

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, APRIL 4, 2016**

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

Absent: Scott Thomas
Denise Soesbee

The regular meeting of the Mayor and Council was held on Monday, April 4, 2016 at 7:00 P.M. at City Hall.

Also present were: Hylton Dupree, City Attorney; Carolyn Duncan, City Clerk; Sandra Farmer, Deputy City Clerk; Randy Bowens, Public Works Director; Jim Graham, Community Affairs Director; Pat Maxwell, Fire Chief and Bob Starrett, Police Chief.

1. CALL TO ORDER

Mayor Jerkins called the meeting to order and Pastor John Bailey gave the Invocation and Mayor Jerkins led the Pledge of Allegiance.

Mayor Jerkins asked if anyone had any items to add to the Agenda. No one did.

Mayor Jerkins presented a ten year Plaque and Pin to Sergeant Greg Bowling and thanked him for his years of service and for everything he had done over the years to protect the citizens.

Mayor Jerkins presented a ten year Plaque and Pin to Brandon Clark. Mayor Jerkins thanked Mr. Clark for his service and all his hard work to the City of Austell.

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 | \$2,102.99 |
| C. Approve Minutes of Regular Council Meeting | March 7, 2016 |

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

4. EXCEPTION TO CONSENT AGENDA

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5. CITIZENS REPORT

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

**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mayor Jerkins stated we had a normal meeting and the sales are off a lot because of the weather. Natural gas prices are down about thirty percent (30%). It has taken a lot of money out of our next year's budget. The first six months it was off eleven million dollars in sales which is a lot.

**7. FINANCE DEPARTMENT
OLLIE CLEMONS, CHAIRPERSON
Denise Soesbee, Director**

A. Financial Report

**8. GENERAL ADMINISTRATION
SANDRA LEVERETTE, CHAIRPERSON
Carolyn Duncan, Director**

A. No Report

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

A. Police Report

B. Code Enforcement Report

C. Reception – Sgt., Greg Bowling – Plaque & Pin – 10 Years
Brandon Clark – Plaque & Pin – 10 Years

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10. FIRE DEPARTMENT

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

A. Fire Report

B. Sale of 2004 Hackney Trailer

Mr. Green stated he would like to turn this over to Chief Maxwell. Chief Maxwell stated the City of Austell has had an offer of \$5,000.00 from Paulding County Fire Department for the purchase of our 2004 Hackney trailer. VIN# 1HHEST12753009013.

This trailer has been out of service for a number of years and no longer being used by the City. We have inquired with other departments within the City and no one has a use for the trailer as this time or knows of any future use.

The funds would go back into the Public Works SPLOST budget for reimbursement of a truck that was purchased to use with the rescue boat and by the Fire Department.

Mr. Clemons stated he was not familiar with this Hackney trailer and asked Chief Maxwell if he thought this was fair price for the trailer. Chief Maxwell stated yes, he did think it was a fair price for the trailer.

Mr. Green moved to follow the recommendation to approve the Sale of the 2004 Hackney Trailer. Seconded by Ms. Valerie Anderson. Motion passed (5-0).

11. PUBLIC WORKS DEPARTMENT

**KIRSTEN ANDERSON, CHAIRPERSON
Randy Bowens, Director**

1. Recommendation and Approval:

A. Sweetwater Manor Street Lighting Approval

Ms. Kirsten Anderson stated the purpose is to approve the street lighting plan for Sweetwater Manor. Venture Homes, Inc. has submitted a street lighting plan for Sweetwater Manor. The plan includes 18 150-watt post top fixture lights and one 400-watt post top fixture light at the entrance. These will be mounted on sixteen (16) foot black fiberglass poles.

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The monthly cost will be \$227.55; however, the developer will be responsible for costs related to the installation of the poles and the first year lighting costs. After acceptance by the City of Austell funding will come from the general fund street lighting budget.

