

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015**

Present: Mayor Joe Jerkins
Ollie Clemons
Randy Green
Virginia Reagan
Scott Thomas
Suzanne Thomason

Absent: Kirsten Anderson
Carolyn Duncan
Bob Starrett

The regular meeting of the Mayor and Council was held on Monday, March 2, 2015 at 7:00 P.M. at City Hall.

Also present were: Scott Kimbrough, City Attorney; Sandra Farmer, Deputy City Clerk; General Administration; Randy Bowens, Public Works Director; Jim Graham, Community Affairs Director; Denise Soesbee, Finance Director; and Tim Williams, Fire Chief.

1. CALL TO ORDER

Mayor Jerkins called the meeting to order, Pastor Tim Ridgeway gave the Invocation and Mayor Jerkins led the Pledge of Allegiance.

Mayor Jerkins presented Sharon Garrett with a Plaque and Pin for her fifteen years of service to the City of Austell. Mayor Jerkins thanked Ms. Garrett, Police Detective for her service and dedication to the City and stated what a valuable employee she was to the City of Austell and how proud we are of you. Mayor Jerkins also presented a pin to Isha Seaborn, Police Officer for her five years of service. Mayor Jerkins thanked Officer Seaborn for service to the City of Austell and stated what a good job she had done.

Mayor Jerkins stated to the Council if it would be O.K. I would like to present the Red Cross Proclamation. Mayor Jerkins read the Proclamation and recommended to the Council to approve the Proclamation.

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

Mr. Minor who is the volunteer Board Member from Red Cross thanked the Mayor and Council. He stated this is a very important time for us to think about what we have done. He stated he was a volunteer Board Member here in Atlanta and all of Georgia. With me is Odell Lewis, who is a disaster volunteer who responded to more than one hundred and fifty-two fires last year and other disasters. Prior to starting the meeting he was telling me between January 15, and February 15, he responded to thirty-six fires this year. It is really like volunteers like Odell that helps us and all of our folks get through hard times.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 2**

Many times it is the Red Cross volunteer that a family needs first and it is their sign of hope. The Red Cross volunteers provide a shoulder to lean on. They make sure the families have food, a roof over their head and clothes to wear. They help them to think about what is next and what do we need to do. When you are in that shock type period you really don't know. Having someone there to talk with really helps and is a big deal. We don't think we have had a really bad winter we starting off with the worst disaster year we have had so far. There are more than twenty-four hundred people here in Georgia including some of our neighbors in the last twelve months we have had more than twenty fires and we have helped more than sixty (60) people right here. As the Mayor said March is Red Cross month and it is the time to recognize those who have had helped our neighbors. We would like to say not all heroes wear capes. Some of them like Odell have helped people recover from their fires, and given blood to help patients. Others do service work. We have a large program with the Armed Forces. We are in the month of March so this a great time to reflect and discover your inner hero. This would be by giving your time, funds, giving blood, or by taking a Red Cross class such as CPR to save a life. We are not a government agency we work a lot with them but we survive on your donations and your volunteerism. So, on behalf of the Red Cross I would like to thank the City of Austell, the Mayor and the Council Members.

Mayor Jerkins asked if anyone would like to add items to the Agenda. Mr. Thomas stated he would like to add 11 D. – Annual License Agreement for Asset Management, Infrastructure Management, and Administration.

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to add 11 D. – Annual License Agreement for Asset Management, Infrastructure Management, and Administration to the Agenda. Seconded by Ms. Reagan. Motion passed (5-0).

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 | \$1,130.00 |
| C. Approve Minutes of Regular Council Meeting | February 2, 2015 |

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

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 3**

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

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

Mr. Garfield Goza stated his name and stated his partners name Marie Gian. We own One Stop Recycling Service located at 5010 Flinthill Road in Austell, GA. We come before the Council tonight to request four (4) trailers added to our property so we will have the ability to store more stuff inside the trailers instead of having stuff on the outside. We also would like permission to be able to store baled cardboard on a concrete pad on the left hand side of the building. This material would stay there for a very short period of time probably within two to three days and Caraustar gives us an order and then we ship it to them direct. When we first went into the building we thought we had plenty of room and due to some of the changes of some of the material we run and materials have changed dramatically. One material used to be one material and now some of that same material has five different things in it. In other words because of the index or the structure of the material has to be separated so it fills up a lot more boxes and takes up more space than we originally started out with. We want to be a good citizen in Austell and we have twelve permanent employees and six of them live here in the City of Austell. I think that we have done a good job as we possibly can including putting up privacy fences and stuff like that. You are welcome to come by and if anyone has any suggestions that may help we would be glad to do it. We would like to have more trailers and we would also like to store metal in the containers on the outside. Some of our business as our name refers is One Stop Recycling Services but some of our customers think we are a plastic recycling company. Some of our customers put some metal into our trailers too because they want one company to pickup everything and not have to deal with several different companies. Mayor jerkins asked what type trailers? Mr. Goza stated they would be forty-eight to fifty-three footers. Originally, we had asked for ten but we really have about six point four (6.4) acres there. We have the ability but we need to have about thirty trailers there for storage. Mayor Jerkins asked are they tractor and trailers. Mr. Goza stated, yes they are. Mr. Goza stated a lot of the trailers do not belong to us. Our customers will send them in for a period of one to two days long enough for us to get them on the loading dock to get them unloaded and then they pick them back up. We have one customer that keeps basically four trailers in transit there all the time. Mayor Jerkins asked where they would be placed. Mr. Goza stated they would be placed where they are right now on the left hand side of the building. It is a very large staging area. Since we came to the building we have cleared a lot of trees and cleared that whole area. Mayor Jerkins asked if there a fence there where they would not be seen. Mr. Goza stated, yes, sir there is a fence there now.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 4**

