

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
CITY HALL BUILDING
MONDAY, JANUARY 4, 2021**

Present:

Mayor Ollie Clemons
Valerie Anderson
Melanie Elder
Devon Myrick
Sandra Leverette
Randy Green
Marlin Lamar

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

1. CALL TO ORDER

Mayor Clemons called the meeting to order, gave the invocation & led the Pledge of Allegiance. Mayor Clemons asked if anyone needed to add items to the agenda. No items were added.

2. CONSENT AGENDA – INFORMATION AND UPDATE

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

3. CONSENT AGENDA

- A. Approve Bills
- B. Approve Legal Bills - \$2,276.80
- C. Approve Minutes of Regular Council Meeting December 7, 2020

Mrs. Anderson moved to follow the recommendation of Mayor Clemons to approve the Consent Agenda. Seconded by Mrs. Leverette Motion passed. (6-0)

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

Mrs. Ann Turner sent an email regarding Legion Field:
Questions for City Council (For Citizens' Report part of Pre-Agenda meeting. And regular meeting on 4 January 2021)

From: Ann F Turner (Lady of the Orange Mailbox)

Because I cannot attend the Agenda meeting tonight to ask in person, I am asking this way.:

What happened to the monies the city must have received from the sale of the equipment from Legion Field? See next question for the answer.

Where has/or into what account has the money been placed? And is it earning interest for the City?

As a general rule, we deposit all money from checks or direct wires (Govdeals) from sales of PPE into a general account. That account is interest-bearing. We do not track the proceeds or interest earned separately, unless there is a stipulation to do so. Examples of that would be a grant agreement or like the fire truck sale that was specifically for purchase of fire equipment.

How will the sale of that property benefit the children of the City of Austell? The baseball fields and equipment previously managed by Global Sports were in various stages of disrepair, and with the decision to repurpose the park, to be guided by the citizens and upcoming Master Park and Greenspace Plan it was imperative to remove these items for safety purposes. There were rusted metal parts, trip hazards, and exposed steel piping. The current benefit is a safe green space for kids to run and play in, and new nature trail to walk on.

Was that not the purpose for the park in the first place? The purpose of the park was to provide a first-class experience for children and their families in Austell. The equipment at Legion was obsolete, as the dimensions of the back stops were not baseball standard compliant in Cobb and could not be used in league play. In comparison the children of Austell would opt to play at the Cobb County Clarkdale Park baseball fields located a mile or two down the street, and Legion was used primarily by "out of Austell" travel baseball teams.

Thank you for not considering me a nosy citizen. I am a tax paying citizen, who many years ago chose to buy property in the City partly because it was being run efficiently, and partly because it had a small-town feel. I do not want to see Austell become another "Vinings" type place, where people cannot afford to live. The Master Parks and Greenspace Plan, in gathering input from today's citizens and families will ensure that Austell keeps that "small town" feel that everyone enjoys.

But, I do wish the City had and can retain places where; children can go to playgrounds, adults can use exercise equipment, people can collect a pick-up team for ball-related sports, and especially for me, a place where I can walk my dog SAFELY after dark.

Thank you.
Ann F Turner

**6. GAS SYSTEM REPRESENTATIVE
OLLIE CLEMONS, MAYOR**

- A. Mr. Kimbrough stated the gas system is ahead for the physical year than last year & we are 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. 2021 Qualifying Fees

According to the election laws of the State of Georgia (Reference O.C.G.A. §21-2-131), municipalities are required to publish the qualifying fees for each office in an election year.

Qualifying fees for nonpartisan municipal offices in Georgia are 3% of the previous year's gross salary for the office and are to be set and published no later than February 1st of each year in which there is a regular election. These fees will be published in the MDJ newspaper and posted on our website.

The qualifying fee for Council Members is \$432.00.

Ms. Elder moved to follow the recommendation of Mayor Clemons to approve the 2021 Qualifying Fees. Seconded by Mr. Myrick. Motion passed. (6-0)

**9. POLICE DEPARTMENT
RANDY GREEN, CHAIRPERSON
Bob Starrett, Police Chief**

- A. Police Report

10. FIRE DEPARTMENT

MARLIN LAMAR, CHAIRPERSON
Brandon Merritt, Fire Chief

A. Fire Report

11. PUBLIC WORKS DEPARTMENT

SANDRA LEVERETTE, CHAIRPERSON
Bo Garrison, Director

A. No Report

12. PARKS DEPARTMENT

DEVON MYRICK, CHAIRPERSON
Jim Graham, Director

A. No Report

13. COMMUNITY AFFAIRS

VALERIE ANDERSON, CHAIRPERSON
Jim Graham, Director

A. Code Enforcement Report

B. Rezoning 2940, 2944, 2956 & 2962 Humphries Hill Road

The Community Affairs Department received an application from Shamrock Building Systems, Inc. to rezone the property located at 2962, 2944, 2956 Humphries Hill Road. In LL 93 of the 18th district of Cobb County from General Commercial to Residential Duplex, and 2940 Humphries Hill Road, LL 93 of the 18th district of Cobb County from R-15 to Residential Duplex to correct the existing structures zoning with the Official Zoning map of Austell.

