

**MINUTES OF THE  
REGULAR COUNCIL MEETING  
CITY OF AUSTELL  
CITY HALL BUILDING  
FEBRUARY 6, 2023**

Present:

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

Also, present: Denise Lowe, Finance Director; Bo Garrison, Public Works Director; Brandon Merritt, Fire Chief; Scott Hamilton, Police Chief, Darrell Weaver, Community Affairs Director, Elizabeth Young, City Clerk and Scott Kimbrough, Attorney

**1. CALL TO ORDER**

Mayor Clemons called the meeting to order. Pastor Hooper gave the invocation & Mayor Clemons led the Pledge of Allegiance. Mayor Clemons asked if anyone had items to add to the agenda. Mrs. Anderson added item 13H, CDBG Sub-Recipient Agreement, Mr. Myrick added item 9B, Camera Purchase, and Ms. Elder added item 8A, CivicPlus.

*Mrs. Anderson made a recommendation to add items 13H, 9B, & 8A. Seconded by Mrs. Adams. Motion passed. (6-0)*

Mayor congratulated Jannette Mariani-Herrera & Kiona Warren (not present) on 5 years of service with the city.

Chief Hamilton thanked Austell First United Methodist Church for the recent help during an event.

**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 - \$3,222.50
- C. Approve Minutes of Regular Council Meeting January 9, 2023

*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**

Mr. Tim Adams asked if the city could follow up on the DNR paperwork that was signed by Mayor Clemons. Mr. Weaver stated they have reached out to the DNR and Mr. Kimbrough stated he would check into it also.

Mr. Derek Caffé asked if there was an update on the LCI study, mainly the railroad quiet zone and the road diet plan.

Ms. Monica Delancey is from the city of Mableton and gave an update on her community.

#### **6. GAS SYSTEM REPRESENTATIVE**

##### **OLLIE CLEMONS, MAYOR**

Mr. Kimbrough stated December 2022 had new daily records due to the cold weather. The gas system is still in good shape.

#### **7. FINANCE DEPARTMENT**

##### **VALERIE ANDERSON, CHAIRPERSON**

##### **Denise Lowe, Finance Director**

A. Financial Report

#### **8. GENERAL ADMINISTRATION**

##### **MELANIE ELDER, CHAIRPERSON**

##### **Elizabeth Young, Director**

A. CivicPlus

The General Administration Committee met in November and discussed the topic of CivicPlus, which was also presented to Mayor, City Council, and Directors at our recent retreat in December. CivicPlus is a platform that is integrated with Municode and will assist in preparing meetings, agendas, minutes, and many other features. It was determined that CivicPlus would be an asset to the city and necessary for progression. Please see packet.

Below is the cost:

- Premium meetings management - \$5,500
- Meetings Hub - \$1,100
- One-time Build Fee - \$1,500
- Existing Municode Client grants 10% discount on renewables for your first year - \$660 discount

Total year 1 investment = \$7,440  
Each additional year = \$6,600 (+ 5% tech uplifts)  
Funds will come from 100-1330-52.1300

*Ms. Elder made a recommendation to approve CivicPlus. Seconded by Mrs. Anderson. Motion passed. (6-0)*

## **9. POLICE DEPARTMENT**

### **DEVON MYRICK, CHAIRPERSON**

#### **Scott Hamilton, Police Chief**

A. Police Report

B. Camera Purchase

Per the Austell City Ordinance under the "**Procurement Policy...Sec. 2-276 (C) (4) Criteria for purchases and bids**", full documentation shall be submitted to the mayor and city council for the lack of a competitive market as applicable. The following is such documentation: Chief O.S. Hamilton and the Austell Police Department are filtering through a significant transition as it relates to current antiquated technology being used by the PD as opposed to up-to-date technology that is more conducive to the types of policing in 2023. As Deputy Chief of Cobb County PD, Chief Hamilton oversaw the PD vehicle fleet, which encompassed in-car cameras and body cameras. As Major with the Brookhaven Police Department, Deputy Chief Harrell occupied a similar role. Chief Hamilton and Deputy Chief Harrell are well-versed in the Procurement process and vetting vendors for bids. They both are well acquainted with vendors affiliated with in-car/body cameras, including Axon. They have set in several meetings with vendors, such as watch guard, utility, Axon, Motorola, et cetera., over the last 3 years, and have an excellent working knowledge of each product.

