

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, NOVEMBER 7, 2016**

Present: Mayor Joe Jerkins
Kirsten Anderson
Valerie Anderson
Ollie Clemons
Randy Green
Sandra Leverette
Scott Thomas

The regular meeting of the Mayor and Council was held on Monday, November 7, 2016 at 7:00 P.M. at City Hall.

Also present were: Scott Kimbrough, City Attorney; Sandra Farmer, City Clerk; Denise Soesbee, Finance Director; Randy Bowens, Public Works Director; Jim Graham, Community Development Director; Pat Maxwell, Fire Chief; and Bob Starrett, Police Chief.

1. CALL TO ORDER

Mayor Jerkins called the meeting to order and Pastor Clarence Elebee, Jr., Causey Chapel gave the Invocation and Mayor Jerkins led the Pledge of Allegiance.

Mayor Jerkins asked if anyone had any items to add to the Agenda. Mr. Ollie Clemons stated he would like to add 9C. – Request for a Pouring License.

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

Mayor Jerkins presented a Plaque and Pin for fifteen (15) years of service to Chris Chabot. Mayor Jerkins thanked Chris and told him what a wonderful job he has done for the City of Austell and its citizens.

Mayor Jerkins presented a Plaque and Pin for twenty (20) years of years to Brandon Merritt, Assistant Fire Chief.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, NOVEMBER 7, 2016
PAGE 2**

Mayor Jerkins thanked Brandon and told him how much the City of Austell appreciated him and what a great job he had done for the City.

- 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 \$4,992.50
 - C. Approve Minutes of Regular Council Meeting October 3, 2016

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

- 4. EXCEPTION TO CONSENT AGENDA**
- 5. CITIZENS REPORT**

Pastor John Bailey stated he would like to thank the City of Austell on behalf of Gospel Nation our church, for the Halloween event. We would like to thank you for letting us serve this community again and having the Halloween Festival again at Legions Park. I think it was a great event for the whole community. It was the largest crowd we have ever had about fifteen hundred to two thousand people showed up that night. We are so grateful for the great weather we had which was a little bit unseasonable but it turned out to be a great night. I would like to thank Mr. Jim Graham, the Police Department and the Fire Department for all their help. We did not hear about any injuries or anything that happened that would be adverse to our community. We just want to say thank you for another great event and the help and your assistance for this event. Mayor Jerkins stated we would like to thank you for helping us. It works both ways and we appreciate all you do. Mr. Thomas stated Pastor Bailey did an excellent job at the park on this event. Pastor Bailey stated this is the first time I have ever hit thirty thousand steps in one day. We are growing bigger every year and it seems that word of mouth we have more people every year. We are in competition because people are coming to ours instead of Fairground Park.

Mayor Jerkins stated we have a Public Hearing tonight on the Comprehensive Plan Update.

Mr. Kimbrough stated he would like to call for a final Public Hearing on the Comprehensive Plan.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, NOVEMBER 7, 2016
PAGE 3**

Mr. Dan Dobry Croy Engineering stated he appreciated the opportunity to work with the City of Austell and the staff. Mr. Darrell Weaver who is the Project Manager and working with the updating of the Comprehensive Plan. It is a State requirement for two Public Hearings and after our involvement for the updating of the plan and the feedback on the short-term work program with Department heads we wanted to make a brief presentation of where we are and review the final steps. The plan has to be adopted by July, 2017. We are way ahead of that and in April we should be finished. Please see the timeline and the presentation of the Comprehensive Plan Update (Please see attached Presentation). Mr. Dobry presented the Comprehensive Plan Update to the Mayor and Council. After this, we will put together the plan the document itself. We will come back right after the first of the year for your delivery and review. After that we will submit to the State for their review. We had a pretty extensive community outreach with different community events. The involvement of the Stakeholder community was tremendous and very uplifting. All the information has been on the website. We feel fortunate enough to help and have a positive momentum for the City of Austell. You live here and you are raising your family here and also having your businesses here. We would like to make sure we hear from everybody as we go into the plan. Mr. Dobry asked if anyone had any questions or comments, we would love to have your input. Mr. Clemons stated he would like to thank Mr. Dobry for his valuable time and effort you have put into this. Those that have assisted you have done an excellent job and we really appreciate it. Mr. Dobry thanked the Mayor and Council. 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 2nd Public Hearing. Seconded by Ms. Valerie Anderson. Motion passed (6-0).

**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mr. Kimbrough stated he attended the meeting. Everyone is gearing up for the winter months. Gas prices are still stagnate just like they have been for a year now.

