

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
OCTOBER 6, 2014**

Present: Mayor Joe Jerkins
Kirsten Anderson
Ollie Clemons
Randy Green
Virginia Reagan
Suzanne Thomason

Absent: Attorney Scott Kimbrough

The regular meeting of the Mayor and Council was held on Monday, October 6, 2014 at 7:00 P.M. at City Hall.

Also Present were: Carolyn Duncan, City Clerk; Sandra Farmer, Deputy City Clerk; General Administration; 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. Pastor Ridgeway 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.

Mayor Jerkins presented Plaques and Pins to the following employees:

Tommy (Bo) Garrison – (Street Division) 15 Years
Cleveland Seaborn – (Street Division) – 10 Years
Antonio Travitt – (Street Division) – 10 Years
Dustin S. Evans – (Water Division) – 5 Years
Christy Hood – (Police Dept.) – 10 Years
Adam Moody – (Police Dept.) – 10 Years

Mayor Jerkins thanked each and every one of the employees for their hard work and dedication to the City.

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 \$1,315.00
- C. Approve Minutes of Regular Council Meeting September 8, 2014

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

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

A. Presentation – Joining Hands in Wellness – Annette Hughes
Darlene Dukes

Ms. Dukes stated Ms. Hughes had a death in her family and her husband Jeffrey Hughes is here with us and also Lee Miller who was our race Director. I just want to say awesome! This was an amazing event and we so appreciate the City of Austell. We have a plaque to present to you and Certificate of Appreciation to present to Mayor Joe Jerkins and the City of Austell for your generous support and promotion of the 2014 Austell Wellness Day and the Eight Dimensions of Wellness. We hope this will become an annual event in the future. We had over forty partners throughout the community all addressing the Eight Dimensions of Wellness. It wasn't as well attended by our citizenship as I would have hoped. It is just a PR thing and we have a challenge ahead next year. I would like to thank Council woman Kirsten Anderson for all her help in heading this up and being there at the reception on Friday night and running in the race. This is an important awareness event for the City of Austell and all of our citizens. We certainly appreciate your support. Mr. Hughes then took some photographs of Mayor Jerkins, Ms. Dukes and Ms. Anderson.

Mayor Jerkins asked if anyone else would like to speak to the Mayor and Council.

Ms. Turner stated her name and stated where she lives. Ms. Turner wanted to address Veterans Park and the discussion at pre-agenda meeting about Veterans Park. She said, I have been doing some thinking about it. I realize we can't have a junked up messy place in the City and not maintain any kind of semblance that we are a City of order and not a City of disorder. That park is to honor veterans who fought for our freedom and the freedom to do as we pretty much wish to do within the bounds of the law. My question is why the Council couldn't approve a maximum of three permits to be renewed every three months at no charge for people who want to setup and sell things. We have a lot of older people in the City who have no way of getting around and can't go to the grocery stores because we don't have one here. You cannot go on a sidewalk to get to Food Depot safely. I miss the opportunity to go to the fellow that setup next to Sweetwater Inn for fruits and vegetables. I can't always get out on Thursday morning to go to Mableton. I don't get up to Marietta on a Saturday to buy stuff there at the Farmer's market.

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Why couldn't we have something on a restricted basis at the Veterans Park with a stipulation of course that if they find it clean they leave it clean? If they scattered peanut shells all over like many people do they will not be invited back. This is just something I have been thinking about. Thank you.

**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mayor Jerkins stated he attended the meeting and Mr. Kimbrough was there. It was a normal meeting. Does anyone have any questions? No one did.

**7. FINANCE DEPARTMENT
Virginia Reagan, CHAIRPERSON
Denise Soesbee, Director**

A. Financial Report

B. 2013 – 2014 Budget Revisions

Ms. Reagan stated the Finance Committee would like to amend the attached accounts listed in the 2013 -2014 fiscal year end budget. These adjustments are to bring the budget by department in line with what was actually spent during the year.

Highlights include the construction of the new gym facility, additions to existing phone system, and repairs to park decorations as well as recording actual grant activity.

Ms. Reagan moved to follow the recommendation to approve the 2013-2014 Budget Revisions. Seconded by Mr. Thomas. Motion passed (6-0).

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

A. No Report

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

- A. Police Report
- B. Code Enforcement Report
- C. 10 Year Service Reception, Pin & Plaque presentation
 - Christy Hood
 - Adam Moody

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

- A. Fire Report
- B. Employee Health Fair (Information Only)

Mr. Green stated he would like to turn this over to Chief Williams. Chief Williams stated the City of Austell Health Fair will be held in the Courtroom of the Threadmill Complex from 9:00 A.M. until Noon on the 23rd of October. Last Year's health fair was very informative and well attended.

The Wellness Committee along with Heritage Benefits has put together a program that is a true benefit to all who are able to attend. Please encourage participation! A healthy workplace is a more productive workplace! Walgreen's will administer the flu shots.

