

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, FEBRUARY 7, 2011**

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

Absent: Randy Green
Martin Standard

The regular meeting of the Mayor and the City Council was held on Monday, February 7, 2011 at 7:00 P.M. at the City Hall.

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

1. CALL TO ORDER

Mayor Jerkins called the meeting to order. Dr. Robert Moore gave the Invocation and Mayor Jerkins led the Pledge of Allegiance. Mayor Jerkins asked if any Council Member would like to add items to the Agenda. No one added items to the Agenda. Mayor Jerkins stated he had a five year pin to present to Met Clark unfortunately I don't have it. Mayor Jerkins stated he is fine is present young man and very talented. He is a hard worker and very likeable and has been with us five years and he is a paramedic. I am sorry he is not here but maybe he will be here before the meeting is over.

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 \$1,975.00
- C. Approve Minutes of Regular Council Meeting January 3, 2011

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to approve the Consent Agenda. Seconded by Ms. Anderson. Motion passed (4-0).

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. Ms. Carolyn Hall stated she and her husband purchased a home in Austell recently in the Autumn Brook subdivision. We would like to know the status on the vacant houses in the subdivision. Mayor Jerkins stated some of them are trying to get bought out and if they do that will be five years down the road as far as the Federal Government buyout. Mr. Bowens asked Ms. Hall her address. Ms. Hall stated she lived at 6020 Winternest. Mr. Bowens stated after the meeting I will get with you and give you some information. Mayor Jerkins asked if anyone else would like to speak to Mayor and Council. No one did.

**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mr. Kimbrough stated he attended the meeting and normal gas rates and schedules were discussed. As I mentioned last week the Austell Gas System's price per therm, which is the unit of measurement for natural gas, has been lower than all the other providers in the State of Georgia. I have presented each of you a rate chart showing that. It shows March 2009 until October 2009 that Austell Gas System was the lowest provider by sometimes fifty to sixty cents per therm. Starting February of 2010 until this month we have continued to be the lowest provider. They are doing a very good job of handling their finances and purchasing gas when it needs to be purchased and makes sure it stays at a low rate.

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

A. Financial Report

**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. Parking Ordinance

Ms. Reagan moved to follow the recommendation of the Police Committee to remove the item and table the Parking Ordinance. Seconded by Mr. Thomas. Motion passed (4-0).

- D. Certification Program

Ms. Reagan stated for over ten years, the Police Department has been working towards obtaining a certification through the State Certification Program. This has been a difficult process. Chief Starrett completed the Policy and Procedure Manual, but there is still a large amount of work to be done for the certification to be received. When certification is received, there will be a savings on the Insurance costs for the Police Department, and less cause for liability in any lawsuits that may arise.

Chief Starrett started working on the certification program when it was started by the Chief's of Police several numerous hours working on this and the Policy and Procedure Manual. Later Assistant Chief Bob Black and Lt. Chuck Martin worked on it for several months. Later this was given to Lt. Firth who worked on it for several months. Then for the last year, Assistant Chief Poulk has worked on it, and she forwarded it to Sgt. Corvin who has recently had all the material.

In other words, for the work to be done, see it being completed with the current workload at the Police Department.

Also, in February, the Chief's Association standards. This may involve numerous changes from the old standards, based on current changes in the laws.

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Chief Starrett is in his last year of Law School, and will be putting in Pro Bono hours approved through the Law School. He has been approved to work on our certification program and I need to help with preparation, review, and compilation of this project. Both of them need to be approved by Council, to be recognized as working with the Police Department to achieve certification. They may have to receive training from the Chief's Association and all work performed by them will be on a volunteer basis. Chief Starrett will keep the Council updated on the progress.

Ms. Reagan moved to follow the recommendation of the Police Committee to approve Chief Starrett to work on the certification program through the Police Department. Seconded by Mr. Thomas. Motion passed (4-0).

E. Lobby Upgrade – Information Only

Ms. Reagan stated she and Chief Starrett are in the process of obtaining cost information in regards to upgrading the front lobby. I will be making decisions with Chief Starrett on the plans and materials. When we get all the information we will present at a later date.

F. Alcohol Privilege License – El Acapulquito

Ms. Reagan stated the Police Department has received an application for a license to sell liquor and beer at A37 Veterans Memorial Highway, under the business name of El Acapulquito.

The applicant, and owner, Domingo Perez Najera has completed his application and was found to have no criminal history.

Ms. Reagan moved to follow the recommendation of the Police Committee to approve the Alcohol Privilege License for El Acapulquito. Seconded by Mr. Thomas. Motion passed (4-0).

10. FIRE DEPARTMENT

SCOTT THOMAS, CHAIRPERSON

Tim Williams, Fire Chief

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A. Fire Report

B. Unsafe Abatement Update

Mr. Thomas stated he would turn this over to Chief Williams. Chief Williams stated there are two properties in question the first is 5706 Mulberry Street, Mr. Mark Perry's property for a second time and currently awaiting court this month where it will be heard. After the second citation he actually has done quite a bit of renovations to the property. It is not near completed but has done some work on the property. The other property we are still trying to determine if it has been sold. Once we determine if the property has been sold we will identify the owner.

11. PUBLIC WORKS DEPARTMENT

MARTIN STANDARD, CHAIRPERSON

Randy Bowens, Director

A. Replacement of Rubber Tracks for Excavator

Mayor Jerkins stated we discussed the replacement of rubber tracks for the excavator at the pre-agenda meeting. Everyone was o.k. with this but we need a vote on it. (Please see attached sheet).

