this up. Mr. Kimbrough asked if anyone had any questions about the annexation of the property. No one did.

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

Mr. Clemons moved to follow the recommendation to approve the Annexation from Ebenezer Ghanaian Presbyterian Church for property located at 5171 North Avenue, in LL 1206, parcel 2 of the 19th District, 2nd Section of Cobb County. Seconded by Mr. Green. Motion passed (6-0).

B. Annexation application from William and Susan Johnson for property located at 6095 Mulberry Street.

Mr. Clemons stated the Department of Community Affairs has received a request from William and Susan Johnson to annex property located at 6095 Mulberry Street, in LL 142, parcel 13 of the 18th District, 2nd Section of Cobb County. The property is an unincorporated island within the City of Austell. The property is currently zoned R-20 in the County and will remain R-20 if approved for annexation into the City of Austell.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, AUGUST 4, 2014
PAGE 10**

Mr. Clemons stated he would like to turn this over to Mr. Kimbrough for a Public Hearing for the application from William and Susan Johnson for property to be annexed located at 6095 Mulberry Street, in LL 142, parcel 13 of the 18th District, 2nd Section of Cobb County. Who is here to speak on behalf of William and Susan Johnson.

Mr. Kimbrough swore in Mr. William Johnson. Mr. Johnson stated he and his wife had owned the property for about twelve years. I checked with the previous owner and he always thought it was City of Austell. It is City of Austell on all four sides. Anytime the Fire Department or the Police Department receives a call they respond. I am on Austell Gas and Cobb County water and the only thing I don't pay is the City tax. Mr. Kimbrough asked if anyone had any questions of Mr. Johnson. No one did. Mr. Kimbrough asked Mr. Graham if Cobb County was o.k. with this. Mr. Graham stated Cobb County is o.k. with this since it is an unincorporated island. Mr. Kimbrough asked if there was any opposition present. No one was present.

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

Mr. Clemons moved to follow the recommendation to approve the Annexation application from Williams and Susan Johnson for property located at 6095 Mulberry Street, in LL 142, parcel 13 of the 18th District, 2nd Section of Cobb County. Seconded by Mr. Green. Motion passed (6-0).

14. ATTORNEY, DUPREE & KIMBROUGH

A. No Report

15. MAYOR'S REPORT

A. CMA MEETING
TIME:
LOCATION:

NO MEETING/SUMMER BREAK

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, AUGUST 4, 2014
PAGE 11**

B. AME Church (Greater St. Paul)

Mayor Jerkins stated Mr. Alvin Hill is here tonight and Mr. Hill came to see me last week in my office. We allowed them to use the Pavilion next to the Community Center. They have requested to use it again on Saturday, September 27, 2014 and in case it is raining they would like to use the Community Center. I don't know if it is available or not but we need to check and let him know. Mr. Graham stated he would check to see if it is available on that date.

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to approve AME Church (Greater St. Paul) to use the Pavilion and or the Community Center if it is available on September 27, 2014. Seconded by Ms. Reagan. Motion approved (6-0).

C. Resolution – Cobb County Emergency Operation Plan

Mayor Jerkins stated we have a Resolution adopting the Cobb County Local Emergency Operations Plan (LEOP). We need a motion to adopt this plan.

Ms. Reagan moved to follow the recommendation of Mayor Jerkins to adopt the Resolution – Cobb County Emergency Operation Plan. Seconded by Mr. Clemons. Motion passed (6-0).

16. ADJOURN

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to adjourn the meeting. Seconded by Ms. Anderson. Motion passed (6-0).