Ms. Anderson moved to follow the recommendation of the Public Works Committee to approve the street lighting plan for Sweetwater Manor. Seconded by Mr. Green. Motion passed (5-0).

B. Purchase of Equipment

Ms. Anderson stated the purpose is to approve the purchase of one new Caterpillar 299D XHP Compact Track Loader and one new 416F2 HRC Backhoe.

Funding will come from the Special Local Option Sales Tax in an estimated cost not to exceed \$178,574.00.

Ms. Anderson moved to follow the recommendation of the Public Works Committee to approve the purchase of one new Caterpillar 299D XHP Compact Track Loader and one new 416F2 HRC Backhoe from Yancey Brothers Company in an estimated cost not to exceed \$178,574.00 and to authorize City staff to execute the corresponding documents. Seconded by Mr. Clemons. Motion passed (5-0).

C. Citywide Road Inventory and Rating Study

Ms. Anderson stated the purpose is to approve an agreement with Keck and Wood, Inc. for the purpose of preparing a citywide road inventory and rating study.

Austell Public Works maintains approximately 48.50 centerline miles of local roadway throughout the City of Austell. We have received a proposal from Keck and Wood, Inc. to evaluate and develop capital improvement pavement management program for City roads.

The study will consist of a visual inspection rating system and to develop a prioritization and cost estimate for the repairing/resurfacing of the roads. This project will involve visually inspecting and taking pictures of all roads within the city limits of Austell. Assigning a rating of one through four to each road based on its condition, with the numbers representing conditions of good, fair, poor, and very bad, respectively.

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A color-coded map of the City's roads will be prepared, and a cost estimate will be developed for the repairing/resurfacing of each road, which will be used in conjunction with the rating. The data obtained from this study will be incorporated into our GIS database.

Ms. Anderson moved to follow the recommendation of the Public Works Committee to approve an agreement with Keck and Wood, Inc. for a citywide road inventory and rating study and to authorize City staff to execute the corresponding documents. Seconded by Mr. Clemons. Motion passed (5-0).

2. Proclamation (Under Mayor's Agenda)

- A. Proclamation (See Mayor's Agenda)
- B. National Public Works Week
- C. Proclamation – Water Professional Appreciation Day

12. PARKS DEPARTMENT

**SCOTT THOMAS, CAHIRPERSON
Jim Graham, Director**

A. 2011 SPLOST Equipment

Mayor Jerkins stated the City of Austell Parks Department has received estimates for new Parks equipment as part of an approved 2011 SPLOST project. The estimates are as follows:

2016 Chevrolet Silverado 1500, John Thornton Chevrolet	\$23,186.00
2016 Chevrolet Silverado 1500, John Thornton Chevrolet	\$23,773.00
2016 Chevy Equinox, John Thornton Chevrolet	\$21,619.00
Kioti 2200 UTV, Franklin Tractor	\$11,894.00
Kioti 2240 UTV, Franklin Tractor	\$13,032.00

The total estimated project cost is: \$93,504.00

Ms. Valerie Anderson moved to follow the recommendation of the Parks Committee to approve the proposed 2011 SPLOST equipment project. Funding will come from the 2011 SPLOST. Seconded by Ms. Kirsten Anderson. Motion passed (5-0).

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13. COMMUNITY DEVELOPMENT

**VALERIE ANDERSON, CHAIRPERSON
Jim Graham, Director**

A. SLUP 1953 Royal Industrial Blvd.

Ms. Valerie Anderson stated the Department of Community Affairs has received a request from Christa Eddie Pollard for a SLUP on the property located at 1953 Royal Industrial Blvd., in LL 1303, parcel 30 of the 19th District, 2nd Section of Cobb County.

The Special Land Use Permit will allow Eddie Pollard to park no more than 2 trailers on the property at any given time.

At this time, I would like to turn this over to our City Attorney, Hylton Dupree for a Public Hearing. Mr. Dupree asked if the applicant was present. Mr. Dupree asked if anyone was present to speak in opposition of this application. Hearing none this Public Hearing is now closed.