We had three bids and the one we are using is North Georgia Flatproofing, Inc. for \$8,192.00. (Includes Installation)

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to approve the Replacement of Rubber Tracks for Excavator. Seconded by Ms. Anderson. Motion passed (4-0).

B. Adoption of Winter and Inclement Weather Policy and Priorities

Mayor Jerkins asked if Council had reviewed this, if everyone is o.k. with it we need a motion to approve.

Mr. Thomas moved to follow the recommendation to approve the Adoption of Winter and Inclement Weather Policy and Priorities. Seconded by Ms. Anderson. Motion passed (4-0).

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C. Purchase of Sand & Salt Spreader

Mayor Jerkins stated for your information the Council was made aware of the purchase of the Sand and Salt Spreader. Mayor Jerkins asked Mr. Bowens if this was a picture of it. Mr. Bowens stated, yes it was. They already have it operating and Channel 11 Alive came out and did a brief story on it last Friday. Maybe it was on Thursday, anyway it looks like it will work out good, it is stainless steel and it is really nice. We may not ever need it but you just don't know. It may Jerkins stated well we have it now.

12. PARKS DEPARTMENT

RANDY GREEN, CHAIRPERSON

Jim Graham, Director

A. Agreement with Global Sports Academy to Lease Legion Park

Mayor Jerkins stated we have the Agreement with Global Sports Academy to Lease Legion Park and Mr. Kimbrough has the agreement and he has been reviewing the agreement. Mr. Kimbrough stated he had spoken with Wayne Roberts who is the President and the CEO of Global Sports Authority and GSA. One provision that we had in the contract was they have comprehensive liability coverage of three million dollars. I spoke with him today and he said they have coverage of two million dollars. He requested that we adopt a contract that has two million dollars policy limits instead of the three million dollar limit. Mayor Jerkins asked if that was per accident. Mr. Kimbrough stated, yes, it was and I don't see this as a make or break it is it would o.k. The agreement you have in front of you this evening has the three million dollars in it. I do have an agreement that has two million dollars in it. You do not have this but it is the only change to the agreement. As part of the agreement the proposal that GSA presented to us and is attached will be incorporated into the agreement which kind of fills in some of the holes. The Mayor mentioned about not charging the City of Austell residents for the registration fees for the Youth Program and that is in the attachment.

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Mr. Thomas moved to follow the recommendation of the Parks Committee to adopt the Agreement with Global Sports Academy to lease Legion Park with a two million dollar policy limit. Seconded by Ms. Anderson. Motion passed (4-0).

**13. COMMUNITY DEVELOPMENT DEPARTMENT
TRUDIE CAUSEY, CHAIRPERSON
Jim Graham, Director**

- A. No Report

14. CITY ATTORNEY – DUPREE & KIMBROUGH

- A. No Report

15. MAYOR'S REPORT

- A. CMA MEETING**

NO MEETING

TIME:

6:30 P.M.

LOCATION:

- B. Cobb Alcohol Taskforce Ordinance Request

Mayor Jerkins stated he mentioned this last week at pre-agenda and if Council would like to adopt this Ordinance and Mr. Kimbrough do we need to have a Public Hearing on this. Mr. Kimbrough stated no, we do not need a Public Hearing. Mayor Jerkins stated I think it was discussed at the CMA meeting and the solicitor was there and discussed it then.

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to approve and adopt the Cobb Alcohol Taskforce Ordinance Request. Seconded by Ms. Causey. Motion passed (4-0).

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Mayor Jerkins stated we need to discuss the grocery store lease. Mr. Graham is a lot more up to date on this, but we have all the equipment over there such as coolers. What I had planned to do is take them out and put them across the street and store them. When we spoke to some people they told us once we take them out they will not be any good. So, we have been trying to sell them. We have already signed a lease on the grocery store and actually we held them up for about a month. We have had three prices on the coolers and there is probably twenty thousand dollars worth of gas in them and you have to recover that. If we move them they will not bring anything. The bids were twelve thousand and fifty thousand and the last one did not come back with a bid. Mr. Graham stated he had been trying to get a bid from the last one for three weeks. Mayor Jerkins stated when we take these out, part of it is tied to the heating and air unit so we will have to go back and spend close to thirty-six to thirty-eight thousand to get everything back in place. Normally when we bid something out, but if we take it out it will be worth nothing so I am saying to go with the fifty thousand dollars and go ahead and take that because the other is twelve thousand. This is where we are on this. I just wanted to inform everyone so you would know what is going on. We need to move pretty fast and get all the coolers and the equipment out. There are a few things that will stay and he is putting a lot of freezer space back in the store. Mr. Graham stated, yes, he is putting in walk-in freezers in the front and the back and one ice-maker remains and the generator. Mayor Jerkins asked if it was the outside generator. Mr. Graham stated, yes. Mayor Jerkins stated we may end up taking the outside generator at a later date and putting it at the Fire station. Mayor Jerkins stated if the Council is o.k. with accepting the fifty thousand dollars we need a vote from the Council on this.

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to accept the fifty thousand dollar bid for the coolers. Seconded by Ms. Anderson. Motion passed (4-0).

16. ADJOURN

Mr. Thomas moved to follow the recommendation to adjourn the meeting. Seconded by Ms. Reagan. Motion passed (4-0).