



**MINUTES OF THE  
REGULAR COUNCIL MEETING  
CITY OF AUSTELL  
MONDAY, JANUARY 2, 2006  
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**4. EXCEPTION TO CONSENT AGENDA**

**5. CITIZENS REPORT**

No one spoke.

**6. GAS SYSTEM REPRESENTATIVE**

**JOE JERKINS**

Mayor Jerkins stated no meeting was scheduled for this month.

**7. FINANCE DEPARTMENT**

**BEVERLY JAMES BOYD, CHAIRPERSON**

**Brenda Norton, Director**

**A. Financial Report**

Ms. Boyd stated the Financial Report has been submitted. Are there any questions concerning the Financial Report? No questions were asked.

**B. Presentation of CAFR & Summary**

Ms. Boyd stated she would like to introduce Mr. Jimmy Whitaker with Meeks and Whitaker, P.C. Also, we have Rachel Yarbrough who is the Assistant Director of Finance. They are here to answer any questions you may have.

Mr. Whitaker stated, we have completed the audit of the City's financial statement for the fiscal year ending in June 30, 2005. We have issued an unqualified opinion on the financial statements for the City which means the City has reported their financial statements in accordance with generally accepted accounting principles with the government. Financial Statements include information on all the City's individual funds and all the components of Austell Gas System. This is the second year the City of Austell has issued financial statements under the new recording requirements. The City is in good financial position moving into 2006. Mr. Whitaker stated he would like for everyone to review the CAFR & Summary and if there are any questions I will be glad to answer them for you.

The City has received a certificate of excellence for financial achievement the last eight (8) years. This is a very great accomplishment for the City. We believe this report that we are issuing is meeting the requirements of GFOA and the City will also receive a certificate of excellence.

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I would like to thank Brenda Norton and Rachel Yarbrough for their assistance in the audit. We appreciate the opportunity to work for the City and look forward to a continuing relationship.

Ms. Boyd stated the graphics that we usually have are on the table for your information. We will have the management letters ready for you in Rachel's office and we will be glad to go over those with you.

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

- A. No Report

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

- A. Police Report  
B. Code Enforcement Report  
C. Texaco Food Mart – New Owner – Privilege License

Ms. Reagan stated Tracy Billings has applied for a privilege license for package retail as the new owner of Texaco Food Mart, located at 2671 Jefferson Street, Austell, Georgia. A copy of the application is attached. The Police Committee requests Council to approve this application.

*Ms. Reagan moved to follow the recommendation of the Police Committee to approve the Texaco Food Mart Privilege License. Seconded by Mr. Thomas. Motion passed (6-0).*

- D. Privilege License Renewals 2006

Ms. Reagan stated attached is a copy of the renewal license requests for the year 2006. The Police Committee requests Council to approve these renewals.

*Ms. Reagan moved to follow the recommendation of the Police Committee to approve the Privilege License Renewals for the year 2006.*

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

A. Fire Report

**11. PUBLIC WORKS DEPARTMENT  
DAVID “BO” TRAYLOR, CHAIRPERSON  
Randy Bowens, Director**

A. Peco Lane Sanitary Sewer Bore – Approval of Bids

Mr. Traylor stated the bids were received for the Peco Lane Sanitary Sewer Bore project and were opened this morning, Monday, January 2, 2006. The following bids were received:

K.M. Davis Contracting Company, Inc.	\$123,110.00
D & H Construction Company, Inc.	\$123,023.00
Wade Coots Company, Inc.	\$ 73,905.00
Total Development, Inc.	\$ 57,715.00

*Mr. Traylor moved to follow the recommendation of the Public Works Committee to award the contract for this project to the lowest bidder, Total Development, Inc. for the amount of \$57,715.00. Seconded by Mr. Thomas. Motion passed (6-0).*

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

A. No Report

**13. COMMUNITY DEVELOPMENT  
BEVERLY JAMES BOYD, CHAIRPERSON  
Jim Graham, Director**

A. 10 Year Update of Comprehensive Plan

Ms. Boyd stated an update of the City's Comprehensive Plan is scheduled for 2006.

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The Community Development Department advertised for proposals from qualified professionals to work as a consultant that would be responsible for assisting the City in meeting and exceeding the minimum state Comprehensive Plan requirements. The consultant would also guide the City through the community assessment, community participation and community agenda.

The following two proposals were received:

Fox Environmental	not to exceed	\$54,825.00
Keck and Wood	not to exceed	\$30,000.00

The Community Development Committee recommends that Mayor and Council approve the low bid by Keck and Wood of \$30,000.00.

