

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MAY 6, 2013**

Present: Mayor Jerkins
Kirsten Anderson
Trudie Causey
Virginia Reagan
Martin Standard
Scott Thomas
Suzanne Thompson

The regular meeting of the Mayor and the City Council was held on Monday, May 6, 2013 at 7:00 P.M. at City Hall.

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

1. CALL TO ORDER

Mayor Jerkins called the meeting to order. Pastor Bob Neal gave the Invocation and Mayor Jerkins led the Pledge of Allegiance.

Mayor Jerkins asked the Council if they had any items to add to the Agenda. Ms. Thomason stated she would like to add 13A.-Surplus Office Furniture.

Ms. Thomason moved to follow the recommendation of Mayor Jerkins to add the item to the Agenda. Seconded by Ms. Causey. Motion passed (6-0).

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 \$1,341.10
- C. Approve Minutes of Regular Council Meeting April 1, 2013

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

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

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

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Ms. Robin Jefferson stated her name and stated she was present representing her Mother and Father. We were here two months ago and we haven't seen any changes in the cleanup on Vanessa Circle. The people that live beside them are continuing to add junk to their yard and so I have come to you to see what you are doing to get this cleaned up. It's been two months and we haven't seen any improvement. Chief Starrett stated I told you at the last Council meeting to give your concerns to Code Enforcement and we would work on it. I told you to call me or come to see me or I would come out to you. I haven't heard from you. Ms. Jefferson stated we should be seeing some improvement and that you are doing something. It shouldn't just be on paper we should be able to see some improvements, right? Chief Starrett stated if you will come and see me I will show you what we have done. Ms. Jefferson stated there are no improvements that you can see. Come and see for yourself and see what lies are being said and done. Chief Starrett stated I don't appreciate you saying that when we are doing everything we can to get it cleaned up. Ms. Jefferson stated her feelings are, we need to get some new Code Enforcement employees that have no association with the Sheriff's department. Also, I don't understand why you have two and you pay two people when you could pay one full-time person. Mayor Jerkins stated we have two different shifts because they work part-time. Ms. Jefferson stated well, if you had one person instead of two then you would only pay one person. Mayor Jerkins stated the entire budget is not but eighteen thousand a year. Chief Starrett stated another thing we do not have to pay them over-time or retirement or any benefits because they are part-time. Ms. Jefferson stated but you are still paying two people. Mayor Jerkins stated again, it is only eighteen thousand a year. Ms. Jefferson stated well then they work short hours. I also wanted to speak to you about the website. I went in there before I came to the meeting to see the minutes and it is not even updated. Ms. Reagan stated to Ms. Jefferson the minutes from last month will be approved tonight so they would not be on the website now. Ms. Causey asked Chief Starrett since it has been two months is there any way we can send a ten day letter. Chief Starrett stated he would be glad to go out there and see what he could do. Ms. Jefferson stated that is what your Code Enforcement employees are getting paid to do. If someone brings in a paper it is their job to see that it gets done. Chief Starrett stated I will be glad to show you what we have done and sometimes we cannot contact the people or even find them. Ms. Causey stated this home she is talking about and the people who live there Ms. Thomason and I both have gone by there and at the time they had a vehicle that didn't have a tag on it. They had a trailer sitting in the front yard and a tent. I don't know what is under the tent but to move things forward I think we need to give them a ten day letter. Then if they don't clean the mess up then go ahead and give them a citation. Chief Starrett told Ms. Jefferson he would be glad to go over each one with her and ride house to house with her and tell you what we have done so far. Just call me and we can do that and I am not hard to find I am available twenty-hours a day.

