

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, JUNE 1, 2015**

Present: Mayor Joe Jerkins
Kirsten Anderson
Ollie Clemons
Randy Green
Virginia Reagan
Scott Thomas

Absent: Suzanne Thomason

The regular meeting of the Mayor and Council was held on Monday, June 1, 2015 at 7:00 P.M. at City Hall.

Also present were: Hylton Dupree, City Attorney; Carolyn Duncan, City Clerk; 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. Reverend Dr. John Wells, Ebenezer Ghanaian Presbyterian Church 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 \$1,000.00
- C. Approve Minutes of Regular Council Meeting May 4, 2015

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to approve the Consent Agenda. Seconded by Ms. Anderson. Motion passed (5-0).

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

Reverend Dr. John Wells stated he would like to submit a thank you letter from the congregation to the Mayor and Council for the church's newly renovated building and the invitation to worship the Lord on May 17, 2015. Mayor Pro-Tem Ollie Clemons who represented the Council and the Mayor attended our service and who delivered a speech which inspired us. May God Richly Bless you all and there is a personal note to Mayor Jerkins.

Mayor Jerkins stated we have a Proclamation and if the Council is o.k. I would like to present this Proclamation. Abbey Rutner was the representative for the MDA. Mayor Jerkins read the Proclamation and thanked them for attending the meeting.

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**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mayor Jerkins stated the Gas System is selling a good bit of gas and the rates are staying the same. They are going to build a new building down at the work plant and tearing down the old one at some point. They voted to spend \$250,000 for the parking lot to get it started at the last meeting which was last Thursday night. Mr. Clemons and Scott Kimbrough attended the meeting. Mayor Jerkins asked Mr. Clemons if he had anything to add for the Gas System. Mr. Clemons stated it was a great month for the Gas System.

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

A. Financial Report

B. 2015 – 16 Final Fiscal Year End Budget – Public Hearing

Ms. Reagan stated at this time I would like to turn this over to Mr. Dupree for a Public Hearing. Mr. Dupree asked if anyone would like to speak on behalf of the 2015- 16 Final Fiscal Year End Budget. No one spoke. Mayor Jerkins stated we need a motion to close the Public Hearing.

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to close the Public Hearing. Seconded by Mr. Clemons. Motion passed (5-0).

Ms. Reagan reviewed the 2015- 16 Final Fiscal Year End Budget and moved to follow the recommendation of Mayor Jerkins to approve the 2015- 16 Final Fiscal Year End Budget. Seconded by Mr. Thomas. Motion passed (5-0).

C. 2015 – 2017 Audit Services Contract

Ms. Reagan stated to contract the audit services beginning for fiscal year 2015 through fiscal year 2017.

The City requests bid proposals for audit services every three years with the option to extend the terms of the contract to five years. Over the past five years Mauldin & Jenkins has performed our annual audit and prepared the City's Comprehensive Annual Financial Report.

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In March, 2015 the Finance Committee complied a bid proposal and sent it to seven CPA firms listed on the Government Finance Officer's Association's website. Of the seven firms, four responded with a letter of intent. (Attached is a breakdown of proposed costs).

These services are funded from account number 505/4410/52.1200.

Ms. Reagan move to follow the recommendation of the Finance Committee to select James L. Whitaker, P.C. to perform the City's audit services beginning 2015 through 2017. Not to exceed \$81,000 over the next three years. Seconded by Mr. Thomas. Motion passed (5-0).

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

- A. No Report

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

- A. Police Report
B. Code Enforcement Report
C. Privilege License – Bond, James Bond of Cobb Co., Inc.

Ms. Reagan stated we have a Privilege License application from Bond, James Bond of Cobb County, Inc.

Ms. Reagan moved to follow the Police Committee recommendation to approve Bond, James Bond of Cobb County, Inc. to conduct business in the City of Austell. A letter has been approved and is attached. Seconded by Mr. Thomas. Motion passed (5-0).

