

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MARCH 5, 2007**

Present: Joe Jerkins, Mayor
Kirsten Anderson
Beverly James Boyd
Randy Green
Virginia Reagan
Scott Thomas
David "Bo" Traylor

The regular meeting of the Mayor and Austell City Council was held on March 5, 2007, at 7:00 P.M. at City Hall.

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

1. CALL TO ORDER

Mayor Jerkins called the meeting to order. Reverend Bob Neal of Freedom Fellowship Church gave the Invocation. Mayor Jerkins led the Pledge of Allegiance. Mayor Jerkins asked if any member of the Council would like to add items to the agenda. None were added. Mayor Jerkins presented Lieutenant Gordon Firth, Police Department with a pin for five (5) years of service. Mayor Jerkins and Council members thanked Lt. Firth for a job well done and his years of service with the City of Austell.

2. CONSENT AGENDA – INFORMATION AND UPDATE

(No Action Required by Council – See Specific Department Director before Meeting.)

3. CONSENT AGENDA

- A. Approve Bills
- B. Approve Legal Bills
- C. Approve Minutes of Regular Meeting February 5, 2007

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

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

Mayor Jerkins asked if anyone would like to speak. Mr. Martin Standard stated he had questions about the trees in the city being cut down and wanted to know if the city had a tree ordinance.

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Mayor Jerkins stated, yes, we do have a tree ordinance for the City of Austell and the developers that come into the city, but we do not have a tree ordinance for individual private property owners. Mr. Standard asked if the city had a neon sign ordinance. Mayor Jerkins stated, yes, the city does have a sign ordinance in place but not a neon sign ordinance. Mr. Standard stated he would like to see a new sign ordinance implemented not allowing neon signs. Mr. Standard also asked about the burned house on Fessenden Avenue and what was the update on this. Mayor Jerkins stated the house has been sold and they should be closing on the property and doing something with the house shortly. Mr. Standard stated he would like to ask about the rental duplexes on 5713 Alabama which have a mosquito tent that has been up since last year. They built a bonfire on the driveway and it is still there. Do we have any control over this because it looks so dirty and has been this way forever. Mr. Graham asked Mr. Standard if he had filed a written complaint on this. Mr. Standard stated he had about four different times. Mr. Graham stated Code Enforcement should have done something about this problem. Mr. Standard agreed, and stated the place has been like this for years. Chief Starrett took the address and he will forward to Code Enforcement. Mayor Jerkins asked if anyone else would like to speak to the Mayor and Council.

Mr. Chris McKenzie introduced himself to Mayor and Council and stated he has a concern. He has several rental properties in Austell, a couple of townhouses off of Salt Springs Place. Salt Springs, at one time, was a nice development but has migrated downward because of an influx of Latino population. I have nothing against Latinos but some of them are illegal. But, I would like to ask some direction as a community, how we can curtail some of this coming into our City and the spiraling of properties. I know Woodstock and Cherokee have passed an ordinance against the rental properties and renting to illegal aliens. Mayor Jerkins suggested to Mr. McKenzie to please fill out a complaint form and he would see what could be done and our Code Enforcement Department would work on this.

**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mr. Kimbrough stated he attended the gas meeting and the gas rate schedule was adopted at the meeting.

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7. FINANCE DEPARTMENT

**BEVERLY JAMES BOYD, 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

B. Code Enforcement Report

C. Privilege License Request – South Cobb Pawn Shop

Ms. Reagan stated the Police Department has received an application from L.C. Stansel for a Privilege License to operate South Cobb Pawn Shop located at 4805 Austell-Powder Springs Road. Fingerprints for the background check for the Manager, James Raymond, were sent off on February 1, 2007. A copy of the application and other information are attached. Ms. Reagan asked Chief Starrett if the fingerprints had been approved. Chief Starrett stated, no, they were waiting for them to be approved.

Ms. Reagan moved to follow the recommendation of the Police Committee to approve the Privilege License Request from South Cobb Pawn Shop pending the approval of the fingerprints for James Raymond. Seconded by Mr. Thomas. Motion passed (6-0).

Ms. Reagan stated the City had to have one of the dogs put down and she would like to turn this over to Chief Starrett to explain. Chief Starrett stated Blestor, one of the City's dogs, who was seven years old, had to be put down due to extreme ill health.

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

- A. Fire Report
- B. 800 MHz Radio Purchase

Mr. Thomas stated he would like to turn this over to Chief Williams to discuss. Chief Williams stated the proposals we have received are for new digital 800 MHz radios. These will replace the existing analog radios that are currently in use. The City of Austell has a total of 55 radio units on the Cobb County 800 MHz system (Fire and Police). We are currently receiving funding from the Special Purpose Local Option Sales Tax (SPLOST) from Cobb County. Over a period of twenty four months the city will receive a total of \$160,000.00. In March, the City will have received a total of 80,166.74. During the next twelve months, the City will receive the remainder of the funds.

To date, the City has twenty-four (24) digital units either in use or on order. The remaining thirty-one (31) units are bid by type of radio and by department. The Police Department would order fourteen (14) portables, and ten (10) mobiles. The Fire Department would order five (5) mobiles. The Communications Department would order two (2) 911 Consoles.