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

1. Employee Service Presentation:

- A. 15 Year Service Reception, Pin and Plaque Presentation
 - Tommy (Bo) R. Garrison (Street Division)
- B. 10 Year Service Reception, Pin, and Plaque Presentation
 - Cleveland L. Seaborn (Street Division)
 - Antonio A. Travitt (Street Division)
 - 5 Year Presentation – Dustin Evans (Water Division)

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**12. PARKS DEPARTMENT
RANDY GREEN, CHAIRMAN
Jim Graham, Director**

A. Legion Park Lighting Addition Project

Mr. Thomas stated the City of Austell Parks Committee recommends approval of the Legion Park Lighting Addition project. The project will consist of installing three parking lot lights in the Legion gravel parking lot. The project will be funded using money from SPLOST.

The Parks Department received an estimate from All Star Lighting for this project which is attached for your review. All Star Lighting installed the existing lighting at Legion Park. All Star Lighting has also been awarded contracts from Cobb County to install recreational lighting. The Parks Committee recommends approval of the attached estimate in the amount of \$12,071.00.

Mr. Thomas moved to approve the recommendation of the Parks Committee. Ms Reagan seconded the motion. Passed 6-0.

B. Gospel Nation Hallelujah Festival

Mr. Thomas stated the City of Austell Parks Department budgeted \$2,000.00 in Special Events to be used to help Gospel Nation with an event alternative to Halloween. The City of Austell Parks Committee recommends approval to expend these funds for various items Gospel Nation deems necessary.

Mr. Thomas moved to approve the recommendation of the Parks Committee. Ms Reagan seconded the motion. Passed 6-0.

C. End It Disc Golf Tournament

Mr. Thomas stated the City of Austell Parks Committee recommends approval of the request from Ewing Road Baptist Church to use Frog Rock Disc Golf Course at Louise Suggs Memorial Park to host a disc golf tournament on October 25, 2014 to raise funds and awareness to prevent human trafficking.

Mr. Thomas moved to approve the recommendation. Ms Reagan seconded the motion. Passed 6-0.

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

A. Special Land Use Permit 6289 Hwy. 78; Building 6, Ste.A

Mr. Clemons stated the Department of Community Affairs has received a request from Judah Family Worship Center, Inc. for a Special Land Use Permit on property located at 6289 Hwy. 78, Bldg 6, Se A in LL 206, parcel 35 of the 18th District, 2nd Section of Douglas County.

The Special Land Use Permit will allow Judah Family Worship Center, Inc. to operate a church on the above mentioned property in its current zoning of Light Industrial.

The Planning and Zoning Commission voted to recommend that the Mayor and Council approve the application from Judah Family Worship Center, Inc. on September 16, 2014, (5-6)

Mr. Clemons turned the meeting over to Mayor Jerkins for a Public Hearing on he proposed Special Land Use Permit.

Mayor Jerkins asked if anyone was present to speak on behalf of the request. Mr. Ricardo Roper came forward to speak for the Judah Family Worship Center, Inc. Mayor Jerkins swore him in.

Mr. Roper stated that he is the Pastor of Judah Family Worship Center, Inc. and that his church is celebrating their second anniversary. Previously the church was located in Powder Springs, but have a new location at the above referenced address. The church is 501(c) 3 and they are working in the neighborhood to help families and youth. Judah Family Worship Center, Inc. has sponsored two back to school extravaganzas go raise money for underprivileged children's school backpacks. Mr. Roper served thirteen years in the U.S. Marines and was able to sponsor Toys for Tots at their facility to help children at Christmas. The church wants to reach out into the community and help residents have a better life. The church is reaching out to mentor students through a music program. Mr. Roper said he has a music degree and is a music teacher. Participating in the arts helps students academically. The church wants to assist any way they can in the Austell community in Douglas County. The church has services on Sunday and Tuesday.

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Mayor Jerkins asked if there is enough parking for the church services. Mr. Roper said there is enough parking. Mr. Jack Adams has given permission for the church members to use his parking lot if necessary.

Mr. Green asked if the building met code. Mr. Graham said it did. Mayor Jerkins asked if anyone had signed in to speak against the Special Land Use Permit. Mr. Graham said no one had signed in to oppose.

Since there were no other questions from the Council and no one had signed in, Mayor Jerkins asked for a motion to close the Hearing.

Mr. Clemons moved to close the Public Hearing. Mr. Green seconded the motion. Passed 6-0.

Mr. Clemons stated since the Planning and Zoning Board voted to grant the request and Community Affairs agreed, I move to approve the request from Judah Family Worship Center, Inc. for a Special Land Use Permit. Mr. Green seconded the motion. Passed 6-0.

Mayor Jerkins asked if Mr Roper understands what to do next. Mr. Graham said yes. He will have to come in to apply for a Business License and go through the process. It will be good for two years, and if there are no problems, we can renew it automatically, but if there are problems we will bring it back to the Council.