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Ms. Jefferson stated if something is being done then you should be able to see it. Chief Starrett stated I can't sit here and tell you what has been done but I will check into it. Ms. Jefferson stated but if they are doing it then you should take the next step. If it is to give them a ticket or whatever you do for them and then they go to court and that is held at the Threadmill right and then they go before whoever you voted to be your Judge. Then you talk to them and they are not cleaning it up then they shouldn't let it slide. Chief Starrett stated he would be glad to meet with Ms. Jefferson and he couldn't say anything else. Ms. Jefferson stated we were coming last month but we thought it was on Tuesday so ya'll missed us because of that. I have been paying attention and nothing has been done. Chief Starrett stated at the last meeting I bought everything we had done so far because I thought you would be at the meeting. Ms. Jefferson asked why are we getting an expensive flag pole? Mayor Jerkins stated the money comes out of the A.A.C.I.C. fund and it is for the veterans and it is a veteran's park. Ms. Jefferson stated well we are getting a fancy flag pole and a fancy little thing that has your statue in it and then right next to it you have a building boarded up that needs repainting. You are trying to be fancy but you are not trying to fixing everything else up. Mayor Jerkins stated you are dealing with two different sets of money. That money was set for the City to not actually spend. It is for the Community. Ms. Jefferson stated well, it doesn't go together, right. If you are trying to fancy up these things and you are not fixing everything else. Ms. Reagan stated we do not own those buildings. Ms. Jefferson stated but you know who owns them because they are right in the middle of Austell. Mayor Jerkins stated we cannot locate the people. Ms. Jefferson stated she did not believe that. Mayor Jerkins stated maybe you need to locate them for us if you don't believe me. Ms. Jefferson stated well, if I worked at it I probably could. Mayor Jerkins stated the guy is in Florida and we have been through this and the building over there and we can't send him a citation down there and we can't get him here. Ms. Jefferson asked why? Mr. Kimbrough, City Attorney, stated we can send something through the mail but him living out-of-state he doesn't have to report subject to the jurisdiction of Austell Municipal Court. Ms. Jefferson stated she just didn't understand because ya'll waste a lot of money on doing little nick picky things and then you don't take care of other things. Mayor Jerkins stated I know your concern is one thing and we have three Council Members here concerned with one issue and that is making the City like a little doll factory. We have ninety-nine more issues other than the one issue to deal with. They don't worry about the Fire Department, Public Works they don't worry about the water lines or the sewer lines what happens to them. The only thing they worry about is making Austell look like a little doll factory. Ms. Jefferson stated well that is where you come in. Mayor Jerkins stated exactly, this is why I am explaining this to you. Ms. Jefferson stated it is your job to turn it into a little doll house. Mayor Jerkins stated it is hard to do and I don't know of one in the United States.

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Do you know of one and if not maybe you need to find one and show us what it looks like. Ms. Jefferson stated you don't have to turn it into a dollhouse you can take the boarded up buildings and fix that. Mayor Jerkins stated you run over there and tear it down for us. Ms. Jefferson stated if you think you are revitalizing then, why don't you actually do it. Mayor Jerkins stated we have already spent two and a half million dollars downtown and you didn't notice that. Ms. Jefferson stated, no, where is it? Mayor Jerkins stated you didn't see the brick and we just spent a half of a million on this side of town. Ms. Jefferson stated that is wasted money. Mayor Jerkins stated I agree with you but this is what everybody wanted to do. Mayor Jerkins stated we shouldn't have spent the money and I do agree. Ms. Jefferson stated well then you need to step up and do your job. Mayor Jerkins stated well, maybe you will help me because I can't get it all done. Ms. Jefferson stated I wish I had your job. Mayor Jerkins stated I wish you had it today. Ms. Jefferson stated if you want to give it up I will take it. Mayor Jerkins stated I bet you would do a great job because you would have one thing to deal with and that would be a little doll factory. Mayor Jerkins asked if anyone else would like to speak.

Ms. Sandra Davenport stated her name and stated she lived in Cureton Woods subdivision. This is the outline for the stockpile that is behind my home. The first item on my list talks about the safety issues and I moved in to Cureton Woods in 2012. I have no visibility from my home because of the stockpile. I also have presented a couple of photographs for you to see. I have made several contacts to Mr. Demeritt and he has been very responsive to my e-mails. He has been trying since last year to get something done about the dirt pile and of course nothing has been done. You will see there is a couple of e-mails in there and the realtor will respond to me about little things but he will not talk about that dirt pile. Ms. Davenport presented a photo of the dirt pile and stated how big and massive it is and you can't see anything. Mayor Jerkins asked how is this dirt pile unsafe. Ms. Davenport stated once I had the incident with the deer because the stockpile is so high and they actually came down in front of me because I run in the subdivision. The second thing I was running one morning and there was a truck parked back there in the cul-de-sac at 6:30 a.m. and there was no reason for anybody to be back there. Mayor Jerkins stated so this is separate from the dirt pile. Ms. Davenport stated no, it isn't because the dirt pile blocks all my visibility and I can't see anything behind it from my house. I am the only house on that street. Mayor Jerkins stated but it is not unsafe. Ms. Davenport stated I don't know if I would not consider it unsafe when I can't see the activity taking place behind the dirt pile. Definitely at 6:30 a.m. in the morning and no one else living back there it is unsafe to me. There should be nobody back there and nobody standing around. The other thing there was a black male standing around with a hoodie on. Mayor Jerkins asked Ms. Davenport if she called 911 and she stated at that time she did not. Mayor Jerkins asked if anyone else would like to speak to the Council. No one did.