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

Ms. Valerie Anderson moved to follow the recommendation to approve the request from Christa Eddie Pollard for a SLUP on the property located at 1953 Royal Industrial Blvd., in LL 1303, Parcel 30 of the 19th District, 2nd Section of Cobb County. Seconded by Ms. Kirsten Anderson. Motion passed (5-0).

B. SLUP 3150 Humphries Hill Road

Ms. Valerie Anderson stated the Department of Community Affairs has received a request from Christa and Jeramey's World II, LLC. For a SLUP on the property located at 3150 Humphries Hill Road, in LL 95, parcel 6 of the 18th District, 2nd Section of Cobb County.

The Special Land Use Permit will allow Christa and Jeramey's World II, LLC to operate a mulch-chipping and storage business. At this time I would like to turn this over to our City Attorney for a Public Hearing.

Mr. Hylton Dupree, City Attorney asked if the applicant was present. Mr. Paul Bagley stated his name and stated he was the representative. Mr. Dupree asked if there was anyone in opposition of this application. There was no opposition. Mr. Dupree swore in Mr. Bagley.

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Mr. Bagley stated we would like to open up a mulch yard where we do processing of wood waste. We have spoken to Public Works about taking in their wood waste, leaves and any kind of landscaping debris that we have. We will turn that in to a usable product to be used in landscaping from mulches to soil amendments. Mr. Dupree asked if anyone had any questions.

Ms. Leverette asked Mr. Bagley if they had conducted a sound test in that area. Mr. Bagley stated no, not on that property but we did presently have two yards, one in the Mableton and one in the City of Berkley Lake. We have done sound tests on both of those yards. We are using exactly the same equipment on this yard as we have used on the present yards. Ms. Valerie Anderson asked Mr. Bagley how he would have the yard fenced in. Mr. Bagley stated it will be fenced in there is some fencing on the back and there is some wood fencing on the front. We will add some fence next to the side next to Peco Lane. Ms. Anderson asked how about having the equipment locked. Mr. Bagley stated there are many different safety locks on our equipment. Different types have different locks and keys to the equipment disabling the machinery. You really need to be familiar with the equipment to be able to turn the equipment on. A lot of them have remote controls and sequences to turn them on before they will operate. Ms. Leverette asked what the hours are. Mr. Bagley stated it would be open from 7 A.M. to 5 P.M. five days a week, Monday through Friday. We have already spoken to the Planning and Zoning about keeping the noise down until 8 A.M. during the week and until 10:00 A.M. on Saturday. Ms. Kirsten Anderson asked what your Saturday hours are. Mr. Bagley stated 8:00 A.M. until; 2:00 P.M. on Saturday. Ms. Anderson asked if this would be retail for the public to purchase material. Mr. Bagley stated it would be a wholesale yard. Ms. Anderson asked what kind of traffic do you expect coming in and will people be dropping things off at the location. Mr. Bagley stated yes, they will, correct. Our present yards that we have now in Mableton and Berkley Lake have five to ten trucks per hour. Ms. Anderson asked if they are mostly dump trucks. Mr. Bagley stated, yes they are. We do have some tractor trailers we ship stuff out but seventy-five percent will be what we call ten wheelers, straight trucks. Ms. Anderson asked Mr. Bagley if he had these trucks. Ms. Anderson asked if these trucks are planning on coming down Humphries Hill Road from C.H. James Parkway. Ms. Bagley stated, yes, they are and not thorough the City limits. Mr. Green asked if there would be any kind of material that would sour or smell.

Mr. Bagley stated the way our State permit requirements are sixty percent (60%) of everything that comes in must go out within ninety (90) days.

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When we met with Planning and Zoning and Community Affairs once it comes into the gate and hasn't gone out of the gate it hasn't made a dime. We want it to go out as quickly as possible.

