

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
CITY HALL BUILDING
MONDAY, SEPTEMBER 12, 2022**

Present:

Mayor Ollie Clemons
Valerie Anderson
Melanie Elder
Devon Myrick
Sandra Leverette
Meredith Adams
Marlin Lamar

Absent: Elizabeth Young

Also, present: Denise Lowe, Finance Director; Bo Garrison, Public Works Director; Brandon Merritt, Fire Chief; Scott Hamilton, Police Chief, Darrell Weaver, Community Affairs Director, Debbie Connor, Executive Assistant and Scott Kimbrough, Attorney

1. CALL TO ORDER

Mayor Clemons called the meeting to order. Reverend Conner gave the invocation & Mayor Clemons led the Pledge of Allegiance. Mayor Clemons asked if anyone had items to add to the agenda. Mrs. Anderson stated she needed to add item 13 I, Austell Gas System Land Sale.

Mrs. Leverette made a recommendation to add to item 13 I. Seconded by Mr. Myrick. Motion passed. (6-0)

Mayor Clemons presented a retirement plaque & pin to Randy Henson & congratulated him for his 20 years of service with the city.

2. CONSENT AGENDA – INFORMATION AND UPDATE

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

2. CONSENT AGENDA

- A. Approve Bills
- B. Approve Legal Bills - \$2,680.00
- C. Approve Minutes of Regular Council Meeting August 1, 2022

Mrs. Anderson made a recommendation to approve the Consent Agenda. Seconded by Mrs. Leverette. Motion passed. (6-0)

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

6. GAS SYSTEM REPRESENTATIVE

OLLIE CLEMONS, MAYOR

Mr. Kimbrough stated it has been a good year so far & not much is going on this time of year.

7. FINANCE DEPARTMENT

VALERIE ANDERSON, CHAIRPERSON

Denise Lowe, Finance Director

A. Financial Report

B. Employee Recruitment & Retention Strategies

Purpose: To address the current employee shortage and be competitive with neighboring jurisdictions in recruiting new talent while incentivizing current employees to remain working with the city.

Over recent years, the city and neighboring municipalities have been trying to combat worker shortages. In response, cities and counties are funding aggressive strategies to recruit and retain employees. The city must try to keep pace with these efforts to attract and retain a talented work force. The attached strategies detail how the city would like to address three main areas, 1) Increase base entry level pay; 2) Provide bonuses; 3) Allow adjustments to vacation and sick leave. These changes will be initially funded with recovery of revenue through ARPA funds and then sustained with property tax and franchise fee revenues.

It is the recommendation to approve attached strategies for recruiting and retaining employee talent.

Mrs. Anderson made a recommendation to approve the employee recruitment & retention strategies. Seconded by Mrs. Leverette. Motion passed. (6-0)

8. GENERAL ADMINISTRATION

MELANIE ELDER, CHAIRPERSON

Elizabeth Young, Director

A. No Report

9. POLICE DEPARTMENT

DEVON MYRICK, CHAIRPERSON

Scott Hamilton, Police Chief

A. Police Report

B. Purchase of Chiefs Vehicle

This purchase is to accommodate Chief Hamilton in his role as Police Chief.

Purchase of a 2022 Ford F-150 4X4 Super crew Truck. \$39,806.76

Emergency Equipment Package- Dana Supplies- \$9164.00

Total Price- Turnkey -\$48,970.76

Will be paid out of SPLOST 2022 Account # 345-3210-54-2200

Mr. Myrick made a recommendation to approve the purchase of the Police Chiefs vehicle. Seconded by Mrs. Anderson. Motion passed. (6-0)

C. Major Position – Information Only

The Major position will be in charge of the Support and Administration division. This division is in charge of the most time sensitive and high liability areas such as policy and procedures, evidence, Internal Affairs, etc.

D. Executive Assistant to Police Chief – Information Only

The Executive Assistant to Police Chief performs a variety of responsible, complex, and highly confidential administrative, technical, and secretarial support duties primarily for the Police Chief.

10. FIRE DEPARTMENT

MARLIN LAMAR, CHAIRPERSON

Brandon Merritt, Fire Chief

A. Fire Report

Mr. Myrick asked the status of the new ladder truck. Chief Merritt stated it should be delivered early October as of right now.

11. PUBLIC WORKS DEPARTMENT

SANDRA LEVERETTE, CHAIRPERSON

Bo Garrison, Director

A. No Report

12. PARKS DEPARTMENT

MEREDITH ADAMS, CHAIRPERSON

Darrell Weaver, Director

A. Veterans Memorial Park

Parks Department is requesting approval to move forward with the landscape component for our Veterans Memorial Park Improvement project. The Department is currently seeking bids on this component and will award to the lowest bid. We are asking to approve the amount up to, and not to exceed, \$70,000.00. Funds will be paid for with our SPLOST funds.

