

**MINUTES OF THE  
REGULAR COUNCIL MEETING  
CITY OF AUSTELL  
OCTOBER 1, 2012**

Present: Mayor Joe Jerkins  
Kirsten Anderson  
Trudie Causey  
Virginia Reagan  
Scott Thomas  
Suzanne Thomason

Absent: M. Standard  
S. Farmer

The regular meeting of the Mayor and City Council was held on Monday, October 1, 2012 at 7:00 P.M. at City Hall.

Also present were: Scott Kimbrough, City Attorney; Carolyn Duncan, City Clerk; Denise Soesbee, Finance Director; Randy Bowens, Public Works Director; Jim Graham, Community Affairs Director; Bob Starrett, Police Chief; and Tim Williams, Fire Chief.

**1. CALL TO ORDER**

Mayor Jerkins called the meeting to order. Pastor John R. Bailey gave the Invocation and Mayor Jerkins led the Pledge of Allegiance. Mayor Jerkins asked the Council if they had any items to add to the Agenda. No one did.

Mayor Jerkins presented a 15 year Plaque and a Pin to Officer Steve Tarter and thanked him for his efforts and his hard work. Thanked him for his dedication to the City of Austell. Ms. Anderson also thanked Officer Tarter for his service and dedication.

**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 \$1,497.50
- C. Approve Minutes of Regular Council Meeting September 10, 2012

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

**4. EXCEPTION TO CONSENT AGENDA**

**5. CITIZENS REPORT**

Mayor Jerkins asked if anyone would like to speak to the Mayor and Council. No one spoke.

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**6. GAS SYSTEM REPRESENTATIVE  
JOE JERKINS**

Mr. Kimbrough stated he attended the meeting and gas sales are picking up although the rates are still low. We are trying to purchase enough gas for the winter months and get us through the upcoming months. We are keeping our fingers crossed that the winter will be very cold.

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

- A. Financial Report

**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. Reception – Plaque & Pin Presentation – 15 Years –Steven Tarter

**10. FIRE DEPARTMENT  
SCOTT THOMAS, CHAIRPERSON  
Tim Williams, Fire Chief**

- A. Fire Report  
B. Firefighter Fitness Testing/Information Only  
(Please see attached sheet)

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

**A. CodeRed Severe Weather Warning**

Ms. Anderson stated the purpose to consider the approval of a severe agreement with the Emergency Communications Network, Inc. for the CodeRED Emergency Notification System.

CodeRED is a high-speed notification system that allows simultaneous outgoing calls in which a recorded message notifies residents of life threatening emergency events in their respective section of the City. Residents would receive notifications by telephone, cellular telephone, e-mail, or text messaging. There are currently 128 counties in Georgia that use this notification system.

Not only does this system automatically alert residents of severe weather, (they are generally sent out even before our local weather station receives them.) There are other ways each department could benefit from this system. In addition, we would have the ability to pinpoint emergencies by areas using our current GIS maps by a particular street or area for things like water outages, closed road(s), etc. Following is a listing of different ways the system could be used.

**Public Works**

- Planned Water Outages
- Unplanned Water Outages
- Snow Plowings
- Street Closures

**Health**

- Drinking Water Contamination
- Flu Pandemics
- Viral Outbreaks

**Administration**

- General Information
- Disaster/Major Event Follow-Up
- Severe Weather Warnings
- (Floods, Hurricanes)

**Law Enforcement**

- Missing Children
- Missing Elderly, Disabled or At Risk Adults
- Bomb Threats
- Hostage Situations
- Escaped Prisoner Warnings
- Sexual Predator Alerts
- Neighborhood Crime Watch Support

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**Emergency Management**

- Chemical Spills
- Nuclear Hazards
- Terrorist
- Mudslides
- Snow Emergencies

**Fire**

- Evacuation Notices and Routes
- HAZMAT Emergencies
- Gas Leaks

**Internal Communications**

- First Responder Notifications
- Official Comment Direction
- Critical Incident Call Out

*Ms. Anderson moved to follow the recommendation to approve the attached service agreement with Emergency Communications Network, Inc. The funding will come from the Stormwater Management Division (515/4320), line item 52.3850 (Contract). The service agreement would be for a three year period with the option to cancel at the end of the first year with a 30-day notice. The annual cost would be \$4,920.00 and includes up to five users. Seconded by Ms. Reagan. Motion passed (5-0).*

**B. Hazard Mitigation Grant Program – Property Acquisition**

Ms. Anderson stated the purpose is to authorize acceptance of a flood hazard mitigation grant from the Georgia Emergency Management Agency to purchase, demolish, and remove homes located in the 100-year floodplain which sustained substantial damage as a result of the flood event on September 21, 2009, and to return the land to deed-restricted green space.