*Ms. Boyd moved to follow the recommendation of the Community Development Committee to approve the low bid by Keck and Wood of \$30,000.00. Seconded by Ms. Reagan. Motion passed (6-0).*

Ms. Boyd asked Mr. Graham about the Sign Ordinance and would he please bring everyone up to date. Mr. Graham stated the legal ads have been placed in the Marietta Daily Journal. We will adopt the Sign Ordinance in the February Council Meeting.

**14. CITY ATTORNEY – DUPREE, KING & KIMBROUGH**

A. No Report

**15. MAYOR'S REPORT**

**A. CMA MEETING**

**DATE: JANUARY 10, 2006**  
**TIME: 6:30 P.M.**  
**LOCATION: MARIETTA-COBB CHAMBER OF COMMERCE**

B. Traffic Light at Jefferson & Love Street

Mayor Jerkins stated this was discussed at the last pre-agenda meeting. We are removing the traffic light and replacing with a four-way stop sign.

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The main reason for this is to eliminate some of the poles. It will not eliminate all the poles but this will help. It will make the downtown area look better. Mayor Jerkins recommended we remove the traffic light at Jefferson & Love Street and replace with a four-way stop sign.

*Mr. Traylor moved to follow the recommendation of Mayor Jerkins to approve the removal of the traffic light at Jefferson & Love Street and replace with a four-way stop sign. Seconded by Mr. Thomas. Motion passed (6-0).*

**C. Ordinance for Animal Control**

Mayor Jerkins stated Cobb County has asked us to adopt their Animal Control Ordinance since they come into the City of Austell. It is Cobb County's ordinance which we will abide by. Mayor Jerkins stated he would recommend the Ordinance for Animal Control.

*Ms. Boyd moved to follow the recommendation of Mayor Jerkins to adopt the Ordinance for Animal Control. Seconded by Ms. Reagan. Motion passed (6-0).*

**D. Resolution for Line of Credit for Austell Gas System**

Mayor Jerkins stated he would like to turn this over to Mr. Kimbrough, City Attorney. Mr. Kimbrough stated he would like to do Item E first. Mr. Kimbrough stated the way this money is attained is through a Line of Credit with Georgia State Bank. Mayor Jerkins will need approval from Council to sign any and all documents pertaining to this matter. We will have to renew this Resolution for Line of Credit for Austell Gas System.

*Ms. Boyd moved to follow the recommendation for Council to give Mayor Jerkins the authority to sign all notes applying to the Resolution for Line of Credit for Austell Gas System. Seconded by Mr. Traylor. Motion passed (6-0).*

**E. Tax Anticipation Notice**

Mr. Kimbrough stated, back in November we had to do this for the Gas System in order to make funds available for the Gas System to purchase enough gas for the upcoming winter season. Several things that have been happening worldwide like in the Middle East, hurricanes and natural disasters that we have had here have affected the supply of gas.

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The gas prices have skyrocketed and that, of course, is in no one's control. The way the gas system works, they have to purchase the gas prior to selling the gas and then, of course, prior to receiving revenue. In order to have enough funds available allowing them to do that, back in November we adopted a Tax Anticipation Notice Note giving them the ability to borrow up to three point four million dollars (\$3.4M) and under the terms of the note it would be paid off at the end of the year. Whatever they borrowed, and I am not sure of the exact amount, but, it was paid off last week. This should be renewed for 2006.

If the gas prices do not come down we might have to do the same thing for 2007. This is simply giving them the ability to use this money if they need it until the revenues catch up. We need to do this Tax Anticipation Notice to borrow the funds and stating they will pay off at the end of the year. I need a motion to that effect.

*Ms. Boyd moved to follow the recommendation of Mr. Kimbrough to approve a Resolution authorizing among other things issuance and a sale for a Tax Anticipation Notice and the aggregate principal amount of three million, four hundred thousand (\$3,400,000.000) which is to be paid back by the end of the year. Seconded by Mr. Thomas. Motion passed (6-0).*

**F. Council Appointments**

Mayor Jerkins stated everyone seems to be satisfied with where they are on the Committees. The changes are Mr. Godfrey retired and Kirsten Anderson has taken his place. If everyone is satisfied on their assigned committees I will leave it the same.

**16. ADJOURN**

*Mr. Traylor moved to follow the recommendation of Mayor Jerkins to adjourn. Seconded by Mr. Thomas. Motion passed (6-0).*