Austell Police department recently conducted a test trial of Safe Fleet's upgraded cameras and discovered several drawbacks with this product. Some of the issues are as follows:

- **Body camera takes a long time to download the videos because they have to be downloaded on a desktop until a downloading station is accessible.**
- **The body camera does not always sync with the vehicle as it should or lags when you activate the blue lights.**
- **The body camera comes off easy if you smack the bottom of it in an upper position.**
- **Body camera dash cam does not have the best night quality, and some videos are very dark at night. Night vision could be better.**

Due to this experience and after several meetings with the current vendor (Safe Fleet), who services the Austell Police Department with cameras, Chief Hamilton and his staff has decided to part ways with Safe Fleet and move forward with Axon. Chief Hamilton and his team respectfully ask the mayor and city council to consider "Axon" as a sole source vendor and bypass the bid process.

Some reasons why Axon should be considered a sole source is because of the following:

- Axon services approximately 80% of Law enforcement agencies in metro Atlanta, including Cobb County police and the Cobb County Sheriff's office.
- Austell PD plans to partner with CCPD to be part of their Real Time Crime Center. CCPD's RTCC is currently linked to an intelligence system called "Fusus." Fusus is a software plugged into the network (RTCC) and can connect with all cameras linked to the system; this includes city and county-wide. They can view business cameras, DOT cameras, residential cameras, et cetera. This capability will allow Austell PD to conduct investigations at a high level and increase the probability of solving violent crimes that plague the city.
- Axon is the only vendor to date that links with the fusus software.

Axon's ability to link with fusus will allow Austell PD to operate more efficiently and collaborate with local LE agencies more effectively if they utilize the same camera system. These are the most prominent justifications for why Axon should be considered a sole source.

*Mr. Myrick made a recommendation to approve the Camera Purchase. Seconded by Mrs. Adams. Motion passed. (6-0)*

## **10. FIRE DEPARTMENT**

### **MARLIN LAMAR, CHAIRPERSON**

#### **Brandon Merritt, Fire Chief**

#### A. Fire Truck Presentation

The new ladder truck was at City Hall before the council meeting for everyone to see.

#### B. Fire Report

#### C. Request for Additional Personnel (Information Only)

The Fire Department met with the Fire Council Committee on January 18 to discuss the need for adding additional personnel to the Fire Department. After meeting, the committee decided to move forward with bringing the recommendation to council. Due to the annexations and development in the city over the last few years, the annual call volume increasing, and with the addition of the ladder truck, the Fire Department has reached the point with personnel that we are in need of adding firefighters to each shift to help with staffing. The Fire Department is asking for the addition of two personnel per shift. One position will be filled with a full-time employee and one position will be filled with part-time personnel to help save the cost of benefits and

overtime. Any part-time employee would already be a certified firefighter. We operate with three shifts so there would be a total of six positions filled. With the addition of staffing, this would be helpful when someone is out for leave or training and aid in the number of calls that can be responded to at any given time.

The estimated cost of full-time position including all benefits:

One on each shift; at three shifts = 3 positions total	\$210,000 total
One position filled with part-time 365 days per year	\$165,000 total

D. Request for Realigning Rank

The Fire Department met with the Fire council committee on January 18, during this meeting there was some discussion of some needed realignment of the rank structure to help with the chain of command, and adequate staffing for additional apparatus. After meeting, the committee decided to move forward with bringing the recommendation to council. The realignment of positions would include adding a rank to our rank structure in the suppression division along with realigning our current ranks. This would also help with safety and having an officer on each apparatus. This change would have a cost of approximately \$25,000 - \$30,000 annually. At the same time, we are requesting to change the “Assistant Chief” position to “Deputy Chief”. This change is requested due to the term “Deputy Chief” is a more standard name for that position and is more commonly used in surrounding jurisdictions.