Mrs. Anderson turned it over to our city attorney, Mr. Kimbrough for a public hearing. Mr. Kimbrough called Attorney Joel Larkin & Mr. & Mrs. Burke up front. Mr. Kimbrough swore in Mr. & Mrs. Burke. Mr. Larkin stated he is representing Burke Family Enterprises. The addresses on Humphries Hill were developed years ago as duplexes. Some of the duplexes are not zoned correctly. It was suggested to have them rezoned to the correct classification to conform to the city zoning ordinance.

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

The Community Affairs Department recommends approving this request.

The Planning and Zoning Board voted (6-0) to approve the rezoning.

Mrs. Anderson moved to follow the recommendation of Mayor Clemons to approve the rezoning of 2940, 2944, 2956 & 2962 Humphries Hill Road. Seconded by Mr. Myrick. Motion passed. (6-0)

C. Privilege License

Listed below are the Privilege License Renewals for 2021. The Community Affairs Committee requests Council to approve the following renewals, pending the payment for renewals for 2021.

Privilege License Renewals for 2021

Beer, Wine, and Liquor

**Package Retail
Malt Beverages Only**

**Package Retail
Malt Beverages and Wine**

1. Stop Buy Food Mart - 2954 Bankhead Highway
2. Austell Food Store - 5565 Austell Powder Springs Road
3. Austell Beer and Wine - 3034 Bankhead Highway
4. Austell Convenience Mart - 4805 Austell Powder Springs Road
5. Marathon Food Mart – 5184 Austell Road
6. 12Z Food Mart, Inc. D/B/A Austell Texaco – 2671 Jefferson Street
7. Sebo LLC D/B/A Quick Serve – 131 Maxham Road
8. Clipper Petroleum, Inc. D/B/A Circle M Food Shop – 141 Maxham Road
9. Al’s package Store – 5770 Harris Street
10. Austell Texaco – 2671 Jefferson Street

Package Retail Liquor

1. Sewani Brothers & Co DBA/Joe’s Bottle Shop - 3034 Veterans Memorial Hwy
2. Al’s Liquor – 5770 Harris Street
3. Johnny’s Liquor Store – 5770 Harris Street

**Consumption on Premises
Malt Beer and Wine**

1. Secng H. Lee DBA/ Café’ Hot Wings – 1951 Veterans Memorial Hwy. Suite 201
2. Dillon’s Catering, LLC 2710 Jefferson Street

**Consumption on Premises
Malt Beverages, Wine, and Liquor**

3. La Salsa – 2856 Veterans Memorial Highway
4. South Cobb Diner – 5850 Love Street
5. El Galaxy – 5055 Austell Road

Title Pawn

1. Austell Gold and pawn – 6205 Veterans Memorial Hwy.

Towing Services

1. Henson’s Wrecker Service – 1975 Veterans memorial Hwy.
2. Willie’s Wrecker Service – 1930 Royal Ind. Blvd.
3. Dixie Wrecker Service – 7220 Old Beulah Road Lithia Springs
4. Massey Wrecker Service – 3795 Kings Hwy. Douglasville

Bail Bonding Companies

1. A - 24 Bonding Company – 2238 Austell Road Marietta
2. A – Accommodating Bail Bonds

Mrs. Anderson moved to follow the recommendation of Mayor Clemons to approve the Privilege License. Seconded by Mrs. Leverette. Motion passed. (6-0)

14. ATTORNEY, DUPREE & KIMBROUGH

- A. No Report

15. MAYOR’S REPORT

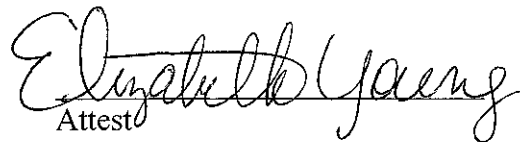
- A. No Report

16. ADJOURN

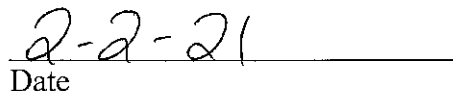
Mr. Myrick moved to follow the recommendation of Mayor Clemons to adjourn the meeting. Seconded by Mrs. Leverette. Motion passed. (6-0)



Mayor



Attest



Date