Mayor Jerkins asked Mr. Clemons if he had been out there to the company and what his opinion on this was. Mr. Clemons stated he and Mr. Graham the Community Development Director went out there and made a site visit. They do have the room and it is zoned for that and they do have the room for the trailers and it would be a big help because in a transition for the recyclables when they get them in and turn them and send them back out they have had some that had to sit outside. They have cleared a lot of that up and they really need more space as they are working through the recyclables. They are doing a good job with moving everything and they are very responsive. Mr. Graham went out before I did and visited with them and cited some things he saw. When he and I went back out there they had cleared that up. Mayor Jerkins asked Mr. Graham if he felt O.K. with this. Mr. Graham stated yes, he did. The trailers that are there and there is a natural buffer between them and Village on the Park. I'd rather see a trailer out there than the stuff piled up. Mayor Jerkins stated so your opinion would be this would help clean up the property. Mr. Graham stated yes it would to keep it in the trailers instead of the loading dock. The only thing they asked is that the baled cardboard stay there for a couple of days till Carastar could pick it up. We do stay out there quite a bit and we stay on them quite a bit. They have always tried to do what we have asked them to do. Just like all recyclers we have to stay on them. Mayor Jerkins asked Mr. Clemons if he was O.K. with this. Mr. Clemons stated he was O.K. with them because he had visited with them and everything seems to be good. They do know that Mr. Graham and I will continue to visit to make sure everything is up to par. I think this would help to resolve some of the situation they have going on.

Mr. Clemons moved to follow the recommendation of Mayor Jerkins to approve the additional trailers, One Stop Recycling needs four more trailers. Mr. Goza stated we really need thirty more trailers because of the transit of the trailers that the other companies send in. We never know how many trailers when they call they may say we have three trailers to bring in. At some point there would be more trailers and at other points there would be fewer trailers. The highpoint should be about thirty trailers total. The overall general request around twenty. Mr. Graham stated the first go around we approved ten trailers so now you are asking for twenty more. Mr. Goza stated, yes, correct and they are in transit and they are not there for long periods of time. For one to two days they are unloaded and like I said they are bringing other trailers the seven to nine trailers that don't belong to us at all. Mayor Jerkins stated you have me confused now so start over. Mr. Goza stated several of the trailers; I would say seven to ten trailers don't belong to us. Mayor Jerkins stated what are you asking for, how many do you have and many do you want. Mayor Jerkins asked how many do you have out there. Mr. Goza stated I have twenty-two out there now. Mayor Jerkins stated so basically you need eight more. Mr. Goza stated, yes, correct.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 5**

Mayor Jerkins asked if anyone had any questions or concerns. Ms. Thomason stated the only problem I have is the stuff you put out in the front. In the parking lot from time to time when I go by there it will be bits and pieces of metal. There was a rack and another trailer in the parking lot for several days. It's the stuff in the front that looks bad when you drive by not necessarily behind the fence. Mr. Graham stated that was gutters for their building. Mr. Goza stated we are in the process of putting new gutters on the building. Also, we are still having to work on the building quite a bit. We still have some metal we have to take out that but there will not be anything in front of the building anymore. Ms. Thomason stated or in front of the fence on both sides. Mr. Goza stated no, there will not be anything. Mayor Jerkins stated so you are going to try to keep that clean. Mr. Goza stated, yes we will.

Mr. Clemons moved to follow the recommendation of Mayor Jerkins to approve the request for One Stop Recycling to add the additional eight trailers for a total number of thirty trailers in order to help with their recycling. Seconded by Mr. Thomas. Motion passed (5-0).

Mayor Jerkins asked if anyone else would like to speak to the Council. Ms. Kimberly Willingham Warner and I have a question, I live off of Pontiac Circle and I have a question about Cheyenne Estates and the twelve remaining houses that are abandoned and broken down. I have read articles in the paper saying they are considering tearing them down. Mayor Jerkins asked did you say Sanders Drive. Ms. Willingham Warner stated no, Pontiac Circle. I would like to know what is going on with these houses.

Mayor Jerkins stated we are trying to finish up the Federal flooding part of it. Maybe by August we will have that done. It should be and I am starting to work on this. I met the Marietta paper yesterday and they took some pictures on two houses on Sanders Drive. When I went out there on Sanders Drive Cobb County had posted a tax lien on one of the houses that had burned. I will have to back off of that one till they get something done. The other house we are starting to work on that one. I spoke with our Attorney, Mr. Scott Kimbrough last week and he agrees we can try and condemn the houses and then at that point we will tear them down. Ms. Willingham Warner stated I think you have torn down a couple already that the City has purchased. Mr. Bowens stated three houses. Mayor Jerkins stated that is part of the Federal stuff and this will be City owned. Ms. Willingham Warner stated there are eight houses I look at every day and it has been five years and I feel like this ample time for something to be done. There is nowhere for our kids to play. Our park was destroyed and it has never been replaced so the kids like to bust the windows out and do a lot of crazy things to these properties because they have nowhere else to play besides in the road and they do not need to do that.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 6**