*Mr. Lamar made the recommendation to approve the request for Realigning Rank. Seconded by Mrs. Adams. Motion passed. (6-0)*

E. Addition to Fire Station #2 (Information Only)

On January 18 the Fire committee met regarding the need for additional personnel. It was discussed that an addition to the station would be required to accommodate this change. The addition would be approximately 26’x26’ and would be located at the south end of the building. It would include three bedrooms, a small office area and storage. We are currently looking into an estimated cost for this project.

## 11. PUBLIC WORKS DEPARTMENT

**SANDRA LEVERETTE, CHAIRPERSON**

**Bo Garrison, Director**

A. No Report

## 12. PARKS DEPARTMENT

**MEREDITH ADAMS, CHAIRPERSON**

**Darrell Weaver, Director**

A. Jefferson Street Park Conceptual Project

In efforts to redevelop and revitalize the downtown area, a need has been identified for creating a sense of place for the community to enjoy. Such an area would allow

visitors to enjoy downtown and the various businesses serving the community. Staff began conversations with Ron Huffman, the architect who assisted the city with the redevelopment of Veterans Memorial Park, to generate ideas on how to create such an experience downtown. The Jefferson Street Park conceptual plan was created incorporating history with modern activities such as seasonal splash pads paying homage to the various springs which founded Austell as well as a ghost structure honoring a former fire station that once sat in the center of the existing parking area. Within that ghost structure would be a piece of play equipment reflecting a fire apparatus. Parking would be reconfigured with a net loss of only a few spaces while incorporating more sidewalks and street trees making this area of downtown more inviting and enjoyable. Therefore, staff is requesting to move forward with the beginning stages of creating this new park including updated cost estimates, surveying and finalizing a plan for Mayor and Council approval.

*Mrs. Adams made a motion to approve the Jefferson Street Park Conceptual Plan. Seconded by Mr. Myrick. Motion passed. (6-0)*

### **13. COMMUNITY AFFAIRS**

**VALERIE ANDERSON, CHAIRPERSON**

**Darrell Weaver, Director**

- A. Code Enforcement Report
- B. 3575 Old Thompson Dr. – Rezoning & Annexation

***Application 2022-30R & 2022-31A:*** by Quality Diversified Services, LLC to rezone and annex approximately 0.47 acres located at 3575 Old Thompson Drive (Tax ID #19109100270) from R-20 (Residential) to GC (General Commercial) to continue the use of commercial office and outdoor storage. The full staff report and supporting documents are attached. Mr. Kimbrough opened for a rezoning public hearing. Mr. Stefan LeBlanc spoke on behalf of Quality Diversified Services, LLC. He stated there would be small trucks parked on the property & small equipment would be stored inside the building. Mr. Kimbrough asked if anyone signed up in opposition. No one signed up to speak in opposition. Refer to the required stipulations requested by Cobb County in their non-objection letter.

*Mrs. Anderson made a motion to close the rezoning public hearing. Seconded by Mrs. Leverette. Motion passed. (6-0)*

*Mrs. Anderson made a motion to approve the rezoning with stipulations from Cobb County. Seconded by Ms. Elder. Motion passed. (5-1 Mr. Myrick opposed)*

Mr. Kimbrough opened up for an annexation public hearing. No questions were asked.

*Mrs. Anderson made a motion to close the annexation public hearing. Seconded by Ms. Elder. Motion passed. (6-0)*

*Mrs. Anderson made a motion to approve the annexation. Seconded by Mrs. Leverette. Motion passed. (6-0)*

C. 5640 Westside Road & 3700 Goodwin Road – Rezoning

**Application 2022-21R:** by JMC Development, LLC request to rezone approximately 28.35 acres at 5640 Westside Road and 3700 Goodwin Road (Tax ID #19131400070, 19131400020 and 19131500060) from R-30 (Residential) to PUD (Planned Unit Development –Residential) for the purpose of a residential development. Mr. Kimbrough opened for a rezoning public hearing. Mr. Allen Smith was present on behalf of JMC Development. Mr. Bryan Mills spoke in opposition.