The Hazard Mitigation Grant Program (HMGP-DR-1858-0039 is intended to acquire seven homes in the effective Federal Emergency Management mapped 100-year floodplain rendered substantially damaged following the September 21, 2009 flood.

The City of Austell has been awarded \$1,826,829.00, Amendment 2, to the Hazard Mitigation Grant Program 1858-0039, for the acquisition and demolition of seven properties. These homes will be removed and the properties returned to deed-restricted green space.

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The following properties are included in Amendment 2:

<u>Property Address</u>	<u>Project Cost</u>	<u>FEMA 75%</u>	<u>STATE 10%</u>	<u>City 15%</u>
5725 Hiram-Lithia Springs Road	\$220,946.00	\$165,710.00	\$22,095.00	\$33,142.00
4145 Landover Court	\$180,560.00	\$135,420.00	\$18,056.00	\$27,084.00
5693 Newburn Court	\$194,289.00	\$145,717.00	\$19,429.00	\$29,143.00
3015 Sunlight Drive	\$248,975.00	\$186,731.00	\$24,898.00	\$37,346.00
3025 Sunlight Drive	\$249,474.00	\$187,106.00	\$24,947.00	\$37,421.00
3035 Sunlight Drive	\$259,117.00	\$194,338.00	\$25,912.00	\$38,868.00
3055 Sunlight Drive	<u>\$250,739.00</u>	<u>\$188,054.00</u>	<u>\$25,074.00</u>	<u>\$37,611.00</u>
<b>TOTAL</b>	<b>\$1,604,100.00</b>	<b>\$1,203,076.00</b>	<b>\$160,411.00</b>	<b>\$240,615.00</b>

*Ms. Anderson moved to follow the recommendation of the Public Works Committee to accept the flood hazard mitigation grant from the Georgia Emergency Management Agency in the amount of \$1,826,829.00. The funding for the acquisition and demolition of seven homes will come from the City of Austell's flood expense account (340/3960). Hazard Mitigation Grant Project 1858-0039. These are remaining funds from the first original 24 that had to be de-obligated and re-obligated for Amendment 2. Seconded by Mr. Thomas. Motion passed (5-0).*

**C. Hazard Mitigation Grant Program – Property Demolition and Restoration**

Ms. Anderson stated the purpose to award contracts to the lowest responsive bidders for the demolition of seven flooded homes. The City of Austell has been awarded \$1,826,829.00, Amendment 2, to the Hazard Mitigation Grant Program 1858-0039, for the acquisition and demolition of seven properties. Price proposals were submitted to the two contractors that were utilized under the Amendment 1 contract. The following costs were received:

<u>Property Address</u>	<u>Carlos Jones Construction</u>	<u>Southern Demolition and Environmental</u>
5725 Hiram-Lithia Springs Road	\$11,400.00	\$10,600.00
4145 Landover Court	\$10,550.00	\$13,300.00
5693 Newburn Court	\$ 9,600.00	\$11,150.00
3015 Sunlight Drive	\$12,150.00	\$12,500.00
3025 Sunlight Drive	\$12,150.00	\$12,735.00
3035 Sunlight Drive	\$12,150.00	\$12,690.00
3055 Sunlight Drive	<u>\$12,500.00</u>	<u>\$12,900.00</u>
<b>TOTAL</b>	<b>\$80,500.00</b>	<b>\$85,875.00</b>

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The full amount of demolition costs will be part of the homeowner's 15 percent participation. Therefore, there would be no cost to the City. Funding will come from the Hazard Mitigation Grant Program budget (340/3960), line item 52.1200(Professional). This is open for discussion for who we should allow for our contracts and has that been submitted yet? Mayor Jerkins asked Mr. Bowens who he had decided on. Mr. Bowens stated we have the lowest bid on the information, so it is waiting for a motion to be made. Mayor Jerkins suggested to make a motion on the lowest bidder and it would be two different ones doing this. Mr. Bowens stated he would like to add Southern Demolition is the lowest bid on one home and if they elect not to mobilize their equipment and come out to that one home, then we take the second lowest bid which is Mr. Jones.