There are squatters at the end of the road and that is not safe for me or my children to be driving through. Mayor Jerkins stated we are going to work on them but it will take time to do this. Ms. Warner stated it has been five years that we have been looking at this mess. It is a health hazard and it's nasty and you don't know what is in there. Ms. Warner stated I don't want to have a party because I don't want people to come in my subdivision. Mayor Jerkins stated I understand that. Mayor Jerkins stated to Ms. Warner if you will get with Mr. Bowens and let him know which houses are your concerns. We will try and start working on them when we start working on Sanders Drive and try and see what we can do about them. Mayor Jerkins stated we have to take City money and condemn them and the Federal government is not going to give us a nickel or State either on any of these. It will all have to come from City money. We have to condemn them and tear them down and it will cost anywhere from seven hundred (\$7500.00) to twelve thousand (\$12,000.00) per house. So, we have to go through the process. Some of them have loans on them and we can't get in contact with the banks or they have sold the loan to someone else and we run into all kinds of problems with them but it takes time to get the problems resolved. If we tear one down and we don't get it exactly right we will end up owing the money the loan company has. So, we have to be careful with what we do all of the houses. Ms. Warner stated she understood. Mayor Jerkins stated it is not an easy process. Ms. Warner stated it has been five years and why hasn't it been handled before now or has it taken this long to figure out what to do. Mayor Jerkins stated we have not worked on these because every time we have tried to work on them we cannot find anyone who originally owned the home. Mr. Kimbrough stated Mr. Bowens has something to add.

Mr. Bowens stated we are aware of every house there that has been abandoned and is a part of neglect as a result of the 2009 flood. We have the documentation on those houses but the problem is once the houses have flooded then it either goes into foreclosure because the banks will not accept responsibility. Just like the houses on Sanders Drive, the people will either sell to someone else or place it in a pool of mortgages like the Mayor said that someone else will buy. We are restricted because once we try and find out that information and documentation on how that house has passed through several different hands. We are in the process right now with 1141 Pontiac Circle and we have gone through numerous connections trying to find out who owns the property. No one would actually come up and say who owns it. Ms. Warner stated they are probably afraid they will owe a lot of money and I don't blame them. However, it is hard for me to believe within this amount of time that we can't do something. I shouldn't have to let my little girls and kids play outside and look at all this. We shouldn't be exposed to it. None of you would want to look at it out your bedroom window. I really want something done.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 7**

I feel like it is nasty and I have to look at it every day and after five (5) years I am tired of it. Mr. Bowens stated he understood. Ms. Warner stated she understood the whole legality of everything but there is something that can be done. Mr. Bowens stated you have to understand the City's point of view that we can't go in and demolish someone's property without ownership of it. If we do that we open ourselves up to liability. Because someone will come forward and say well you tore down my house and you didn't own it. Ms. Warner stated the neighbor's kid is playing in that house and what if they get hurt. Whose responsibility would that be? Mr. Bowens stated whoever owns the property at that time. If there is a mortgage on the property there are very few that come forward and say we own the mortgage on that particular property. A lot of times we run into property like that which the previous owner is still on the record at the county because the transition has not been made even though the foreclosure has been placed on that property. No one has claimed ownership of the property even though there is a mortgage on the property. The banks will not say we own the mortgage on the property and they will not come forth because if they do we can cite them and tell them they have to clean this property and secure it. If we actually take the initiative to go out there and secure the property it would be considered trespassing. We have to go through legal procedures to do this. Ms. Warner stated so if someone gets hurt it would be whoever owns the property or if you track them down and try and find out who owns the property. Mr. Bowens stated we are aware of all this.

Mayor Jerkins asked if someone else would like to speak to the Council. Mr. Joshua Adams stated his name and stated he lived at 4876 Nature Trail in Cypress Cove neighborhood and there are four of us here this evening who are on the HOA Board there. We are facing a similar issue. There are four to six homes in our neighborhood that have been sitting since the flood. I have spoken with Mr. Bowens about this and I have lived there for two and half years almost three years now. Since I have lived there we have had the promise it was going to happen. The first time we were told was by the end of summer and that was in 2013. Now, we are talking almost two years later and still in the same process. Now, Mr. Bowens did say there is a lot of red tape and I understand that and we have been very patient with that. It is getting to the point now we are told that this is going to happen and happen and nothing has happened. I live directly next to two homes that are still sitting and completely gutted down to the studs. Both homes have been boarded up and one of them is currently on the market but I found out the other day the reason it is having a hard time selling is because the flood plains have expanded. Now, because it sits directly in a flood plain where it didn't before in order to do the remodel on the home it needs to be less than fifty percent (50%) the value of the home. Otherwise it falls into the new standards of the flood standard policies which they require them to jack it up from the foundation and put it on stilts.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 8**