**7. FINANCE REPORT
OLLIE CLEMONS, CHAIRPERSON
Denise Soesbee, Finance Director**

A. Financial Report

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, NOVEMBER 7, 2016
PAGE 4**

**8. GENERAL ADMINISTRATION
SANDRA LEVERETTE, CHAIRPERSON
Sandy Farmer, Director**

A. 2017 New Year's Day Holiday

Ms. Sandra Leverette stated in the coming year New Year's Day falls on Sunday, January 1, 2017 and the City employees are due this holiday for 2017. Our Council Meeting is scheduled for January 2, 2017.

In order for us to take the Holiday as January 2, 2017 we would have to move the Council Meeting to Monday, January 9, 2017. We have checked with Cobb County and all surrounding cities and they are taking January 2, 2017 as their holiday. This is open for discussion.

We have to make a decision as well as Council taking a vote because we need to get a memo out to the employees as quickly as possible.

The General Administration Department recommends the approval for January 2, 2017 as a Holiday.

Ms. Leverette moved to follow the recommendation of the General Administration Department to approve the 2017 New Year's Holiday for January 2, 2017. Seconded by Randy Green. Motion passed (6-0).

Ms. Leverette moved to follow the recommendation of the General Administration Department to approve the January 9, 2017 as the Council Meeting Date. Seconded by Mr. Randy Green. Motion passed (6-0).

**9. POLICE DEPARTMENT
OLLIE CLEMONS, CHAIRPERSON
Bob Starrett, Police Chief**

A. Police Report

B. Code Enforcement – No Report – Computer Down

C. Request for Pouring License

Mr. Clemons stated we have a request for a Pouring License and at this time I would like to turn this over to Mr. Kimbrough, City Attorney.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, NOVEMBER 7, 2016
PAGE 5**

Mr. Kimbrough stated we have a request for a Pouring License by Ms. Jada Sexton. Mr. Kimbrough swore in Ms. Sexton. Mr. Kimbrough stated as part of your application there is a criminal background check that is done. I cannot disclose the criminal background check to anyone unless you give us permission to do so. Obviously, whatever the Council does will be based upon that. We would need your permission to disclose what is contained in the criminal background history. Mr. Kimbrough asked Ms. Sexton if this was o.k. with her. Ms. Sexton state yes it was. For the Council's benefit Ms. Sexton has two D.U.I.'s one in 2005 in Douglas County and the arrest date was October 16, 2005 and that resulted in a conviction and sentence date of December 7, 2005. Mr. Kimbrough asked Ms. Sexton if she served that sentence without any issue, correct. Ms. Sexton stated, yes she did. The second D.U.I. was in January 14, 2014. That was a D.U.I. and that resulted in a conviction on April 10, 2014. If I read this correctly your License was suspended but you were arrested on April 14, 2014 three days after the sentence date on the second D.U.I. which resulted in driving on a suspended license. That was plea of Nolo Contendre to that charge on May 15, 2014. So, two D.U.I.'s one in 2005 and one in 2014. Mr. Green stated so 2005 is over ten (10) years. Mr. Kimbrough stated yes, that is over ten (10) years for arrest date and conviction date. Mayor Jerkins stated to Mr. Kimbrough you said she pleaded Nolo Contendre. Mr. Kimbrough stated yes, that was to the suspended license. Both of the D.U.I.'s resulted in a guilty plea and Mr. Kimbrough asked Mr. Sexton if either one were trials. Ms. Sexton stated she pleaded guilty on both of them but on one of them I didn't blow because I wasn't driving. I had my license suspended on Friday and I went to work on Saturday and that is when I received another one. Mr. Green asked Ms. Sexton if she had her license now. She stated yes, she did. I took care of everything that I should take care and I spent a year without my driver's license and I am just trying to work. Ms. Valerie Anderson asked you stated you didn't blow because you were not driving can you explain that. Ms. Sexton stated on the second one I was actually parked in a parking lot and it was in November and I had the car running because it was cold. I had a couple of glasses of wine that day and decided I better not drive so I pulled into the parking lot and I went to sleep. Mayor Jerkins stated what I wanted to say about the Nolo Contendre she is not applying for liquor license but if she were applying for a liquor license and you plead Nolo Contendre you could not get a license for ten (10) years. Of course she is applying for a work permit. Ms. Kirsten asked Ms. Sexton if her license had been reinstated and you served everything. Ms. Sexton stated yes, I have. I paid all the fines and went to D.U.I. school which cost me a lot of money. Mr. Clemons asked Ms. Sexton if she was employed now.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, NOVEMBER 7, 2016
PAGE 6**