*Ms. Anderson moved to follow the recommendation of the Public Works Committee to accept the lowest bidder on these homes with the stipulation if the lowest bid is for one home is not accepted we will go with the second lowest bidder. Seconded by Ms. Reagan. Motion passed (5-0).*

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

- A. Gospel Nation Christian Fellowship request to use Legion Park  
Mr. Thomas stated the City of Austell Parks Committee we have a request from Gospel Nation Christian Fellowship Church to use Legion Field on Halloween.

*Mr. Thomas moved to follow the recommendation for approval of the request from Pastor John Bailey of Gospel Nation Christian Fellowship located at 4711 Meadows Road Powder Springs, Georgia to use Legion Park for an alternative Halloween event for the community. The event will be held on Wednesday, October 31, 2012. Seconded by Ms. Reagan. Motion passed (5-0).*

**13. COMMUNITY DEVELOPMENT DEPARTMENT  
SUZANNE THOMASON, CHAIRPERSON  
Jim Graham, Director**

- A. No Report

**14. ATTORNEY, DUPREE & KIMBROUGH**

- A. No Report

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**15. MAYOR'S REPORT**

**A. CMA MEETING**

**NO MEETING**

TIME:

LOCATION:

**B. A.A.C.I.C. Funds**

Mayor Jerkins stated he would review the A.A.C.I.C. funds and let everyone know what we will be doing with the funds. The purpose of this and I will explain when we did the bonds nine years ago it was \$7 million and five hundred dollars and we have paid it down to \$4 million five hundred ninety thousand dollars. The money, and the problem we have is the five million dollars does not get any interest on it. They want to pay like 0.5 interests which is five hundred dollars a year for a million dollars. Since the City has these bonds and we did shop it some and they offered to give a third of one percent which would be \$15,000 a year for five million dollars and that is almost nothing. We have eleven years left on the bonds and my proposal is to take four million five hundred and ninety thousand plus we would owe a little more interest than that and I don't know exactly what the figure would be but pay this off and let the City pay three percent (3%) interest for the first five years and do a ten year payment on it and then it goes to four percent (4%). Right now we are paying almost six percent (6%) on one bond and the other is almost five percent (5%). It will in the end save the City almost eight hundred thousand dollars and giving the A.A.C.I.C. back over eight hundred thousand. The first year would be one hundred and forty-one thousand dollars in interest against fifteen thousand. This is the proposal I am making to take the money and we have all coming in within a couple of months and we will have it all together. We will use about four million and six hundred thousand and there will be nearly a million left of the money. This is my proposal to pay the bonds off and let the City of Austell pay the A.A.C.I.C. back.

Ms. Causey asked if the Council in the future could decide not to pay this back. Mayor Jerkins stated they would have to vote not to pay it back. Ms. Causey stated so, that could be done. Mayor Jerkins stated you can't stop what the Council does. David Darden and I wrote this when we received this money and we have it so it takes five votes to do away with the money and then you have to have a Public Hearing. Once the Council votes they would be paying this back and it would take another Council to try and stop it. I have no idea what will happen in the future. Ms. Causey stated she understood. Mayor Jerkins stated we made it as tough as we could to not to do away with the money. What we are doing now is not doing away with the money we are just investing it. Ms. Anderson asked Ms. Causey why she wouldn't want to pay the money back.