That is one house that is an issue, but there are six others that have been bought by the City of Austell and currently the City owns them and have own them for quite a while now and nothing has been done. What I was told was they were waiting till the process was finished and then they would come in and do all at one time. Mr. Bowens stated yes, that is correct and the City does own them. Mr. Adams asked if there is a time frame that this will happen. Mr. Bowens stated the houses have to be checked for asbestos and samples have to be taken from those structures. I don't believe that either house has asbestos in them but they have to be checked. At that point in time we have to hire a contractor to come out and do boundary surveys on those properties. Once we get the boundary surveys recorded and back in our office we have contractors that actually do the demolition of those properties. What we have been doing and the way we have been handling this as we acquire this property and come into this neighborhood and that neighborhood and sporadically demolish these homes. We don't want to go into a neighborhood after we have acquired all the properties and tear down a house in this neighborhood and then go to another neighborhood and sporadically do them. We want to go into a neighborhood and after we acquire all of the properties that have been funded with the agency program and once we do that and all the legal issues are done and the boundary surveys and asbestos are done then we move in with the contractors and demolish all the buildings at one time. Contractors have other jobs they are doing. We are in the process now and this takes a long period of time simply because a lot of the legal issues and working them out with the property owners on first and second mortgages for people that might have liens on some of the properties. It does take quite a bit of time. Mr. Rogers is here and he is working constantly trying to resolve those issues so we can go to a closing. When we buy those homes we are buying them just like you bought your house. We have to go through the same legal process just like you do. Once we do this, we demolish the structure then we have to submit invoices to that and restore the property back to its natural state and then we have to wait on our reimbursement back from the Federal government. It is not like we have the money here in the City of Austell's account to do all the work that needs to be done. We have to do it in phases and turn those invoices in as we do the work in order to get paid and recover what we have spent out. We can't jump the gun on this and a lot of other projects and this is not the only project there is one up in Ringgold where floods have happened and they have taken up to five years. This is the final year for it and we are trying to finalize everything that has been funded so that we can get it done and get it demolished and get the property back to its natural state and move on. Mr. Adams stated I think at this point we are over five years. I think this has been the frustration. Since I have brought my home I have gained some property value for sure but there have been several homes in the neighborhood that are having a hard time selling their homes.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 9**

They have sat on the market for an extended period of time because they sat right next to these houses that are nice and they are not just an eyesore they are a health hazard. It is not just an eyesore it is a health hazard. The house directly next door to me there is mold still growing on the part they didn't tear out. There is another house in our neighborhood that has not been opened since the flood. The doors and the windows have been shut and no one has gone in there and it still sits and imagine what a health hazard that creates for the people living next door to that. The rodent problem it creates when it sits abandoned. Critters move in and they take over. I actually called and complained to the City because the house next to me the yards were not being maintained and the City owned it. Mr. Bowens asked Mr. Adams don't we come out and cut the grass. Mr. Adams stated, yes, they do now because I called and complained. Mr. Bowens stated no we have been cutting the grass prior to you calling. Mr. Adams stated they had three foot high grass. Mr. Bowens stated we didn't own the house at that time. Once we close on that house we have a list of forty-one homes right now currently and some of them have been demolished. But, during that we come out on a regular basis and we cut all those lots that we own. Mr. Adams asked so, you own forty-one homes and you are paying someone to cut the grass instead of paying someone to tear them down. Mr. Bowens stated we have to wait for the process. We cannot go there and just tear them down just like I told you. We have to go there and move into that neighborhood and do them all at one time. Ms. Warner stated you haven't done that in my neighborhood there has been selected few. Mr. Bowens stated once we acquired all three homes over there including the one and the three on Pontiac Circle we demolished those. There are no more homes in that section to be purchased and the homes you are referring to are not in the program. Mr. Adams stated in the mean time in my neighborhood in the cul-de-sac there are two houses and one the City owns. If that one was tore down guess what the other two houses would sell much quicker. Instead we are left to look at this thing for years on end and waiting for something to happen. Like I said, I am patient and I understand the process that has to happen but when the process is done on the home it seems it would be better suited to take care of them all at once instead of waiting till you have fifty homes. Do them in order instead of waiting till you have a lump sum of them and it takes even longer to tear them down. You can't have one contractor do fifty homes at one time. Mr. Bowens stated we have two contractors which were voted on by Mayor and Council. We just recently tore down a condominium structure on Lazy Hollow. Mr. Adams stated yes, because it burned down. Mr. Bowens stated no, the two that burned down was actually done by HOA. The one that qualified through the program was the structure we purchased and we finally closed on because the property with each attached we had to go through the whole process of buying them individually and separately.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 10**

