

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
CITY HALL BUILDING
MONDAY, MARCH 7, 2022**

Present:

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

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

1. CALL TO ORDER

Mayor Clemons called the meeting to order, gave the invocation & led the Pledge of Allegiance. Mayor Clemons asked if anyone had items to add to the agenda. Mr. Kimbrough stated he needs to add item 14A – Timothy Rioux case.

Mrs. Anderson moved to follow the recommendation of Mayor Clemons to add item 14A. Seconded by Mrs. Leverette. Motion passed. (6-0)

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 - \$3,697.32
- C. Approve Minutes of Regular Council Meeting February 7, 2022

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

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

6. GAS SYSTEM REPRESENTATIVE

OLLIE CLEMONS, MAYOR

Mr. Kimbrough stated we are a little behind from where we were last year. The Ukraine issue has impacted natural gas prices and Mr. Register has gotten ahead of the curve on purchasing gas to be used in the future.

7. FINANCE DEPARTMENT

VALERIE ANDERSON, CHAIRPERSON

Denise Lowe, Finance Director

A. Financial Report

B. Code of Ordinances Amendment

The purpose is to amend the City's Code of Ordinances to reflect the State's Official Code. The City's current code requires bid invitations over \$25,000 to be advertised in the local newspaper, in addition to the Georgia Procurement Registry. The State code allows municipalities to advertise on their website continuously for at least four weeks prior to the opening of bids as an alternative to advertising in the local newspaper.

It is the recommendation to Amend Section 2-276 (c)(3) of the City's Code of Ordinances to state that the City's website may be used to meet the advertising requirement as described in O.C.G.A. 36-91-20.

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

C. 2021-22 Comprehensive Financial Audit Report Presentation (Information Only)

The purpose is to present to council the City's 2020-21 Comprehensive Annual Financial Report. Every year the City's financial records are audited by an independent accounting firm. James L. Whitaker, P.C. performed the most recent audit ending June 30, 2021, as well as all supplemental reports required by other agencies.

8. GENERAL ADMINISTRATION

MELANIE ELDER, CHAIRPERSON

Elizabeth Young, Director

A. No Report

9. POLICE DEPARTMENT

DEVON MYRICK, CHAIRPERSON

Natalie Poulk, Police Chief (I)

A. Police Report

B. Auto Mania Plaque (Information Only)

Every year, Austell Police has helped children and families in our community, with food, clothing, essentials. This year, a local business, Auto Mania reached out and asked if they could partner and help donate. Of course, we said yes! They immediately came up with a plan of donations being used as payments, and down payments on new purchases! The overwhelming support was amazing! Truckloads of items, food, clothing, toys, and essentials was unbelievable. This to date, has been our biggest and most successful year, at last count 221 children and families were helped! A big thank you to them. We look forward to 2022! Mr. Myrick stated that Auto Mania was not able to make it tonight to accept the plaque, but Chief Poulk will deliver it to them this week.

10. FIRE DEPARTMENT

MARLIN LAMAR, CHAIRPERSON

Brandon Merritt, Fire Chief

A. Fire Report

11. PUBLIC WORKS DEPARTMENT

SANDRA LEVERETTE, CHAIRPERSON

Bo Garrison, Director

A. Autumn Brook Update (Information Only)

Austell Public Works issued a Stop Work Order on February 2, 2022, upon inspection, the site was out of compliance.

Austell Public Works met on February 3, 2022, with Autumn Brook's land development manager and project manager to discuss the site needs to be 100% in compliance and showing documentation from a certified erosion control inspector; was informed that the city will inspect the site before the Stop Work Order can be lifted.

On February 7, 2022, the Stormwater Division conducted a site inspection visit to the project and walked the rear limits of disturbance to evaluate compliance within the project allowing Stormwater inspectors to check any sign of silt or sediment running to Noses and Sweetwater Creek. Our findings were as follows:

- Silt fence on lot 1 and 19 needed fixing
- Was also requested to please install inlet protection on all spillways of the site
- No silt or sediment is running to Noses or Sweetwater Creek

On February 8, 2022, the Stormwater Division conducted a re-inspection to the site to evaluate compliance within the project and found to be *in compliance* with the City of Austell Erosion, Sedimentation, and Pollution Control Ordinance.

12. PARKS DEPARTMENT

MEREDITH ADAMS, CHAIRPERSON

Darrell Weaver, Director

- A. Threadmill Complex Suite Renovations (Building Maintenance – Information Only)
The Building Maintenance Staff has been busy continuing work on remodeling the old restaurant space on the main floor of the complex to house the administrative offices for Parks & Recreation as well as support staff for the Community Affairs Office (Code Enforcement and Building Inspections). The remaining portion of this space has been converted into a conference room for Community Affairs/Parks & Recreation as well as any other departments needing the space. We anticipate that the work will be completed and ready for move-in by the first week of March.

13. COMMUNITY AFFAIRS

VALERIE ANDERSON, CHAIRPERSON

Darrell Weaver, Director

- A. Code Enforcement Report
- B. P & Z – Annexation & Rezoning Request @ 5786 & 5796 Maxham Road
Mr. Kimbrough opened the public hearing for the rezoning of 5786 & 5796 Maxham Rd. Staff had received an annexation and rezoning request from Corey Fields, Icon Renovations, LLC to rezone 1.2 acres from R-20 to FST (Fee Simple Townhome) for the purpose of a townhome development. A full staff report and supporting documents are attached. Mr. Kimbrough asked if anyone was here to speak. Mr. Corey Fields stated his name & Mr. Kimbrough swore him in. Mr. Fields stated this property is not ideal for single family homes, but it makes sense to put townhomes in this area. The townhomes will be front facing units with rear entry garages and auxiliary parking in the rear of the property.

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

Mrs. Anderson moved to follow the recommendation of Mayor Clemons to approve the rezoning request. Seconded by Mr. Myrick. Motion passed. (6-0)

Mr. Kimbrough opened the public hearing for the annexation of 5786 & 5796 Maxham Road. Mr. Corey Fields remained under oath from Mr. Kimbrough. Mr. Fields stated this is perfect to be annexed into the City of Austell because of it's location.

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

Mrs. Anderson moved to follow the recommendation of Mayor Clemons to approve the annexation of 5786 & 5796 Maxham Road. Seconded by Mr. Myrick. Motion passed. (6-0)

C. P & Z – Annexation & Rezoning Request @ East Side of Maxham Road, South of Veterans Memorial Hwy. (Table this request)

Staff had received an annexation and rezoning request from Smith Douglas Homes to rezone 37.2 acres from R-20 & RM-8 to PUD (residential) for the purpose of a townhome and single family detached home development. This application will be **TABLED** while staff and the applicant work out concerns raised by the County. Staff anticipates this returning to the Mayor and Council for consideration during the next meeting cycle.

Mrs. Anderson moved to follow the recommendation of Mayor Clemons to table the Annexation & Rezoning request of East Side of Maxham Road, South of Veterans Memorial Hwy. Seconded by Ms. Elder. Motion passed. (6-0)

14. ATTORNEY, DUPREE & KIMBROUGH

A. Timothy Rioux Case

Mr. Kimbrough stated we met last week in executive session to discuss a pending litigation matter regarding Timothy Rioux & we need a motion based upon those discussions.

Mrs. Anderson made a motion for Mayor Clemons to sign an agreement for \$75,000.00 for Timothy Rioux. Motion seconded by Mr. Myrick. Motion passed. (6-0)

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 Mr. Lamar. Motion passed. (6-0)

Illie Clemons, Jr.
Mayor

Elizabeth Yancy
Attest

4.8.2022
Date