Ms. Sexton stated no, she was in school taking Welding and I am waiting on this in order to get a job. I have had a permit in other counties and I know every county is different. I just want to work. Mr. Clemons stated I would much rather see everyone employed than not be employed. I am just a bit concerned about your history and the environment you will be in moving forward. I would like to believe you are over those challenges that you had because you will be surrounded by some of those things that got into that situation before. Ms. Sexton stated actually when I got the D.U.I.'s before I was not working. The first one I had just got a new job and I went with some girlfriends and I drove because everyone else was worse than me and I ended up getting caught. The second one I received. I got off on a Sunday and worked all night the previous day and a friend and I had a couple of glasses of wine and decided to drive home and then pulled over into the parking lot and got another D.U.I. I can say I have no additional drinking problems because I will not be able to drive my children to school or drive period. I have already done this for a year so I will not go through this again. Ms. Leverette asked Ms. Sexton what position you are applying for. Ms. Sexton stated she was a bartender and had been since she was twenty-one years old. I go to school during the day and I work at night. I can't very well go to school during the day if I am intoxicated at night. I am a single parent and I take care of my kids and I just got caught. Chief Starrett asked Ms. Sexton where you are applying for a job. Ms. Sexton stated she was applying at B3 in Austell. Mr. Thomas asked how many children do you have. Ms. Sexton stated she had four (4) children. Mr. Thomas stated well, you need a job. Ms. Sexton stated yes, sir I do. Mr. Clemons stated he would approve it based on a need for the job and you have had some challenges and you are telling us you have overcome them. I would like to see you gainfully employed and taking care of your family.

Mr. Clemons moved to follow the recommendation to approve the Request for a Pouring Permit. Seconded by Mr. Thomas. Motion approved (4- 2). Ms. Valerie Anderson and Ms. Sandra Leverette against.

10. FIRE REPORT

**RANDY GREEN, CHAIRPERSON
Pat Maxwell, Fire Chief**

- A. Fire Report
- B. Donate 2 Honeywell SCBA's to Austell Gas Co.

Chief Maxwell stated with the purchase of our new SCBA's (Self-Contained breathing apparatus), we have our old SCBA's that no longer in use.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, NOVEMBER 7, 2016
PAGE 7**

We are giving two of them to Austell Gas, which leaves the rest that we have no future plans for, Paulding County Fire Department has made us an offer of \$18,000.00 for the remaining equipment and we feel that, is potentially more than we would get from GOV Deals or other means of surplus. I am making the recommendation that we sell them to Paulding County order to remove them from our inventory while they still have monetary value.

Mr. Green moved to follow the recommendation of Chief Maxwell to approve the donation of 2 Honeywell SCBA's to Austell Gas Co. Seconded by Ms. Valerie Anderson. Motion passed (6-0).

- C. The Sale of 6 Honeywell SCBA's to Paulding County Fire for \$18,000.00.
Mr. Green moved to follow the recommendation of Chief Maxwell to approve the Sale of 6 Honeywell SCBA's to Paulding County Fire for \$18,000.00. Seconded by Ms. Sandra Leverette. 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. No Report

**13. COMMUNITY DEVELOPMENT
VALERIE ANDERSON, CHAIRPERSON
Jim Graham, Director**

- A. No Report

14. ATTORNEY, DUPREE & KIMBROUGH

- A. No Report

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, NOVEMBER 7, 2016
PAGE 8**

15. MAYOR'S REPORT

A. CMA MEETING

DECEMBER 13, 2016

TIME:

6:30 P.M.

LOCATION:

Hosted By City of Smyrna

B. A.A.C.I.C. Request

Mayor Jerkins stated I have already gone over the A.A.C.I.C. list with everyone at the Pre-Agenda meeting. One thing I would like to point out we will give Humphries Hill Cemetery \$3,000.00 and Austell (Rosehill) Cemetery \$12,000.00. The downtown area for the restaurant and you have already voted to take the monies out of the General Fund \$230,000.00 and we need to replace the money back in the General Fund. Our six schools we are giving a \$1,000.00 each. The Austell families the Council will be able to give \$300.00 each and we do this every year. The A.A.C.I.C. will be able to give to families as well \$300.00 each. The funding for the six schools is \$3,000.00 each which will be ten (10) families each. The churches will get a \$1,000.00 each. Mayor Jerkins asked if anyone had any questions on this.

Ms. Kirsten Anderson asked the Mayor the churches have grown quite a bit hasn't it? Mayor Jerkins stated yes, they have grown and that is why we had to cut back on the churches. Mayor Jerkins stated we started out with twelve or thirteen churches and it has grown considerably.

Ms. Kirsten Anderson moved to follow the recommendation of Mayor Jerkins to approve the A.A.C.I.C. request. Seconded by Ms. Valerie Anderson. Motion passed (6-0).

16. ADJOURN

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