*Mr. Myrick made a recommendation to close the rezoning public hearing. Seconded by Mr. Lamar. Motion passed. (6-0)*

*Mrs. Anderson made a recommendation to approve the rezoning request. Seconded by Mr. Myrick. Motion passed. (5-1 Mr. Lamar opposed)*

D. Convenience Store/Gas Station Moratorium

Staff has been receiving an increasing number of inquiries and proposals for convenience stores and gas stations throughout various corridors in the city. Many of these areas are in close proximity to residential communities as well as key areas of redevelopment efforts. Parcels within these areas are currently zoned General Commercial which allows for these uses by right making it difficult for staff to ensure harmonious development patterns complimenting surrounding uses instead of creating potential nuisances. As a result, staff is requesting a moratorium for a period of one-year on any newly proposed convenience stores and/or gas stations to allow time to evaluate existing zoning regulations and how to address these concerns moving forward.

*Mrs. Anderson made a recommendation to approve the Convenience Store/Gas Station Moratorium. Seconded by Mrs. Leverette. Motion passed. (6-0)*

E. Threadmill Complex RFP

The Threadmill Complex has been reaching the end of its sustainability as infrastructure is aging rapidly. Key components such as the elevators, boiler room, cooling tower and parking lot are all at the stage where they are facing the need for replacement. These items would be costly for replacement and could fail at any time.

Costs have been estimated at:

Elevators: \$265,125.00

Boiler Room: \$338,000.00

Cooling Tower: \$417,000.00

Parking Lot: \$250,000.00

Emergency Generator: TBD

This is all in addition to the roof replacement currently occurring with an estimated cost of \$1,459,500. Staff has been exploring all options for the Threadmill Complex being sensitive to the historic and unique value it brings to the community. One option that staff has been approached with was the potential for the Threadmill Complex to be redeveloped into a mixed use live/work/play venue similar to Ponce City Market or the Etowah Mill. Therefore, staff is requesting to move forward with producing and putting out an RFP for options and opportunities to redevelop the Threadmill Complex and surrounding campus.

*Mrs. Anderson made a recommendation to approve the Threadmill Complex RFP. Seconded by Mr. Myrick. Motion passed. (6-0)*

F. Sale of City owned Property

Staff has been approached by the real estate community seeking properties within the city for potential industrial warehouse and/or distribution developments. These are job creators that will also help balance the city's tax digest; however, like most metro area communities, large enough tracts to do so is scarce. After looking at properties that would make sense within proximity of the intermodal and Thornton Road, the city's property along Luke Glenn Garrett, Jr. Memorial Highway has entered conversations. The property is currently over thirty (30) acres in size with quite a bit in floodplain and Sweetwater Creek frontage. There is an opportunity to develop a portion of this tract while retaining additional greenspace to incorporate within the city's greenspace network and creek frontage. Therefore, staff is requesting to move forward with conversations with interested parties to bring potential concepts for development to the Mayor and Council for consideration.

*Mrs. Anderson made a recommendation to approve the Sale of City owned Property. Seconded by Mr. Myrick. Motion passed. (6-0)*

G. Privilege License Approvals

Attached is a listing of Alcohol Privilege License Renewal requests received. Each applicant has conducted and passed the required background checks by the Austell Police Department. Staff recommends approval of each of the requests listed.

Johnny's Liquor Store (Aziz Farista) 5770 Harris Street, Austell, GA 30168  
Austell Gas and Food (Heena Amin Virani) 5161 Austell Road, Austell, GA 30106

*Mrs. Anderson made a recommendation to approve the Privilege License. Seconded by Mr. Lamar. Motion passed. (6-0)*

H. CDBG Subrecipient Agreement

See attached agreement.



*Mrs. Anderson made a recommendation to approve the CDBG Subrecipient Agreement. Seconded by Mr. Myrick. Motion passed. (6-0)*

**14. ATTORNEY, DUPREE & KIMBROUGH**

- A. Douglas County SDS Animal Control Agreement  
See attached agreement.

*Mrs. Anderson made a recommendation to approve the Douglas County SDS Animal Control Agreement. Seconded by Mr. Myrick. Motion passed. (6-0)*

**15. MAYOR'S REPORT**

- A. CMA Meeting  
February 22, 2023 at the Cobb Chamber

Mayor Clemons stated he would be having a State of the City Address in several weeks.

**16. ADJOURN**

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

*Willie Clemons Jr.*  
Mayor

3-10-2023  
Date

*Elizabeth Young*  
Attest