Mr. Graham stated we have agreed they will take our limbs, trees, and any debris we may have. This will be a plus for the City. Mr. Dupree asked if anyone had any other questions. Hearing none I recommend the Public Hearing closed.

Ms. Valerie Anderson moved to follow the recommendation of Mr. Dupree to close the Public Hearing. Seconded by Mr. Clemons. Motion passed (5-0).

Ms. Valerie Anderson moved to follow the recommendation of the Community Affairs Committee to approve the SLUP located at 3150 Humphries Hill Road. Seconded by Mr. Green. Motion passed (5-0).

C. SLUP 2523 Veterans Memorial Highway

Ms. Valerie Anderson stated the Department of Community Affairs has received a request from Carlos Bickers, B3, for a SLUP on the property located at 2523 Veterans Memorial Highway, in LL 27, parcel 23 of the 18th District, 2nd Section of Cobb County.

The Special Land Use Permit will allow Carlos Bickers to operate a Tattoo shop.

Ms. Valerie Anderson stated she would like to turn this over to the City Attorney, Hylton Dupree for a Public Hearing.

Mr. Dupree asked if the applicant was present. Mr. Bickers stated yes, he was present and stated his name as Howard Carlos Bickers. Mr. Dupree swore in Mr. Bickers. Mr. Dupree asked if anyone was present in opposition of this application. No one was in opposition.

Mr. Bickers introduced himself and stated he owned B3 Bar and Grill located at 2523 Veterans Memorial Highway and I have requested a Special Land Use Permit for a tattoo shop adjacent to my property. The building is actually connected to separate entrances at 2517 and 2523. I know this was a concern about it being separate. Ms. Anderson actually took a tour of the facility and she can attest that it is separate.

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Ms. Kirsten Anderson stated one of the concerns is signage. Do you plan to have a lot of signage or what will be displayed? Mr. Bickers asked you mean road displays? Ms. Anderson stated, yes sir. Mr. Bickers stated we will have one simple sign right above the door. It will basically be on the side of the building like I have now but not as large. It will read Tattoos. Ms. Anderson stated she had one other question. I am very unfamiliar with the tattoo process. Also, since this shop will be adjacent to a bar is there any law or regulations in the State of Georgia about getting a tattoo if you are intoxicated. Mr. Bickers stated they can suspend your license. I have a copy of the Cobb County Board of Health rules and regulations and it states in Sub-Section 5 and Sub-Section G reads an operator shall refuse services to anyone who is under the influence of drugs or alcohol. Mr. Green asked Mr. Bickers if he was in compliance with the State and County. Mr. Bickers stated he had already spoke with the Cobb County Public Health Department in the tattoo division and I had submitted my site plan and they have already approved the site plan. Ms. Leverette asked what the age restrictions on tattoos are. Mr. Bickers stated this is also regulated and we have to keep their I.D.'s and consent forms up to two (2) years on file and they have to be eighteen and above. Ms. Valerie Anderson asked if the Tattoo Artist have to be licensed. Mr. Bickers stated yes, they do. They have to be CPR certified, and blood certified and they also have to take a test through Cobb Public Health. Ms. Valerie Anderson asked what the hours would be. Mr. Bickers stated our planned hours will be from noon (12:00 P.M.) to eight (8:00 P.M.). Ms. Valerie Anderson stated so you will not be open when the bar is open. Mr. Bickers stated no, we will not. Mr. Dupree asked if there were any other questions. No one had any more questions.

Ms. Kirsten Anderson moved to follow the recommendation to close the Public Hearing. Seconded by Mr. Green. Motion passed (5-0).

Ms. Valerie Anderson moved to follow the recommendation of the Community Affairs Committee to approve the SLUP 2523 Veterans Memorial Highway. Seconded by Ms. Kirsten Anderson. Motion approved (5-0).