All or none, and we finally closed on that and went through the boundary surveys, the asbestos abatements on it and we had to come in with the people with the asbestos company to remove some of the asbestos and now that building is gone. We are moving into that area and it will be soon that we move and will be right next door to Nature Trail. Because as I said we already own most of the houses that have been flooded through there in that neighborhood and they will be demolished. Mr. Adams stated it was his understanding that the City already owned them and the last time I spoke with you was probably eight or nine months ago the middle of last year. You told me that you just finished up the one by my house and then you said you had one other one and it would be happening in the next few months. That was almost a year ago. My frustration is and there are four of us here who feel the frustration and we are the ones who are suffering. You don't live there and I realize you are just doing your job. We are asking you please, once the procedures are done move in and do something about it. Weather, you have to do one a time I don't really care about that, all I care about is the houses in our neighborhood when the processes are done go to the next step instead of sitting back and waiting. We sat there and we suffer not you and not the Council, we suffer. The homeowners who live next door to the mold and the rodent problem and the unsightly boarded up house and you have issues that someone came in and burned one house down and it was so close to the guy it melted his siding off the back of his house. He had to replace the siding. Mr. Bowens stated those two structures you are referring to in Lazy Hollow the decision was made by the HOA not to replace or rebuild those houses. It is like the ones still down there now on the lower portion of it that particular structure couldn't qualify for this HOGP Program. All of the owners of that unit participated in filling out applications for funding to be purchased. There were only two houses in there that wanted to sell back to the Federal government. The other two didn't and they will not accept two units out of a multi-family unit. People stay there and it is still the same name we don't own it the HOA has the reasonability of boarding it up and doing whatever they need to do with it. Apply for a permit and getting a variance in order to rebuild the structure. I can understand your point about moving in, and as I said we just demolished that one on Lazy Hollow and moving to Cypress Club Trail and Cypress Club Cove. We only have one in the Cove and we have numerous houses off of Nature Trail. We will be moving into that area to start the demolishing process. Mr. Adams stated that is awesome, another concern I have and it is completely not related to this. Something I ran into a few months ago and was very unsettling it is part of the prison release program. There were inmates in my neighborhood next to my house doing yard work and coming into my yard. It was corrections facility coming in and doing yard work. Prisoners right outside my house and we are not talking just on the side of the road picking up trash. They were off the road in my cul-de-sac and walking through my yard because the drainage culvert runs between the property lines.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 11**

I was not informed they were going to be there and there are kids in the neighborhood. My wife is home alone and I do not want prisoners walking next to my house. Mr. Bowens stated they do have a guard with them. Mr. Adams stated yes, one guard and ten to twelve prisoners in a unit. Mayor Jerkins stated most of these prisoners are three months probation. Mr. Adams stated that is what I was told and I kind of backed off a little bit. I was a little less upset about it. Mayor Jerkins stated most of them are there for D.U.I. Mr. Adams stated he didn't know what they were there for and how do I know they were not hardened criminals. Mayor Jerkins stated again, they were convicted for D.U.I.'s and stuff like that. Mr. Adams stated maybe they just got caught for a D.U.I. but maybe they are there for doing a robbery. They have direct access to my home. They have direct sight into the inside of my house and when I open up my garage they can see everything I have in the garage and they are there doing work. It just doesn't make me feel safe or feel good. I understand why it is being done and I know it is to save some money and I appreciate that I really do, but in private neighborhoods not good. From my point of view and we had a board meeting and it seemed to be the consensus of the other board members. This is not something we are o.k. with. Mayor Jerkins stated we have been doing this over twenty-three or twenty-four years and we have not had a problem yet. Mr. Bowens stated because those drainage areas are City owned right of ways. Mr. Adams stated absolutely, they seem to sit way back off the road. Like I said we sat way back off the road and it is not a very visible place and thankfully the Austell Police Department has been incredibly good about driving through. We have had break ins and we have had a lot of vandalism and because of the lower property values we get a lot of lower rated people coming in and renting and unfortunately bring with them some unsavory characters with them. We have had break ins and kids who are just unruly coming into the neighborhood busting up mail boxes and probably, the kids who set fire to the condos. I think for us our neighborhood has some huge issues especially with the houses sitting there not lived in. We wanted to address the Council and thank you for your time.

Mayor Jerkins asked if anyone else would like to speak to the Council. Ms. Trudie Causey stated her name and stated she would like to know about the five dollars for the exercising and how many days a week will the employee get to exercise or how many hours you are going to pay them. Mayor Jerkins stated one time a day as many days as they want to exercise. Mr. Causey asked so seven days a week. Mayor Jerkins stated yes, if they wish to do that many days. Ms. Causey asked do you have any idea how much money this will cost till the end of the year? Mayor Jerkins stated you can add it up but it could be from fifteen hundred to eighteen hundred dollars a year. Mr. Thomas stated it depends on how many will participates. Ms. Causey stated so, we have already spent a hundred thousand on the gym.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 12**

Mayor Jerkins stated he didn't know exactly how much we had spent on the gym. Chief Williams stated he didn't have the figures with him. Ms. Causey stated I thought you said at pre-agenda we spent a hundred thousand dollars on it already. Also, if all the employees do this it would be approximately another hundred thousand and is it really going to save us anything on insurance. Mayor Jerkins stated GMA has given us some grants already and they have encouraged us to do this and they are the ones to handle our insurance. They are on the wellness program. Ms. Causey asked what about the employees who smoke. Mayor Jerkins stated we have very few that smoke. Ms. Causey stated we have quite a few employees who smoke. Mayor Jerkins asked Ms. Causey how many do you think we have that smoke. Ms. Causey stated I know in Community Affairs you have four or five who smoke just in that one little department. Mayor Jerkins asked Ms. Causey well how many more do you know that smoke. Ms. Causey stated she saw some of the city guys that was working on the road today smoking. I really don't know how many there are but what I am thinking would we have not been better to help them pay for a gym membership as opposed to spending almost two hundred thousand dollars. Mayor Jerkins stated I think not, because we are going to try and promote it because we are giving them benefits like vacation and do you complain about that as well. Do you complain about giving the employees health insurance. Ms. Causey stated, no, I think they need their health insurance but my complaint is spending two hundred thousand dollars when they could join a gym and it would be cheaper and would not cost the City that much. What I am trying to do is saving the City money. Mayor Jerkins stated we are figuring this out. We are paying right at a million dollars for insurance. Ms. Causey stated these benefits are not going to save their spouses or their children because you will have the same amount of claims. Mayor Jerkins asked Ms. Causey so you think if the employees exercise that it will not bring the insurance down. Ms. Causey stated insurance is based on how many claims you have. Mayor Jerkins stated that's right. Ms. Causey stated this will not affect their spouses or their children and that will not save anything. Mayor Jerkins stated we do not insure all the families this does not include all the families. Ms. Causey stated at the end of the year it would be nice to know if you are saving anything on the insurance. Mayor Jerkins stated Georgia Municipal Association are the ones who are supporting this through their Wellness Program. I think five dollars a day is a cheap price to get someone healthy. Ms. Causey stated if you have to give them a bonus of five hundred dollars would it not be cheaper for them to join a gym. Mayor Jerkins stated I don't think so, because they have tried that it doesn't work. We are trying something different so maybe it will work. Ms. Causey stated, she wished Mayor Jerkins the best of luck because I don't see that it will help. Mayor Jerkins stated we do things different in Austell. Ms. Causey stated that is for sure! Mayor Jerkins stated we do things different because we do not have a City Manager. Ms. Causey stated and that is not to say it is always right. Mayor Jerkins stated we have zero taxes.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 13**