As many of you understand, Motorola has an exclusive contract with Cobb County for radio purchasing with Diversified Electronics in Marietta. Diversified has offered the City of Austell a discount of \$400.00 per radio if units are ordered before the 15th of March 2007. A portion of the SPLOST funds, \$48,749.39, has been used toward the purchase of units that are in use or on order. The SPLOST currently has \$31,417.35 available toward the purchase of the remaining thirty-one (31) radios. The breakdown is as follows:

- Fourteen (14) Police Portable Radios.....\$48,589.52
 - Ten (10) Police Mobiles.....\$34,711.10
 - Five (5) Fire Mobiles.....\$18,030.55
 - Two (2) 911 Consoles.....\$ 6,735.86
- Total.....\$108,067.03

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Mr. Thomas moved to follow the recommendation of the Fire Committee to approve the amount of \$76,649.68 needed to join with the current SPLOST balance of \$31,417.35 in order to purchase the thirty-one (31) radio units. Approval will save a total of \$12,400.00. As noted, the SPLOST fund will reimburse City funds over the next twelve months. We request that funding be provided from the General Fund. Seconded by Ms. Boyd. Motion passed (6-0).

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

A. WaterFirst Community Program Presentation

Mr. Traylor stated on January 10, 2007, the Public Works Department received notification, attached, that the City of Austell has been selected as a WaterFirst Class of 2007 participant. The WaterFirst Community Program is a voluntary partnership between local governments, state agencies, and other organizations working together to increase the quality of life in communities through the wise management and protection of our valuable water resources. This proactive approach to water resources requires local governments to make the connection between land use and water quality, and requires thinking beyond political boundaries to recognize the inextricable links created by shared water resources.

Ms. Deatre Denion, Program Coordinator for WaterFirst Community Program, introduced herself to Mayor and Council. Ms. Denion stated she was here to speak to everyone on a Community based water initiative that started in 2002 and designated the first communities in 2003. This will give you an idea of how long this has been going on. This is a pursuing environmental excellence program but most of all to understand it is not just being in compliance with all your legal requirements. This is going above and beyond your legal requirements. There are some small communities that do not have stormwater requirements who are doing some stormwater information. There are larger communities who have to do a lot to be in compliance and to be recognized. Ms. Denion continued to explain what the WaterFirst Community Program involved and also to congratulate the City of Austell for being selected as a WaterFirst Class of 2007 participant. A copy of the presentation was given to Mayor and Council members. Mayor Jerkins asked how much time we are allowed to be qualified.

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Ms. Denion stated this depends on how fast you want to work. Ms. Denion stated there is no timeline on the qualifications. Ms. Denion explained to Mayor Jerkins if a community has the political backing you can breeze right through. This means if the Council backs you the sooner you can have this done. Ms. Denion also stated to Mayor Jerkins there will be some ordinances to pass as well. Ms. Denion stated this is a voluntary program.

B. Peco Lane Sanitary Sewer Bore – Revised Cost Proposals

Mr. Traylor stated at the November 14, 2005, City Council meeting, it was approved to proceed forward with a sanitary sewer bore. This is the line that will be installed to eliminate the Peco Lane pump station and will service Peco Lane and feed into Stonebrook Subdivision ultimately ending up in Cobb County's 72" trunk line.

Due to a redesign of this project, the Public Works Committee has rebid the project. The new cost proposal includes the decommissioning of the existing pump station and work required in tying in the new lines. Following are bids that were received:

<u>Bidder</u>	<u>Bid Amount</u>
Total Development, Inc.	\$ 99,504.00
D & H Construction	\$134,844.00
Site Engineering, Inc.	\$151,405.00
Strack, Inc.	\$153,852.00

Mr. Traylor moved to follow the recommendation of the Public Works Committee to approve and award the bid to the lowest bidder, Total Development, Inc. at a cost of \$99,504.00. Once funds have been appropriated, funding for this project will come from the Sewage Division (505/4310), account number 54.1400 (Infrastructure). Seconded by Ms. Boyd. Motion passed (6-0).

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

A. No Report

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

A. Draft of Comprehensive Plan Update

Ms. Boyd stated Mr. Mike Warrix was present and will make a presentation and report on our Comprehensive Plan. Ms. Boyd asked Mike to please come forward and stated he was with Keck & Wood, Inc.

Mr. Warrix stated this has been advertised as the second public hearing of two required public hearings regarding updates for the Comprehensive Plan. As you all know we have been working with the staff and the residents as well as the council for the past seven months now pertaining to an update which is required by the good folks at DCA, a draft of which you have in your packets. What you have in there is the Community Agenda, a component of the plans, and that is the only outstanding portion of the plan that has been reviewed and approved by the Atlanta Regional Commission. What we need to do tonight is to get your approval to officially transmit the plan to the Atlanta Regional Commission to review. Do you have the transmittal resolution in your packets? Mayor Jerkins stated he had some concerns about the map. Mayor Jerkins asked if this was a draft. Mr. Warrix stated, yes, it was a draft. You are not officially adopting the map, or any of the portions of the plan. You are merely approving content to be sent to Atlanta Regional Commission as a draft.

Mr. Kimbrough asked if anyone had any questions of Mr. Warrix during the public hearing.

Ms. Boyd moved to close the Public Hearing. Seconded by Ms. Reagan. Motion passed (6-0).

Ms. Boyd moved to follow the recommendation to approve the draft of the Comprehensive Plan Update to be reviewed by the Atlanta Regional Commission as a draft. Seconded by Mr. Thomas. Motion passed (6-0).

B. 2007 CDBG Subrecipient Agreement Approval

Ms. Boyd stated the Cobb County Board of Commissioners has awarded the City of Austell Community Development Block Grant funding in the amount of \$25,943.00 for 2007.

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14. CITY ATTORNEY – DUPREE, KING & KIMBROUGH

A. No Report

15. MAYOR'S REPORT

CMA MEETING

DATE:

MARCH 20, 2007

TIME:

6:30 P.M.

LOCATION:

TOUR OF GEORGIA

POWER RESOURCE CENTER

16. ADJOURN

Ms. Boyd moved to follow the recommendation to adjourn. Seconded by Ms. Reagan. Motion passed (6-0).