**10. FIRE REPORT
RANDY GREEN, CHAIRPERSON
Tim Williams, Fire Chief**

- A. Fire Report

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B. Unsafe Building Abatement Update

Mr. Green stated he would like to turn this over to Chief Williams. Chief Williams stated this is an Unsafe Building Abatement Update. Chief Williams stated following the May Council meeting Scott Kimbrough the City Attorney and Mayor Jerkins I was told that due to the State of Law the Unsafe Building Abatements had to be heard in our City Municipal Court. At last month's meeting our Council was presented with four flooded homes that were in need of demolition due to flood damage. Three of the four properties were heard in our municipal court on Thursday, May 28, 2015. The results were as follows:

2080 Sanders Drive: Judge Darden ruled due to the condition of the structure, the City of Austell could move forward with the demolition following a period of ten (10) days.

2090 Sanders Drive: The property owner, David Huckeba, was given thirty (30) days by Judge Darden to permit and complete the demolition himself. If the demolition has not been completed within this period of time, due to the condition of the structure, the City of Austell has the legal right to proceed with the demolition.

1138 Pontiac Circle: Judge Darden ruled due to the condition of the structure, the City of Austell could move forward with the demolition following a period of ten (10) days.

The fourth property, 1129 Pontiac Circle, owner Lynn Jones has obtained a demolition permit and has the remainder of the sixty (60) days (per Council order) from the May City Council Meeting to complete the demolition of the structure. As of this afternoon, no work has been done.

Mayor Jerkins stated we will be starting these demolitions ten days after starting from last Thursday on the ones that have been approved. Like I said earlier at the pre-agenda meeting we will have to change our Ordinance. Mr. Kimbrough will draft a new Ordinance for us to pass in July. Going forward the Abatements will go through the court system and not through the Council and the Court. A new law has been passed on it. We will have five more to go to Court the last of July. Chief Williams is working on this.

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**11. PUBLIC WORKS DEPARTMENT
KIRSTEN ANDERSON, CHAIRPERSON
Randy Bowens, Director**

- A. No Report

**12. PARKS DEPARTMENT
SCOTT THOMAS, CHAIRPERSON
Jim Graham, Director**

- A. Collar Community Center Roof Project

Mr. Thomas stated the Parks Committee recommends approval to award the Collar Community Center Roof Project to Mtz Roofing, Inc. with an estimate of \$19,800 plus replacement of rotten decking at \$35.00 per sheet. The Parks Department received estimates, attached for your review, and Mtz Roofing, Inc. provided the lowest estimate.

The Collar Community Center roof project was budgeted for the FY 2016 budget, but the condition of the roof has worsened. The roof project needs to be completed as soon as possible to prevent further damage to the interior of the building.

Mr. Thomas moved to follow the recommendation of the Parks Committee to approve the Collar Community Center Roof Project. Seconded by Ms. Reagan. Motion passed (5-0).

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

- A. Special Land Use Permit Application from DV3 Production LLC for property located at 5823 Mulberry Street

Mr. Clemons stated the Department of Community Affairs has received a request from DV3 Productions LLC for a Special Land Use Permit on property located at 5823 Mulberry Street in LL 26, parcel 50 of the 18th District, 2nd Section of Cobb County.

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The Special Land Use Permit will allow DV3 Productions LLC to operate a movie production business with limited parking of heavy commercial vehicles on the above mentioned property in its current zoning of General Commercial. I would like to turn this over to our City Attorney, Hylton Dupree for a Public Hearing.

Mr. Dupree stated he would like to open the Public Hearing and is the applicant present. Mr. Dupree also asked Mr. Graham if anyone had signed up to speak in opposition. Mr. Graham stated, no.

