

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, DECEMBER 1, 2014**

Present: Mayor Joe Jerkins
Kirsten Anderson
Ollie Clemson
Randy Green
Virginia Reagan
Scott Thomas
Suzanne Thomason

The regular meeting of the Mayor and Council was held on Monday, December 1, 2014 at 7:00 P.M. at City Hall.

Also present were: Scott Kimbrough, City Attorney; Carolyn Duncan, City Clerk; Sandra Farmer, Deputy City Clerk; General Administration; 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 and Pastor Doc Frady gave the Invocation and Mayor Jerkins led the Pledge of Allegiance.

Mayor Jerkins asked if anyone would like to add items to the Agenda. No one did.

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 \$2,000.30
- C. Approve Minutes of Regular Council Meeting November 3, 2014

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

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

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

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**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mr. Kimbrough stated the meeting will not be until Thursday, December 4, 2014 and at the next Pre-Agenda and Council meeting I will have a report for you.

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

A. Financial Report

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

A. 2015 Calendar & Directory

Mayor Jerkins stated to Ms. Anderson. Before you start on the Committees, each of you has a copy in your information. The Mayor can appoint these members and they do not have to be voted on. I think Sandy has given each one of you the document for the 2015 Committees. I am going to leave the Committees like they are. I would like to make a couple of changes. Mayor Pro-Tem I would like to change this to Ollie Clemons effective January 1, 2015. I would like to make Ollie Clemons the Gas System liaison instead of myself effective January 1, 2015. This will be all the changes I will make for 2015.

Ms. Anderson moved to follow the General Administration Committee to approve the 2015 Calendar and Directory. Seconded by Ms. Reagan. Motion passed (6-0).

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

- A. Police Report
- B. Code Enforcement Report

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10. FIRE DEPARTMENT

**RANDY GREEN, CHAIRPERSON
Tim Williams, Fire Chief**

- A. Fire Report
- B. Employee Christmas Package

Mr. Green stated he would like to turn this over to Chief Williams to explain the Christmas Package.

Chief Williams stated Superior Catering will do our meal this year. Gretchen's Amazing Cakes will provide our cakes this year. We also have the gift program. This year we have eighty-nine (89) employees who will receive 100% Christmas Bonus. We have eleven (11) employees who will receive 50% Christmas Bonus. The Total Package Price is \$37,209.00 and with Council's approval the total amount of the proposal will be \$37,209.00 and the Funds will come from the current budget 100/1110, Line Item 52.3900.

Mr. Green moved to follow the recommendation of the Fire Committee to approve the Employee Christmas Package. Seconded by Ms. Reagan. Motion passed (6-0).

11. PUBLIC WORKS DEPARTMENT

**KIRSTEN ANDERSON, CHAIRPERSON
Randy Bowens, Director**

- A. No Report

12. PARKS DEPARTMENT

**SCOTT THOMAS, CHAIRPERSON
Jim Graham, Director**

- A. Legion Park Restroom Project

Mr. Thomas stated the City of Austell Parks Committee recommends approval of the Legion Park Restroom Project. The project will consist of installing a new ADA compliant restroom facility at Legion Park. The project is estimated to cost \$75,000. The City of Austell has been awarded \$40,000 from Cobb CDBG for this project and the remaining will be funded using money from SPLOST.

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The Parks Department received sealed bids from Latimer & Hughes Construction and Hardimon Contracting Company for the building portion of this project attached for your review. Latimer & Hughes was the low bidder at a cost of \$48,230.00. The Parks Committee recommends awarding the contract to the lowest most responsive bidder Latimer & Hughes Construction.

Mr. Thomas moved to follow the recommendation of the Parks Committee to approve the Legion Park Restroom Project. Seconded by Ms. Reagan. Motion passed (6-0).

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

A. De-Annexation of 5471, 5481, 5491, and 5521 Austell Road

Mr. Clemons stated the Department of Community Affairs has received a request from Brent Green to de-annex out of the City, 7.8 acres located in LL 1287 of the 19th District, 2nd section of Cobb County, parcels 32,31,30, and 28. The property is currently zoned R-15 in the City and will remain R-15 if approved for de-annexation out of the City of Austell. I would like to turn this over to our City Attorney for a Public Hearing.

Mr. Kimbrough stated at this time I would like call for a Public Hearing for the de-annexation of 5471, 5481, 5491, and 5521 Austell Road. The request is from Brent Green to de-annex out of the City, 7.8 acres located in LL 1287 of the 19th District, 2nd section of Cobb County, parcels 32, 31, 30, and 28. The property is currently zoned R-15 in the City and will remain R-15 if approved for de-annexation out of the City of Austell. Mr. Kimbrough asked who was present to speak on behalf of Mr. Green. Mr. Green came forward and Mr. Kimbrough asked if anyone had signed up in opposition. Mr. Graham stated no one had signed in opposition. Mr. Kimbrough swore in Mr. Green.

Mr. Green stated this is something I have been working on for several years. My mom had worked for Cobb County for forty years and she passed a couple of years ago. We wanted to do something to keep green space in our neighborhood as well as have a passive garden and an educational place for children. We have been working on this as far as talking with Lisa Cupid and trying to get everything done. We have to start a corporation if we want a 501C3 and we have to apply for that.