Ms. Causey stated that's right but we don't have anything else. Mayor Jerkins stated we do have zero taxes. Ms. Causey said again, we do, but what do we have, we got nothing. Mayor Jerkins stated we have more services than any other City. You have free street lights and a Fire Department, Police Department, pickup leaves and trash and it doesn't cost you anything so you don't have any services. The streets are clean and you don't have anything. Mayor Jerkins asked if anyone else would like to speak to the Council.

**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mayor Jerkins stated Mr. Kimbrough and Mr. Clemons attended the meeting. Mr. Kimbrough stated the gas rate schedule was discussed and even though the demand was great due to the cold weather gas prices are relatively stable from the month before. Other good news because of the cold weather this was the first time as far as Rob Register could tell going back to 1972 or 1973 of the records the first time we have ever put through over a million MMBTU's of gas in back to back months January and February of this year. Thank goodness for the cold weather and I know everyone is ready for the springtime but the cold weather keeps the Gas System going and the franchise payments coming into the City.

**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

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 14**

B. Code Enforcement Report

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

- A. Fire Report
B. Incentive for Employees to use Gym

Mr. Green stated he would like to turn this over to Chief Williams. Chief Williams stated in an effort to improve the overall health and wellness of our City Council and employees, Mayor Jerkins has introduced an incentive program before our Wellness Committee that provides an excellent opportunity for all. Mayor Jerkins suggests that employees and Council Members who spend at least one documented hour of workout time (daily) at our city gym facility, be reimbursed \$5.00 per visit. The visits would accrue throughout the calendar year and be totaled at the end of November. Each employee or Council Member would receive a “bonus” wellness check the first week of December each year for the total number of workouts.

Our Wellness Committee strongly supports this program and recommends the Austell City Council approve this incentive for our employee and Council Members.

Mr. Green moved to follow the recommendation of the Wellness Committee to approve the Incentive for Employees to use the Gym. Seconded by Mr. Thomas. Motion passed (5-0).

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

- A. Adoption of Design and Construction Standards
Mayor Jerkins stated since Ms. Anderson is not present I cannot make any motions. We discussed this at the Pre-Agenda meeting. Someone will have to make the motion to approve.

The Design and Construction Standards are used by planners, engineers, developers, and city staff when doing Public Works related construction, including subdivision developments.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 15**

The standards include the submittal requirements, approval procedures, technical standards, and related development ordinances and forms.

As required by the City of Austell Code of Ordinances, the Design and Construction Standards were presented to the Planning and Zoning Board on February 17, 2015. By unanimous vote, it is their recommendation for adoption by the Mayor and City Council.

Mr. Thomas moved to follow the recommendation of the Public Works Committee to approve the Adoption of the City of Austell Design and Construction Standards. Seconded by Ms. Thomason. Motion passed (5-0).

- B. Procurement of Professional Services for Water System Hydraulic Modeling
Mayor Jerkins stated the purpose is to approve a Request for Proposal solicitation to procure professional services for water system hydraulic modeling.

One of the requirements of the Metropolitan North Georgia Water Planning District is for municipalities to develop a model of its water system. The purpose of a hydraulic model is to illustrate the effects of changing demand and climatic conditions on our water distribution system, predicting pressures, identifying bottlenecks, and demonstrate the effectiveness of proposed solutions. By testing different alternatives and using the existing system to full advantage, models help minimize the cost of improvements. Additionally, this would assist the City of Austell Fire and Emergency Services Department in maintaining its current 4 ISO rating and to help lower that rating in the future.

The scope of the work for this project will include:

- a. Review and Update Current GIS Mapping
- b. New Hydraulic Model Development
- c. Water Age Analyses
- d. Software and Training
- e. Recommendations

Mr. Thomas moved to follow the recommendation of the Public Works Committee to approve the solicitation for procurement of professional services for water system hydraulic modeling. Seconded by Ms. Thomason. Motion passed (5-0).