Mr. Olvan Olsen stated his name and Mr. Dupree swore him in for his testimony. Mr. Olsen stated he is requesting to park a motor home and box trucks in the back of the building that is kind of down underground. So, while we are editing the movie inside we would have our vehicles close by if we are in need of equipment and protection. We will be going out in the various communities to film as well. Mayor Jerkins asked how many units will you have. Mr. Olsen stated he had two (2) box trucks, three (3) Class A motor homes, one (1) trailer that has a generator on it and possibly another trailer which we don't currently own. Mayor Jerkins asked if we have discussed putting up some cypress trees along the highway and can that be done. Mr. Graham stated we have recommended doing a screening on the fence area coming from Mableton. The other way you can't see it. They have agreed and we will work with them on the screening. Also, a natural cypress on the fence to block everything. Mayor Jerkins asked if anyone had any questions or concerns. No one did.

Mr. Clemons moved to follow the recommendation of Mayor Jerkins to close the Public Hearing. Seconded by Mr. Thomas. Motion passed (5-0).

Mr. Clemons moved to follow the recommendation of the Planning and Zoning Commission to approve the application from DV3 Productions LLC. Seconded by Mr. Thomas. Motion passed (5-0).

B. Information Only Annexation Application for 5354 Austell Road

Mr. Clemons stated the Department of Community Affairs has reviewed the annexation application for 5354 Austell Road. Upon confirming with Cobb County Community Development , a determination was made that annexing the above mentioned property would create an unincorporated island.

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O.C.G.A. § 36-36-4 prohibits the creation of unincorporated island by annexation or deannexation; therefore; the application for annexation has been withdrawn. This is for information only.

C. United States Army Donation Program for Veterans Memorial Park

Mr. Clemons stated the Department of Community Affairs Committee recommends Council approve authorization for the Mayor to request donation of combat materials from the United States Army Donations Program and execute a written letter to the same regard.

The type of materials being requested is towed artillery. The combat materials will be placed in Veterans Memorial Park as a continuation of improvements to the park.

Mr. Clemons moved to follow the recommendation of the Community Affairs Committee to approve the United States Army Donation Program for Veterans Memorial Park. Seconded by Ms. Reagan. Motion passed (5-0).

14. ATTORNEY, DUPREE & KIMBROUGH

A. No Report

15. MAYOR'S REPORT

A. CMA MEETING

LOCATION:

TIME:

JUNE 9, 2015

HOSTED BY CITY OF SMYRNA
@ BRAWNER HALL

6:30 P.M.

B. Fire Chief Appointment

Mayor Jerkins stated as I am sure all of you are aware Chief Tim Williams will be retiring on June 24, the end of this month. He has been with the City of Austell for thirty-four (34) years. I really don't know how anyone could have done a better job than he has done. I certainly hate to see him go. Chief Williams stated he would like to thank the Mayor and Council for everything and it has been great. It is hard to walk away and I still love my job and this has been like a second family to me. I 'd like to thank the Mayor and Council and all the Directors and Pat Maxwell for all the support everyone has given me over the years. I started here as a twenty-two year old long hair kid and never dreamed I would be here this long and it has been a wonderful ride.

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I just wanted to say thank you again and Pat will do you a great job and I will be around. I will come by and visit and make sure you are doing things right. Mr. Thomas stated he would like to say something. Mr. Thomas stated he was on the Police Department here when Tim was hired. When we first saw Tim we asked who that hippie was they hired he had long hair passed his shoulders and a face like a twelve year old. He has been one of the best employees we have ever had. Mayor Jerkins stated I appointed Tim as Fire Chief and around Thanksgiving, 1994, when Clyde Hardin had a brain hemorrhage and passed away. So, at that we didn't have a Police Chief and we were having all kind of trouble in the department. To make a long story short I appointed Tim as acting Police Chief for awhile so he had two jobs in 1994. Then we had to advertise to find a Police Chief and I believe that was in January 1995 and I interviewed Bob Starrett who was working for the Douglasville Police Department at the time so I made a recommendation to the Council to hire Bob Starrett and he has been with us ever since. Tim Williams stated that was a great day. Mayor Jerkins stated yes, Tim was relieved at that point. We all had a lot to do back then even Randy Bowens. When I offered the position of Director to Randy Bowens for Public Works he was afraid to take it. Mr. Bowens went to Tim and ask Tim if he thought he could do it. We have some great employees and I am so proud of our employees and I am certainly proud of Tim and I hate to see him go. Tim's wife has a job with Kroger and it has carried Tim out of state some so he needs to retire. Anyway, Tim we will miss you and you have certainly done a fantastic job.