B. Member Appointment for Planning and Zoning Board

Mr. Clemons moved to appoint Ms Sandra Leverette to replace the vacant seat left by Mr. Bill Foster on the Planning and Zoning Board. The appointment will be for the remainder of the term to expire on May 31, 2016. The seat represents Ward 4. Ms Anderson seconded the motion. Passed 6-0.

C. Austell Farmers Market (Tabled from September)

Mr. Clemons stated that some questions were asked of Mr. Graham at the last meeting about providing space for vendors. Mr. Graham said we checked into a site we own that where we could allow vendors, but we would have to do some work and provide a curb cut off of Veterans Memorial Hwy. and that would be expensive. We've talked to the owner of the lot next door about selling it to us, but they have not decided whether or not to sell. He said as the Council remembered, the Farmer's Market was created several years ago to provide for vendors for our area. He said as you remember, we tried to have a Farmer's

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Market in that location and it went well for a while, but when we started the Veterans Memorial Park we believed we had to change from the vending population. We did what the Council decided.

Mr. Clemons said that realizing some vendors have been located there. We have been trying to control and maintain what the park was designed for. We are looking at the Community Affairs committee recommendation that Veterans Memorial Park no longer be designated an area for use as a Farmers Market. The Committee also recommends that no vendors be allowed to set up in Veterans Memorial Park with the exception of special events in honor of our Veterans approved by Mayor and Council on a case by case basis.

The Community Affairs Department requests the area be zone patrolled by the Austell Police Department to ensure Veterans Memorial Park is not being used as a location for vendors.

In an effort to be civil to the current vendors, we recommend that this be made effective January 1, 2015 to allow them time to find another location. Also, a stipulation should be added that if there are any approved activities between now and that time, vending would not be allowed.

Mr. Clemons moved to approve the recommendation of the Community Affairs Department, effective January 1, 2015. Ms Reagan seconded the motion.

Mayor Jerkins asked if there were any comments. Ms Anderson said she had some comments. Ms Anderson said that a big emphasis has been put on the vendors. She said she is not concerned about the vendors, they can go up the road to sell. She is concerned for her community, her constituents, and those who do not drive – even if it's only 5 – 10 percent. There are also a lot of people who don't drive and there is a lot who drive on a limited basis. We are not offering our community any other businesses. We are pushing away businesses. Business brings more business. No one wants to drive through a dead town and decide to open a business there.

She said she is glad the Veterans Park is there, but hates to see a park vacant on weekends. The majority of the people driving by there do not even know it is a veterans' park and they are not going to stop. Now, we have taken one more service away. Her problem is not that the vendors are unable to sell at that location, her problem is what little we are offering our citizens as far as going to

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purchase things. We have wonderful sidewalks. We have a lot of people in wheelchairs who like the flexibility of getting out to get things, but there's nothing to get.

Mr. Green said that Mr. Graham is working on a place. Mr. Graham said yes he is, but would like bring up that several residents who have memorial bricks in the park are offended by vending in the park. We have had two or three similar complaints and we have also had positive comments from people who drive by and call to say how attractive it is. Mr. Graham said in his opinion since we started this we should maintain the park.

Ms Anderson said she understands their concerns, but she is still concerned about the lack of business in the area. She has gone down to the park and said it looks clean and friendly, but she is concerned that we are taking something else away.

Mr. Thomas said that several of his friends who are veterans are pleased with the park and are grateful. He said that Mr. Clemons has a good recommendation. Ms Anderson said she agreed. Mr. Green said it will just take a little time.

Mr. Graham stated the city is not running businesses off. We encourage business. The building owners do not keep up their property, but we have heard of several things that might be happening that will be good for the community. In fact, we have inspected three locations, but things don't happen overnight.

Ms Anderson said she has lived here for a while and there is no place to go, especially for food. Mr. Green said he grew up here and as a kid Dairy Queen was the only thing we had in Austell. Fast food is still the only type of food, except Wallace Barbeque, we have ever had. We are trying to get other businesses in the city.

Ms Reagan said she would like to see the vendors park on the upper end instead of next to the monument. Mr. Graham said we can try to enforce that. Mayor Jerkins said it could be put in the stipulations.

Mr. Clemons said vendor parking would be included part of the stipulations. Ms Reagan agreed to accept that in the motion. *Mr. Clemons moved to approve the recommendation of the Community Affairs Department, effective January 1, 2015. Ms Reagan seconded the motion. The vote was taken, and passed 6-0.*

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14. ATTORNEY, DUPREE & KIMBROUGH

A. No Report

15. MAYORS REPORT

Mayor Jerkins said there are no meetings scheduled for CMA. The Mayor said he had nothing else. Ms Reagan asked what is going to happen to the old Sweetwater Inn since it is being torn down. No one on the Council was sure what would happen to the property.

16. ADJOURN