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**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mr. Kimbrough stated he attended the meeting and we took care of the usual order of business as well as getting an update on how the system was doing. Due to the sustained cold winter we had we are way above where we were last year with the amount of gas pushed through the system. This equates to larger revenues and a larger franchise fee to the City and getting us back in line from what we normally receive from the gas system. It has been a good year for the gas system based upon the weather.

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

A. Financial Report

B. 2013 – 14 Preliminary Budget (1st Reading)

Ms. Reagan moved to follow the recommendation of the Finance Committee to table this item until June 3, 2013. We will have a Special Called Meeting on June 3, 2013. The second meeting will be held on June 24, 2013 Pre-Agenda Meeting. Seconded by Mr. Thomas. Motion passed (6-0).

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

A. Health Insurance Renewal for 2013 – 2014

Mayor Jerkins introduced Chip Boyd with Heritage Corporate Benefits and stated Mr. Boyd will explain the Insurance renewal.

Mr. Boyd stated the City of Austell has received their renewal proposal for the health care that was about forty-nine and a half percent above the current rate. We sought proposal in the market place and received an attractive proposal from the Georgia Municipal Association which kept cost slightly below current cost. The change would be from Coventry Health care to Blue Cross Blue Shield and we are recommending the City adopt an HMO and POS plan.

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To give you an idea of the savings for the employees based on what the Mayor, Ms. Duncan and Ms. Farmer have looked at the finances and the payroll deduction and an individual employee who now pays eleven dollars (\$11.00) a week and had we accepted Coventry renewal the rate would now be seventy-five (\$75.00) dollars a week for every employee. Plus it would have cost the City more money. These new proposals and the payroll deductions are as low as five (\$5.00) dollars a week for the employees and they can buy more coverage if they choose to a greater benefit plan which is only ten (\$10.00) dollars a week. They will be saving money either way. It is a good plan Blue Cross Blue Shield of Georgia and who you all know and a terrific provider network. The pharmacy will be provided by Aetna according to the GMA's contract. This is how GMA has them all setup. The medical will be with BC/BS and the pharmacy will be with Aetna. All the remaining benefits will be renewed at a reasonable cost and remain the same. Mayor Jerkins stated we did bid out to two different companies and they declined. Mr. Boyd stated, yes that is correct we submitted to two different carriers and they did the medical underwriting which is the health questionnaires that were submitted. They looked at all the medical conditions and respectively declined. Mayor Jerkins stated we have a Resolution from Georgia Municipal Association as well as an Ordinance to be voted on tonight. We will be communicating with Georgia Municipal Association and paying them once a month. Mr. Boyd stated, yes that is correct.

Ms. Thomason asked what about their deductibles and what they pay out of pocket compared to what we are doing with Coventry.

Mr. Boyd stated the plans are slightly different. Currently, there is a two thousand (\$2,000.00) dollar deductible with Coventry and it is paid one hundred percent so there is no out of pocket. The City via Health Reimbursement Account reimburses the two thousand dollars. With these two plans the HMO has a hundred and fifty (\$150.00) dollar deductible with twenty percent (20%) co-insurance payment up to a maximum out of pocket another (\$2,000.00) two thousand dollars. So the employee could be out of pocket up to twenty-one hundred and fifty dollars (\$2150.00) and the City will reimburse once this is obtained so the out-of-pocket would only be (\$150.00) hundred and fifty dollars. The POS Plan is the same type of arrangement but the deductible is a (\$1,000.00) thousand dollars with a two thousand dollar out of pocket maximum and will be reimbursed back with the (\$2,000.00) two thousand dollars. The difference in the payroll deductions alone will far out weight anything close to what the deductibles are. The employees will save significantly on what the other option would have been.