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 16**

C. Rehabilitation and Resurfacing of Joe Jerkins Boulevard

Mayor Jerkins stated the Public Works has received three price proposals for the rehabilitation and resurfacing of Joe Jerkins Boulevard from Austell-Powder Springs Road to Humphries Hill Road. The scope of the work will include milling, asphalt overlay and leveling, shoulder widening/replacement, crown elevation and roadway striping.

The following price proposals were received:

<u>Proposer</u>	<u>Bid Amount</u>
Cruse Paving, Inc.	\$217,458.00
Magnum Paving, LLC	\$219,663.41
RP Paving Solutions, LLC	\$234,345.00

Ms. Reagan moved to follow the recommendation of the Public Works Committee to award a contract to the lowest and most responsive proposer, Cruse Paving, Inc. Seconded by Mr. Thomas. Motion passed (5-0).

D. Annual License Agreement for Asset Management, Infrastructure Management, and Administration

Mayor Jerkins asked Mr. Bowens to explain this Annual License Agreement. Mr. Bowens stated we have to carry a map out into the field and with the implementation of this software, this will allow the Public Works Department to do away with existing software that is either no longer supported or no longer meets our needs. Currently, large amounts of time are generally spent researching and gathering data and during emergency water breaks or sanitary sewer line blockages, time is very critical.

Additionally, while negotiating this contract, we were able to get two additional modules (signs and work order management) included at no additional cost. We have been researching this company for two months. This company is called Beehive Industries and they will come in and take the data we have and implement that data specifically, and program the data for the City of Austell. That will include the water system, the fire hydrants, valve locations, stormwater, and the sewer lines, manhole locations or any changes we want to make once we go to the proper channels here in house. We can make those changes in house without sending it back to the engineers.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 17**

We can have that readily available to our personnel. Police and Fire, Community Affairs with anything we want. In talking with the company we saw a need for Streets to identify our right of ways as well as the street signage that is on the same program which would have been an additional cost. They were willing to work with us and include that in the packet and once we go into this agreement with them, the good thing about this it is only one year. If we decide we don't want their support we are not obligated to them. We still have the mapping program here in the City that we can use from now on. Beehive Industries, is the first company that has offered this.

Mayor Jerkins stated the funding in the amount of \$12,000.00 is readily available in the Fiscal Year 2015 budget and will come from the Sanitary Sewer division, Water Distribution division, Stormwater Management division, and the Special Purpose Local Option Sales Tax Fund.

Mayor Jerkins stated it is the recommendation of the Public Works Committee to approve an annual contract in the amount of \$12,000.00 with Beehive Industries. Further, it is the recommendation to authorize necessary signatures by City Staff as required.

Mr. Clemons moved to follow the recommendation of the Public Work Committee to approve the Annual License Agreement for Asset Management, Infrastructure Management, and Administration. Seconded by Ms. Reagan. Motion passed (5-0).

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

- A. No Report

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

- A. Annexation application from Jimmie Rogers for property located at 3885 Humphries Hill Road

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 18**

Mr. Clemons stated the Department of Community Affairs has received a request from Jimmie Rogers to annex property located at 3885 Humphries Hill Road, in LL 134, Parcel 4 of the 18th District, 2nd Section of Cobb County. The property is currently zoned R-20 in the County and will remain R-20 if approved for annexation into the City of Austell.

Mr. Clemons stated at this time he would like to turn this over to Mr. Kimbrough, City Attorney. Mr. Kimbrough stated at this time I would like to call for a Public Hearing for the Annexation Application from Jimmie Rogers for property located at 3885 Humphries Hill Road. In Land Lot 134, parcel 4 of the 18th District, 2nd Section of Cobb County. Who is here to speak on behalf of the applicant? Mr. Kimbrough swore in Mr. Rogers. Mr. Kimbrough told Mr. Rogers to state whatever he wanted to state. Mr. Rogers stated he had been living there for forty something years and I am eighty-six years old and it is getting impossible for me to clean up all the leaves and haul them off like I have been doing. The City has a vacuum truck to come by and scoop them up and I would like to see that. Mr. Kimbrough asked if anyone had any questions of Mr. Rogers regarding his application. Having heard none did anyone sign up for opposition tonight, no one did. Mr. Kimbrough stated we need a motion to close the Public Hearing.

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

Mr. Clemons moved to follow the recommendation of the Planning and Zoning Commission to approve the Annexation Application from Jimmie Rogers for property located at 3885 Humphries Hill Road. Seconded by Ms. Reagan. Motion passed (5-0).

B. Changes to the City of Austell Comprehensive Zoning Ordinance

Mr. Clemons stated the Community Affairs Committee recommends the attached amendments be made to the City of Austell Comprehensive Zoning Ordinance.

The amendments include changes recently adopted by Cobb County. The Community Committee feels it is important to stay in line with ordinances adopted by Cobb County. The amendments not included in the recent Cobb County Code changes are also attached for your review. At this time I would like to turn this over to Mr. Kimbrough, City Attorney for a Public Hearing.

**MINUTES OF THE
REGULAR CITY COUNCIL
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 19**

Mr. Kimbrough stated at this time we call for a Public Hearing to make changes to the City of Austell Comprehensive Zoning Ordinance and to adopt ordinances that were recently adopted by Cobb County and in order to stay in line with the Cobb County ordinances. Is there anyone here to speak on behalf of the changes? Mr. Graham stated we submitted the changes at Pre-Agenda on February 23, 2015. No one has signed in opposition. Mr. Kimbrough asked if anyone had any questions in regard to the proposed changes to the Comprehensive Zoning Ordinance for the City of Austell. Having heard none I entertain a motion to close the Public Hearing.