D. SLUP 1947 Royal Industrial Blvd.

Ms. Valerie Anderson stated the Department of Community Affairs has received a request from Daniel D. Mensah, for a SLUP on the property located at 1947 Royal Industrial Blvd., in LL 30, parcel 3 of the 19th District, 2nd Section of Cobb County.

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The Special Land Use Permit will allow Daniel Mensah to park 3 tractor trailers on the property. AT this time I would like to turn this over to our City Attorney, Hylton Dupree.

Mr. Dupree asked if the applicant was present and if anyone was present in opposition of the applicant. No one was present in opposition of the applicant.

Mr. Daniel Mensah introduced himself and Mr. Larry Cleveland introduced himself and stated he was the owner of the property. Mr. Dupree swore in both Mr. Mensah and Mr. Cleveland.

Mr. Cleveland stated we have been there for over thirty (30) years and we have been light commercial when we first started. Originally, it was built for like Coca-Cola trucks and we would load them up and go out the other doors. It has been light commercial all these years but it appears we have stepped up and came in with the tractor-trailers. Actually, they are shorter than tractor-trailers they are car haulers. Still the fact remains we need to go to heavy industrial and this is why we are here.

Mr. Dupree asked if there are any questions. Ms. Valerie Anderson asked if they would be working on the tractor-trailers there. Mr. Mensah stated no, he would not be working on the tractor-trailers he would just be hauling cars. Ms. Valerie Anderson asked how long would they be parked there? Mr. Mensah stated just on the weekends. During the week we will be going to New Jersey and be back in five days. Ms. Valerie Anderson asked if the area is fenced so they would be in the back of the area. Mr. Mensah stated they would be on the side of the warehouse. Mr. Graham stated the Planning and Zoning recommended the tractor-trailers be parked on concrete or asphalt. Ms. Kirsten Anderson stated she had a question. The cars that you are hauling will they be parked in the area. Mr. Mensah stated the cars will be on the trailers. Mr. Cleveland stated the statement Mr. Graham made about the tractor-trailers they will be parked on concrete. Mr. Dupree asked if there are any further questions. Hearing none I recommend a motion to close the Public Hearing.

Ms. Valerie Anderson moved to follow the recommendation of Mr. Dupree to close the Public Hearing. Seconded by Ms. Kirsten Anderson. Motion passed (5-0).

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Ms. Valerie Anderson moved to follow the recommendation of the Community Affairs Committee to approve the SLUP at 1947 Royal Industrial Blvd. Seconded by Ms. Sandra Leverette. Motion passed (5-0).

E. 20 Year Comprehensive Plan

Ms. Valerie Anderson stated the Community Affairs Committee recommends approval of the attached proposal to complete a new 20 year Comprehensive Plan. Funding will come from Fiscal year 2016 Budget.

Mr. Graham stated if you have any questions Mr. Daniel Dobry from Croy Engineering is here to answer any questions you may have. Ms. Valerie Anderson stated if you would please explain to us.

Mr. Daniel B. Dobry, Jr. introduced himself and stated he was with Croy Engineering. I will be the Project Manager for the Comprehensive Plan update. It is required by the Department of Community Affairs in order for the City of Austell to maintain its qualified local government status. Five years ago the interim plan was updated and it is every ten years you do the major update and this is what we will be conducting. It is an opportunity for you as elected officials and the stake holders it will be defined and with your input and working with Community Affairs to define the vision for the City of Austell for the next twenty years and in the various components which makes the City of Austell such a viable place to live and have your businesses and raise your families. We will look at economic development, natural resources, parks, cultural affairs opportunities and housing plans. One of the things we will not be doing is the transportation portion because the County just recently updated the Comprehensive Transportation Plan which the City of Austell participated. We will take that work and just roll that in and that would not be a separate effort. We will be also holding various public involvement opportunities to engage the general public in addition to the elected officials and the stake holders. The outcome will be a plan that will meet the requirements of the Atlanta Regional Commission and the State Department of Community Affairs so the City will maintain will maintain its qualified government status. Mr. Clemons asked when it should need to be completed. Mr. Dobry stated the deadline is 2017. It is our intention because of the work done five years ago we would like to have a good draft done before the Christmas holidays. Because of the time and effort and be able to finish the report and right at the beginning of the year start the coordination process with the State and the Regional Agencies. I hate to say it but it feels like June 2017 is right around the corner.