Mrs. Adams made a recommendation to award the bid for Veterans Memorial Park. Motion seconded by Mr. Myrick. Motion passed. (6-0)

13. COMMUNITY AFFAIRS

VALERIE ANDERSON, CHAIRPERSON

Darrell Weaver, Director

A. Code Enforcement Report

B. Annexation/Rezoning – Maxham Rd. (unaddressed parcel)

A request by Maxham Investments, LLC to rezone and annex property located at an unaddressed parcel on Maxham Road (Tax ID #1802500310) from GC and R-20 to GC for the purpose of RV Storage and future outparcel development. Mr. Kimbrough opened the public hearing for the annexation. No one spoke in opposition.

Mrs. Anderson moved to follow the recommendation of Mr. Kimbrough to close the public hearing. Seconded by Mr. Myrick. Motion passed. (6-0)

Mrs. Anderson made a recommendation to approve the annexation for Maxham Rd. Seconded by Mr. Myrick. Motion passed. (6-0)

Mr. Kimbrough opened the public hearing for the rezoning. No one spoke in opposition.

Mrs. Anderson moved to follow the recommendation of Mr. Kimbrough to close the public hearing. Seconded by Mrs. Adams. Motion passed. (6-0)

Mrs. Anderson made a recommendation to approve the rezoning for Maxham Rd. Seconded by Mrs. Adams. Motion passed. (6-0)

C. Annexation/Rezoning – 200 Maxham Rd.

A request by Maxham Investments, LLC to rezone and annex property located at 200 Maxham Road (Tax ID #02581820004) from C-H to GC for the purpose continuing the use as commercial offices an auto broker with no on-site display/sales and RV repairs conducted inside the building. Mr. Kimbrough opened the public hearing for the annexation. No one spoke in opposition.

Mrs. Anderson moved to follow the recommendation of Mr. Kimbrough to close the public hearing. Seconded by Mrs. Adams. Motion passed. (6-0)

Mrs. Anderson made a recommendation to approve the annexation for 200 Maxham Rd. Seconded by Mrs. Adams. Motion passed. (6-0)

Mr. Kimbrough opened the public hearing for the rezoning. No one spoke in opposition.

Mrs. Anderson moved to follow the recommendation of Mr. Kimbrough to close the public hearing. Seconded by Mr. Myrick. Motion passed. (6-0)

Mrs. Anderson made a recommendation to approve the rezoning for 200 Maxham Rd. Seconded by Mr. Myrick. Motion passed. (6-0)

D. Rezoning – 5640 Westside Rd. & 3700 Goodwin Rd.

A request by JMC Development, LLC to rezone property located at 5640 Westside Road & 3700 Goodwin Road from R-30 (residential) to PUD (residential) for the purpose of a residential development.

Mrs. Anderson made a recommendation to approve the rezoning. Mrs. Adams seconded, however her second was to deny the request. After Mr. Kimbrough researched Robert's Rules of Order, the vote was allowed. Motion denied. (4-2)

E. Tenant Occupancy Permit Process

The Community Affairs Department has been working with the Austell Fire Department to streamline a way for inspections and documentation of individual suite/tenants of multi-use properties. After researching other jurisdictions, the use of a tenant occupancy permit, similar to a certificate of occupancy, is used in these occurrences.

The following was found:

Powder Springs: \$125.00 (if under 3000 sq ft and 1 floor...Fire fee is \$100)

Smyrna: \$125.00 – (Fire fee - \$200 for projects up to 10,000 S.F.

\$0.02 per S.F. if total square footage of new construction/renovation is > 10,000

S.F.

Technology Fee- \$15

Cobb County: \$100.00 (if under 3000 sq ft and 1 floor....Fire fee is \$100)

Proposed fee for Austell: \$150.00 (Which includes a Fire Inspection Fee \$50.00)

Question - What is the purpose of a Tenant Occupancy Certificate, (TOC)?

Answer - The minimum requirements of the International Building Code (IBC) is to "safeguard public health, safety and general welfare of the occupants of new and existing buildings and structures." (Reference 2018 IBC Effective Use of the International Building Code. Page ix).

Purpose - A Tenant Occupancy Certificate is needed on new, and existing businesses to ensure the safety of the building occupants. That includes employees as well as the general public.

Question - What do I need to do to be in compliance with the requirements of a TOC?

Answer - General Life Safety and ADA compliance is needed to pass the inspections for a TOC. Each business is unique and may require safeguards that are not necessary for other businesses. For most businesses the following is a general synopsis of what the inspectors are looking for:

1. Zoning must approve the business type for the proposed location.
2. Once zoning has given you their approval an application must be applied for at the Department of Community Affairs. Architectural plans will need to be submitted at this time.
3. Fire extinguishers must be installed and have a current tag.
4. Emergency exit lighting must be in compliance.
5. The means of egress, (to go out) must not be obstructed.
6. All signage must be posted. This includes, but not limited to, egress, bathrooms, no smoking, Arc fault hazard, etc.
7. If you are in a strip mall the building separation requirements will be verified.
8. Again, all businesses are unique in nature and will probably have some unique safety requirements as well. Most of this will be addressed during the plan review process.