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

Mr. Clemons stated the City of Austell Planning and Zoning Board met on February 17, 2015 to hear the proposed amendments to the City of Austell Comprehensive Zoning Ordinance. The board voted unanimously (6-0) to recommend the approval of the proposed amendments.

Mr. Clemons moved to follow the recommendation of the City of Austell Planning and Zoning Board to approve the Changes to the City of Austell Comprehensive Zoning Ordinance. Seconded by Mr. Thomas. Motion passed (5-0).

14. ATTORNEY, DUPREE & KIMBROUGH

A. No Report

15. MAYOR'S REPORT

A. CMA MEETING
TIME:
LOCATION:

NO MEETING
6:30 P.M.

B. Proclamation – American Red Cross

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to approve the Proclamation for American Red Cross. Seconded by Ms. Reagan. Motion passed (5-0).

Mayor Jerkins asked if anyone had anything else to be discussed.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 20**

Mr. Clemons stated everyone has a copy of the Flex Flyer on your desk, and as we discussed last week the Public Meeting is scheduled for Wednesday, April 15, 2015 at 6:00 P.M. The proposal for the implementation of the Flex bus service is March 23, 2015. If that goes into effect, we will then have a Public meeting on Wednesday, to help make notification to the residents again that the service is in fact working. As a matter of fact I did express to Mr. Demeritt and Mr. Bowens between that time if it goes into effect it will give me an opportunity to the ride the service and then give some feedback on that. Mr. Bowens and Mr. Demeritt shared with me they would ride too. This way we will be able to give some feedback to the public as far as how it is actually working. These flyers will be placed in the next water bill and hopefully we will get them down for the one that just came out. Also, they will be placed in locations at City Hall and the Threadmill as well.

Mayor Jerkins stated he would like to ask Mr. Kimbrough a question. I had asked Mr. Graham to talk to our zoning Attorney, Kevin Moore about this. Mayor Jerkins stated let's say we have a house in this neighborhood and it is run down and can't get them to do nothing with it. The house is pulling the remainder of the neighborhood down. If we could pass something to charge them a lot more millage rates than we charge the other neighborhoods to make them do something to the house is this possible? Mr. Kimbrough stated, my initial thought is no, because you have to be uniform across for all the alike properties. It is different from corporate vs. residential. There are always tax breaks and incentives to get companies to come in to the City. But, that is my initial thought on this. Mr. Graham stated what we are looking at is what the other cities have passed. It seems to be working and it is called a blight tax. If you have a property that is blighted out and they will not do anything. We can check to see what would be the highest tax we could tax them. Sometime, when the property owner keeps getting these enormous tax bills he will be more apt to do something to that property. We are checking into the residential end of this. I know of several cities that have done this throughout the State. It seems to be working legally. We will have Kevin Moore check into this and if some cities are doing we will get their feedback. We have started this already and we have sent all the information to Mr. Moore and we have been looking at this for months. Mr. Kimbrough asked Mr. Graham when you do something like that it is a certain section set apart like an improvement district like commercial. Mr. Graham stated if you have a commercial property sitting out there in the middle of all the other properties and refuse to do anything. We are thinking you can go single property but we have to check the legality on this.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 2, 2015
PAGE 21**

Mayor Jerkins stated, but, you have this one house in this neighborhood pulling all the other houses down and the property value. So, why couldn't you do something with that one house because it is affecting the city tax base by pulling the remainder down and this is the basis I am speaking about. A real expensive house you can go up on their taxes so why can't you do the same on the houses that are run down. If we could go up on their taxes because they are affecting the rest of the houses. Mr. Kimbrough stated as long as you are using the same formula that is uniform. It doesn't mean each house will have the same tax because each house is different. Mayor Jerkins stated the city owns several of the houses. There is only one in this neighborhood that will not fix their house and it is a rental house more than likely. We need to tax them real heavy until they fix it. Mr. Kimbrough stated we will see what Mr. Moore can come up with after he reviews the information. Mr. Kimbrough stated he would look into it as well. Mr. Graham stated it will take some research. We need to find out how the other cities are doing all this. Mr. Kimbrough stated he would touch base with Kevin Moore tomorrow. Mayor Jerkins stated there has to be some way of doing something to them. Mr. Green stated from what I have heard you have to legally contact the owner of the property to serve notice. Could we post the notice on the property and send the notice to the one paying the taxes on the property. Or better yet, put something in the paper as a notice searching for this owner and have a period of time and if they don't show up let's go after them. Mr. Kimbrough stated it is called service by publication and this done with lawsuits. I would have to verify with real property. Basically taking of property through that process I will follow up on that and get you an answer. Mayor Jerkins stated we cannot go inside the houses. Mr. Green stated but if we posted a visible notice on the property itself and then contact the taxpayer on that particular property. Then we send them notice even if we don't get a response. Then we put in the paper and we are making every effort to contact these people and let them know they have a problem. Is there a way in a certain amount of time we can go back and say you haven't shown up and you have abandoned your property? We need to do what we need to do. Mayor Jerkins stated I am just trying to figure out a way and put some pressure on them and trying everything we can.

16. ADJOURN

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