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We have met with the Mayor a couple of times and asked if there would be any grant money. We have also met with Cobb County. The County is willing to work with us and they said there might be some funds available to help us do what we want to do. We went last month to the Planning and Zoning Board to speak with them. Mr. Kimbrough asked if anyone had any questions of Mr. Green. Mr. Kimbrough stated having heard none and no one signed up to speak in opposition and one of the requirements for the statue for the de-annexation we have to have approval from the County and the consent of the County accepting the de-annexation. I am passing the e-mail to you who show their consent and the notice of consent to accept the de-annexation. It is signed by Timothy Lee, Chairman and Helen Gorham, Commissioner and Lisa Cupid, Commissioner. It will be presented to the Board of Commissioner's meeting on December 9, 2014. It has not been officially adopted by the Cobb County Board of Commissioners but what I was told by the individual I spoke with this afternoon and it is on their Consent Agenda to adopt and three of the five have already signed off on it. It appears from what I have been told it will go through at Cobb County and they will receive the official approval on December 9, 2014 at the Board of Commissioner's meeting. Mr. Kimbrough asked if anyone had any questions about Mr. Green's de-annexation. No one did. Mr. Kimbrough stated we need a motion to close the Public Hearing.

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 of the Planning and Zoning Commission voted to approve the application from Brent Green on November 18, 2014. Mr. Kimbrough suggested amending the motion to add with Cobb County's approval. Mr. Clemons amended his motion to include with Cobb County's approval for the de-annexation. Seconded by Ms. Reagan. Motion passed (6-0).

Mayor Jerkins asked if the de-annexation had to go through the State. Mr. Graham stated we are still checking on that and we know our procedure and the County's procedure is fact but we are still checking on the State. We don't know if our manual is out of date and no longer effective but we are still checking on this with the State Legislation.

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B. Austell-Powder Springs Enterprise Zone.

Mr. Clemons stated the Community Affairs Committee recommends that Mayor and Council approve the amendment to the City of Austell Code of Ordinances to add Article III to Chapter 18. The amendment will be to adopt an ordinance as it pertains to enterprise zones.

The Community Affairs Department also recommends the Council approve for the Mayor to sign a joint resolution with Cobb County to enter into a joint enterprise zone venture.

The Austell-Powder Springs Enterprise Zone will be a joint enterprise zone within the City of Austell, Powder Springs, and areas of unincorporated Cobb County. The enterprise zone will allow the City of Austell to grant incentives to qualifying business. The main goal of the enterprise zone is to spur development or redevelopment within the designated areas. I would like to turn this over to Mr. Kimbrough, City Attorney for a Public Hearing.

Mr. Kimbrough stated at this time we call for a Public Hearing on the issue of Austell, Powder Springs Enterprise Zone and the Amendment of the City of Austell Code of Ordinances to add Article 3 to Chapter 18 dealing with the enterprise zone. Mr. Kimbrough asked if anyone was present to speak on behalf of the City with regard to the Enterprise Zone. Mr. Graham stated we do have a Representative from Cobb County to answer any questions. Mr. Kimbrough asked Mr. Graham if anyone had signed in opposition. Mr. Graham stated no. Mr. Kimbrough asked who the representative from Cobb County is. Ms. Mandy Elliott stated her name and Mr. Kimbrough swore in Ms. Elliot. Mr. Kimbrough asked if anyone had any questions of Ms. Elliott about the Enterprise Zone and asked Ms. Elliott if she had anything to say.

Ms. Elliott stated she would like to thank the staff and your cooperation of this new Enterprise Zone with Cobb County, Powder Springs and the City of Austell. I will let you know that the Cobb County Board of Commissioners approved this at their meeting on November 25, 2014. Powder Springs will be voting tonight as well. Mr. Kimbrough asked the Council if they had any questions of Ms. Elliott. Ms. Thomason stated just for the people here that do not know what you are talking about could you please in simple terms explain what an Enterprise Zone is.

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Ms. Elliott stated an Enterprise Zone is a State Law and allows a local jurisdiction to create an area that encourages job creation and redevelopments. What it does once the Ordinance is passed the local jurisdiction can create an area that meets certain criteria. They can meet three out of five criteria and those are poverty, unemployment, under developed, generally distressed. Once that area is created the local jurisdiction can offer property tax abatement to a qualifying business. It creates five new full time jobs or creates a new project or a re-development that increases the property value five to one. Also, it will offer incentives on a case to case basis. It is also a way to create job creation and re-developments. Mr. Kimbrough asked if there are any questions. No one asked a question. Mr. Kimbrough stated at this time we need a motion to close the Public Hearing.

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 of the Community Affairs Committee to approve the amendment to the City of Austell Code of Ordinances to add Article III to Chapter 18. The amendment will be to adopt an ordinance as it pertains to enterprise zones. Also recommends the Mayor sign a joint resolution with Cobb County to enter into a joint enterprise zone venture. Seconded by Mr. Green. Motion passed (6-0).

14. ATTORNEY, DUPREE & KIMBROUGH

A. No Report

15. MAYOR'S REPORT

A. CMA MEETING – HOLIDAY DINNER	DECEMBER 9, 2014
TIME:	6:30 P.M.
LOCATION:	AUSTELL THREADMILL

Mayor Jerkins stated Ms. Duncan has taken care of this. Ms. Duncan stated she had sent out invitations on behalf of Ms. Anderson. Ms. Duncan asked the Council to please let her know if they would attend the dinner.

B. Property Located at Pine Street SW

Mayor Jerkins stated he discussed this property last week at Pre-Agenda and this property is located at Pine Street across from the cemetery and it is a lot.

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The administrator is Gary Martin's wife who is over the property and wants to sell it for twenty-Five hundred dollars (\$2500.00). Mayor Jerkins stated we need a motion on this property to approve the City of Austell to buy this property for \$2500.00.

Mr. Clemons moved to follow the recommendation to approve the Property located at Pine Street SW. Seconded by Ms. Anderson. Motion passed (6-0).

16. ADJOURN

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