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Mayor Jerkins stated the enrollment meetings will start on Tuesday and continue through Thursday we need everyone's application back by Friday. Mr. Boyd stated we have an agreement and permission with GMA that we would have them back by May 10th because typically they would want them back by May 1st. They gave us a little extension.

Mayor Jerkins explained the Ordinance and the Resolution from GMA for the renewal of the Health insurance for 2013 through May 2014. We have tried them in previous years when we sent a bid out and they were too high but this year it is much cheaper.

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to accept the proposal from GMA for the Health insurance for 2013 – 2014. Seconded by Ms. Thomason. Motion passed (6-0).

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

- A. Police Report
- B. Code Enforcement Report
- C. Privilege License – Taqueria La Kebrada

Ms. Reagan stated the Police Department has received a request to complete a Criminal History check on Virginia Castro. Ms. Castro has turned in a Privilege License Request to open a business, to operate as Taqueria La Kebrada, located at 1862 Veterans Memorial Highway in Austell. This business would be operating as a restaurant and will be selling alcoholic beverages.

The Criminal History has been completed, and shows nothing that would stop her from obtaining a Privilege License.

Ms. Reagan moved to follow the recommendation of the Police Committee to approve the Privilege License for Taqueria La Kebrada. Seconded by Mr. Thomas. Motion passed (6-0).

- D. Privilege License – Sinner's Bar & Grill

Ms. Reagan stated the Police Department received a request to complete a Criminal History check on Janet Tolentino. Ms. Tolenito has turned in a Privilege License request to open a business, to operate as Sinner's Bar & Grill, located at 1936

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Veterans's Memorial Highway in Austell. This business would be operating as a bar & grill, and will be selling alcoholic beverages.

The Criminal History has been completed, and shows nothing that would stop her from obtaining a Privilege License.

Ms. Reagan moved to follow the recommendation of the Police Committee to approve the request for a Privilege License for Sinner's Bar & Grill. Seconded by Mr. Thomas. Motion passed (6-0).

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

A. Fire Report

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

A. No Report

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

A. No Report

**13. COMMUNITY DEVELOPMENT DEPARTMENT
SUZANNE THOMASON, CHAIRPERSON
Jim Graham, Director**

A. Surplus Office Furniture

Ms. Thomason stated the City of Austell Community Affairs Committee recommends approval of the surplus of the following office furniture:

- 1 Wood Table
- 6 Chairs

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- 2 Pictures
- 1 Folding Table

The Community Affairs Committee also recommends donating the listed items to the Austell Elementary PTA.

Ms. Thomason moved to follow the recommendation of the Community Affairs Committee to approve the Surplus Office Furniture. Seconded by Ms. Causey. Motion passed (6-0).

14. ATTORNEY, DUPREE & KIMBROUGH

A. Election Resolution

Mr. Kimbrough stated tonight we have the issue of the Resolution that will allow Cobb County Elections to take over and supervise the Election within the City of Austell. We have discussed this and the City has been in charge of the election for many years now because Cobb was too expensive as far as their proposal but they have come down to a reasonable amount. It is beneficial for the City to allow Cobb Elections to come in and operate and oversee and supervise all the elections. So this Resolution provides and gives the Mayor the authority to enter into any governmental agreement and contract with Cobb County elections will allow for the Cobb County Board of Elections to oversee the elections within the City of Austell. Mr. Kimbrough stated we will need a motion made for this.

Ms. Causey asked if the City would still handle the early voting. Ms. Duncan stated no, Cobb County would handle all of the voting at City Hall.

Mr. Thomas moved to follow the recommendation of Mr. Kimbrough to approve the Election Resolution that will allow Cobb County Election to take over and supervise the City of Austell elections. Seconded by Ms. Reagan. Motion passed (6-0).

15. MAYOR'S REPORT

- A. CMA MEETING
TIME:
LOCATION:

MAY 13, 2013 - CANCELLED
6:00 P.M. Dinner
Cobb Chamber of Commerce

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- B. Proclamation – National Prevention Week & Underage Drinking Prevention Day
Mr. Peter Armstrong introduced himself and thanked the Mayor and Council for the Proclamation.

Ms. Reagan moved to follow the recommendation to approve the Proclamation – National Prevention Week & Underage Drinking Prevention Day. Seconded by Ms. Causey. – Motion passed (6-0).

16. ADJOURN

Ms. Reagan moved to follow the recommendation of Mayor Jerkins to adjourn the meeting. Seconded by Ms. Causey.