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We would like to be finished with all of our work before the end of the year. Then we will have that time period next spring to complete the requirements. I look forward to working with each of you and you are an important part to putting this plan together. Ms. Valerie Anderson asked when will we engage the communities to let them know what is going on. Mr. Dobry stated there will be a number of opportunities but we do not have the specifics yet. One of the ideas we had was working through the PTA at the schools so we can reach the families and to have an open house for the residents of Austell. We are going to explore all of those engagement opportunities to reach as many people as possible.

Ms. Kirsten Anderson stated she had a question. Ms. Anderson stated I see the funding will come from the fiscal year 2016 Budget and will it be a maximum of \$43,090.00 or is that flexible and could it possibly change? Mr. Graham stated it is allocated in our 2016 Budget.

Ms. Valerie Anderson moved to follow the recommendation of the Community affairs Committee to approve the 20 Year Comprehensive Plan. Seconded by Mr. Clemons. Motion passed (5-0).

14. ATTORNEY, DUPREE & KIMBROUGH

A. No Report

15. MAYOR'S REPORT

A. CMA MEETING APRIL 12, 2016
TIME: 6:30 P.M.
LOCATION: Hosted by City of Kennesaw

B. Proclamation – National Public Works Week
Mayor Jerkins read the Proclamation and recommended to approve the Proclamation – National Public Works Week.

Ms. Kirsten Anderson moved to follow the recommendation of Mayor Jerkins to approve the Proclamation – National Public Works Week. Seconded by Mr. Clemons. Motion passed (5-0).

C. Proclamation – Water Professional Appreciation Day
Mayor Jerkins read the Proclamation and recommended to approve the Proclamation – Water Professional Appreciation Day.

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Ms. Valerie Anderson moved to follow the recommendation of Mayor Jerkins to approve the Proclamation – Water Professional Appreciation Day. Seconded by Mr. Clemons. Motion passed (5-0).

Mayor Jerkins thanked Mr. Randy Bowens for everything the Public Works Department does in keeping our water clean and the water running to us. The department does a great job and we really appreciate you. Especially, Duane Demeritt who has done a lot of work for us and we would like to thank you.

Mr. Clemons stated he would like to give an update on our Active Shooter Presentation. Captain Henson is completely certified and we are trying to schedule for the second week in May to actually have the presentation. We are trying to put all the pieces together now and to get the word out and should be very interesting. It is one of the hottest things and unfortunately affecting our society daily now. Everyone is interested in how to protect themselves. We will make sure to get the information out to our citizens as to how to keep themselves safe. We will get the information out in the next couple of weeks.

Ms. Valerie Anderson stated she and Sandra Leverette held their first Town Hall meeting and it was a great success. I would like to thank Mr. Jim Graham, Mr. Randy Bowens, Fire Chief Pat Maxwell, Police Chief Starrett, Duane Demeritt, Ms. Kirsten Anderson and Mr. Clemons for attending. Also, citizens for attending and I do plan to hold more and I appreciate you coming out and your support and thank you.

Ms. Ann Turner stated she wanted to attend the Town Hall Meeting but I was in Griffin, Georgia trying to make some money. As I have said before Mr. Bowens crew does a fantastic job. The streets in the City of Griffin are horrible. Anyone who complains about Austell streets hasn't been out much to see streets in other cities.

16. ADJOURN

Ms. Kirsten Anderson moved to follow the recommendation of Mayor Jerkins to adjourn the meeting. Seconded by Ms. Leverette. Motion passed (5-0).