Question - Who will be doing our inspections?

Answer - The Austell Fire Department will be inspecting the building for any and all life safety issues. The Department of Community Affairs Building Official will be inspecting the structural components, as well as mechanical, electrical, and HVAC, (heating and air). He will also inspect any construction changes, or new construction work.

Mrs. Anderson made a recommendation to approve the tenant occupancy permit process. Seconded by Mr. Myrick. Motion passed. (6-0)

F. Enterprise Zone Incentive Program

As you may recall, in 2014 the city adopted the Enterprise Zone ordinance to offer a tool that would encourage and incentivize private businesses to reinvest, renovate, restore, improve and rehabilitate areas of Austell resulting in improving economic vitality and increased employment opportunities. Staff has recently received a request

from the owner/developer of the Cincinnati Junction project in downtown Austell along Broad Street for inclusion in the Enterprise Zone program.

Staff is in support of the following incentives:

1. Exemption from state, county and municipal ad valorem taxes in accordance with the schedule identified within the Enterprise Zone Ordinance.
 - 100% of property taxes exempt year 1-5
 - 80 % of property taxes exempt year 6-7
 - 60% of property taxes exempt year 8
 - 40% of property taxes exempt year 9
 - 20% of property taxes exempt year 10
2. Waiver of building permit and inspection fees.
3. Exemption of “pioneer” business license fees for 5 years. “Pioneer” being the first business to occupy and operate out of the subject project. Any subsequent businesses shall not be eligible.
4. Exemption of the Stormwater Impervious Surface fees.
5. Credit of \$200 toward water meters (up to 1 ½ inch lines).
6. Applicant has received a waiver of right-of-way permit fees for stormwater improvements.

Mrs. Andersons made a recommendation to approve the Enterprise Zone Incentive Program. Seconded by Mr. Myrick. Motion passed. (6-0)

G. Comprehensive Plan Update

It is the recommendation of the Community Affairs Department to authorize the Atlanta Regional Commission to submit the city’s draft 2022 Comprehensive Plan Update to the Georgia Department of Community Affairs for review.

Mrs. Anderson made a recommendation for approval. Seconded by Mrs. Leverette. Motion passed. (6-0)

H. Variance Board Appointment

It is the recommendation of the Community Affairs Department to appoint Tim Adams for a two-year term expiring July 31, 2024.

Mrs. Anderson made a recommendation to deny the request. Seconded by Mrs. Leverette. Motion passed. (4-2)

I. Austell Gas System Land Sale

As you may recall, the Austell Gas System (AGS) recently placed approximately 15.86 acres of land off Joe Jerkins Boulevard and Hutcheson Drive for sale as surplus property. Staff had considered several inquiries for the future use of the property, many of which were not appropriate for the surrounding land uses; however, one potential purchaser offered a proposal that appeared to blend well with the area.

The proposed purchasing party is Quality Diversified Services (QDS) who is a local based, nationally serving, tree removal and emergency response company who employs

approximately 7 in office employees and an additional approximate 8 field personnel. Their proposal includes an approximately 30,000 square foot building with office and warehouse space. Traffic would enter/exit off Joe Jerkins Boulevard. AGS will retain approximately 3.01 acres along Hutcheson Drive with the remaining 12.85 acres being sold to QDS. Additionally, QDS currently owns two adjoining parcels along Rolly Street accounting for approximately 6.14 acres that will be included in the purchase of the AGS property that will be transferred into the name of the City of Austell.

AGS is offering to sell the 12.85 acres of land to the City of Austell for an amount of one dollar (\$1.00) with the City of Austell then selling the property to QDS for an amount of \$315,000, minus closing costs and broker fees, plus the additional two properties owned by the purchaser located off Rolly Street in downtown Austell. City Attorney Scott Kimbrough is currently drafting all applicable paperwork for this transaction.

Staff is requesting approval for the Mayor to move forward with the proposed purchase and resale transaction.

Mrs. Leverette made a recommendation to approve the land sale. Seconded by Mr. Myrick. Motion passed. (6-0)

14. ATTORNEY, DUPREE & KIMBROUGH

- A. 2022 Douglas County SPLOST IGA & Referendum
- B. 2022 Douglas County SPLOST Referendum Resolution

Mrs. Anderson made a recommendation to approve the IGA & Resolution. Seconded by Mrs. Leverette. Motion passed. (6-0)

15. MAYOR'S REPORT

- A. No Report

16. ADJOURN

Mr. Myrick made a recommendation to adjourn the meeting. Seconded by Mr. Lamar. Motion passed. (6-0)

Dellie Clemons Jr.
 Mayor
NOV. 7, 2022
 Date

Elizabeth Young
 Attest