I want to make a recommendation to hire Pat Maxwell as our next Fire Chief when Chief Williams leaves. Pat has also been with us over twenty (20) years and part-time longer than that. He also has done a great job too. He has been the Assistant Fire Chief for a long time.

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to appoint Pat Maxwell as Fire Chief. Seconded by Ms. Anderson. Motion passed (5-0).

C. Austell Community Task Force

Ms. Debora Johnson introduced herself and stated she was the Vice-Chair for Austell Community Task Force. We are a non-profit 501C3 organization here to serve our community by impacting community stricken families and protecting our children. We are gearing up for our back to school jam which is July 25, 2015. We would love for the City of Austell to support us on this event. What we do on this day is give away back packs and fill it with school supplies for our school age children.

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We make sure they are prepared to return back to school for those who cannot afford supplies to go back to school. I have with me information about our organization and also a sponsorship packet to let you know in more detail of what we do. Mayor Jerkins asked Ms. Johnson when it was going to be. Ms. Johnson stated it will be on July 25, 2015. Mayor Jerkins asked Ms. Johnson to leave the packet with him and he stated we might be able do something at the next Council meeting next month. Ms. Johnson thanked the Mayor and Council.

D. MDA Proclamation

E. Property Donated by Barbara Pair – 5850 Love Street

Mayor Jerkins stated this is property donated by Barbara Pair located at 5850 Love Street. This building is on the corner of Jefferson Street and Love Street where Unique Market used to be. They want to donate it to the City. The roof has fallen in and they have been in a lawsuit. I have had Jason Bowman run the title and he is doing our title work now. He said the property is clear. I will need the Council to vote to accept the property.

Ms. Reagan moved to follow the recommendation of Mayor Jerkins to approve the property donated by Barbara Pair located at 5850 Love Street. Seconded by Mr. Clemons. Motion passed (5-0).

Mayor Jerkins asked if anyone had any questions or concerns. Mr. Clemons stated he would like to mention Suzanne Thomason Council Member's husband had a very tragic accident. I went last week and visited and he is out of ICU and that is somewhat encouraging and I think he is going to be transferred to Sheppard Spinal Clinic. He still needs our prayers and he is still going through quite a battle. Mayor Jerkins stated he is already on the prayer list. It is a bad thing and he was on a bicycle trying to miss a child. Mr. Clemons stated he had a very bad head injury, a hip crushed, a terrible accident. Mayor Jerkins asked the Council if anyone had any questions or anything they would like to bring up. Ms. Anderson stated the speaker at CMA will be Faye DiMassio from the Cobb Transportation. So, if you are interested in transportation she is a very good speaker. Ms. Duncan asked the Council Members to please let her know if they would like to attend so she can make the reservations. Ms. Reagan stated she would like to thank Mr. Graham and Chief Starrett and Community Affairs for organizing the Austell Fun Day. We really did enjoy it. It was a great turnout. Mayor Jerkins stated they did a great job as well as the Fire Department. It turned out to be a good event. Mr. Clemons stated he would like to mention one other thing.

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The meeting at Cobb County it was a very encouraging meeting. Our Mayor attended with Commissioner Cupid and their Department heads and our Department heads. It was a very encouraging meeting and it went very well. Mayor Jerkins stated that meeting was on Friday, May 29, 2015 with Cobb and all their staff was there and most of our staff was there as well. We are going to try and work closely with Cobb on doing some things. We are supposed to have another meeting in October of this year and it was a good meeting. A lot of things were brought up and they are willing to help us do some things in the City.

16. ADJOURN

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to adjourn the meeting. Seconded by Ms. Reagan. Motion passed (5-0).