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Ms. Causey stated well, if a new Council comes along and decided to do something with the money. Ms. Thomason stated if the City got in a bind with the budget or something and decided not to pay all of it back. Mayor Jerkins stated we have no control over that and it is stipulated in the paperwork it takes five (5) votes out of six (6) to spend the money and then you would have to have a Public Hearing and advertise and let the citizens know what is going on to keep them from spending it. We have done everything we could to stop that and so far it has worked. Mr. Kimbrough stated if that happens in the future then the nature of the funds would change from what would be an investment which is what it is right now and would be under the Mayor's proposal to an expense and it would be considered an expense because the A.A.C.I.C. funds would then be spent if the Council decides not to pay that back. So then it would change from an investment to an expense and would require the Public Hearing and the five (5) votes from the Council for approval. As Ms. Anderson stated I don't know why you wouldn't want to pay that back. Ms. Causey stated well, if we really got in a bind or something. Ms. Anderson stated we have such a great rating on our finances right now would that not affect our A-1 rating if we decided not to pay it back. Mr. Kimbrough stated yes, it would, and it will still be outstanding indebtedness even though it is through the A.A.C.I.C. It would have an adverse impact on our rating which has been stellar for as long as the Mayor has been in office I believe. Mayor Jerkins stated once you vote it will be hard not to pay it back. Ms. Thomason asked if it will still leave us money for projects. Mayor Jerkins stated it will leave us eight hundred and something thousand and the next year when we make the payment we will have about six hundred thousand to put back in the fund. Every year when we make a payment it adds back to the funds and the interest we usually keep separate and almost six hundred thousand would back into the fund to draw more interest in and that will come down each year. Each year when you make a payment that money would go back into the same fund. Mr. Kimbrough stated those funds would be gaining interest from sitting in the bank which is very low interest plus the interest from the City which would be three to four percent in a year once that goes back up. Mayor Jerkins stated it's a sad thing if you try and draw five hundred dollars on a million dollars. I just can't see us doing that because you can't spend any money then. The City will pay the money back and the City has a good income from the Gas System. They will pay it back I have no doubt about that.

*Ms. Reagan moved to follow the recommendation of Mayor Jerkins to pay the bonds and pay the City back. Seconded by Mr. Thomas. Motion passed (5-0).*

Mayor Jerkins stated the other part of this is when we had the meeting on September 18, 2012 we discussed the following: (Please see attached sheet :)



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Mayor Jerkins asked if anyone had any questions. Ms. Thomason asked what the Garrett Truancy Board is. Mayor Jerkins stated he served on this Board. The problem is some of the children would not come to school. Garrett started the Truancy Board and asked me to get involved with it and Carolyn Duncan was on it for it awhile and is still doing some of it. We meet and try and have the families there with the children if possible and find out why they can't come to school. We have increased its attendance by eighty percent 80% already. It has really worked well and everyone has done a good job. We have bought some of the children glasses and they have paid a power bill for a family. We try and give them the incentive to come to school and the money is for the Board to decide what to do for the families. Ms. Causey asked who is on the Board at the school. Mayor Jerkins stated Tiffany who is a Social Worker is one of them and some of them are school teachers. They had a meeting the other day and most of them are teachers. Ms. Duncan stated one of them is a Counselor. Mayor Jerkins stated there are probably eight members on the Board. They always like for me to be there because it kind of impresses the student to know the Mayor is involved in trying to get them to attend school. We ask them what we can do to help them but if it doesn't work, then they go to juvenile or go before a Judge. Ms. Causey stated so most of the money is used to help the families to make it easier to get their children to school. Mayor Jerkins stated, yes, some of the children do not have clothes, shoes and things like that and whatever we feel they need. Ms. Causey stated this deal on the nineteen churches and the overlapping of the schools and I am not against helping anybody, but after I've thought about it we are overlapping like the Elementary school and give to families and then in turn they come to the Baptist Church, the Methodist church, etc. and they are receiving it again. Mayor Jerkins stated we keep up with all the schools and make sure they don't give double to families. We don't keep up with what the churches do. Ms. Causey stated the fifteen hundred you give to the Methodist church and what they always use it for is to buy gifts for those same families. Mayor Jerkins stated if they will check with the schools there should be a record at each school and it should show we do not duplicate. Denise handles all of that and she makes the check out to each family and all they have to do is check with us and we can tell them who received a check. Ms. Anderson stated they do not overlap because the first year I picked a family and I was called and told they had already been picked by their church. So it doesn't get overlapped and if they are buying gifts and the school gives them three hundred dollars and your church gives them some gifts and let's be honest for Christmas that is not a lot for a family. Mayor Jerkins stated if you don't have anything this is a big thing. Mr. Thomas stated this is a very good program and it has been very effective and I would like to continue it.

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*Mr. Thomas moved to follow the recommendation of Mayor Jerkins to approve the A.A.C.I.C. funds to the Schools, Churches, Council Members, A.A.C.I.C. Members, Garrett Truancy Board, and the City employees Christmas Bonus. Seconded by Ms. Reagan. Motion passed (5-0).*

**16. ADJOURN**

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