

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MAY 7, 2007**

Present:	Joe Jerkins, Mayor Kirsten Anderson Beverly James Boyd Virginia Reagan Scott Thomas David "Bo" Traylor	Absent:	Randy Green Tim Williams
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The regular meeting of the Mayor and Austell City Council was held on May 7, 2007, at 7:00 P.M. at City Hall.

Also present were: Hylton Dupree, 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.

1. CALL TO ORDER

Mayor Jerkins called the meeting to order. Reverend David Pearce, Austell Presbyterian 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. Ms. Reagan stated she would like to add 9C. - 911 Upgrade. Mayor Jerkins stated he would like to add 15B. – Austell-Douglas County Agreement. Mayor Jerkins presented a five year service pin to Sandra Farmer, General Administration Department. Mayor Jerkins thanked Ms. Farmer for her dedication and efforts to the City of Austell.

Ms. Boyd moved to follow the recommendation of Mayor Jerkins to approve items added to the agenda. Seconded by Mr. Traylor. 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 \$1,652.64
- C. Approve Minutes of Regular Meeting April 2, 2007

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

4. EXCEPTION TO CONSENT AGENDA

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MAY 7, 2007
PAGE 2**

5. CITIZENS REPORT

Mayor Jerkins asked if anyone would like to speak to Mayor and Council. No one spoke.

**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mayor Jerkins stated it was a normal meeting and gas rates were discussed.

**7. FINANCE DEPARTMENT
BEVERLY JAMES BOYD, CHAIRPERSON
Denise Soesbee, Director**

A. Fiscal Year 2008 Budget

Ms. Boyd stated the financials were given to you last Monday night. Ms. Boyd asked if anyone had any questions about the financials. No one did. Ms. Boyd stated the next thing would be the first reading of our 2007-08 Preliminary Budget. This document will be presented to Council for vote at the June 4th Council Meeting. There is a citywide decrease in the budget of \$801,504.00 This decrease in the budget proposal includes, but is not limited to the following:

1. The completion of the Veterans Memorial Highway sewer project in 2007 which resulted in a decrease budget of \$1,093.371.
2. We have included a 3% cost of living increase for all employees in this proposal. The cost of living increase would be effective as of July 1, 2007, and would cost approximately \$110,000 citywide. There have been no positions added for the 2008 fiscal year.
3. Included are all principal and interest for bond payments due as per the most recent CAFR schedule. This budget proposal also includes installment payments for vehicles purchased in FY2007 for Police and Public Works.
4. We are waiting to hear from our health care provider for the increase in premiums for FY2008. For this proposal, we have included a 12% increase from the 2007 budgeted premiums.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MAY 7, 2007
PAGE 3**

5. We have included amount required to be transferred from the General Fund for excess Threadmill Complex expenditures of \$193,966 and amounts required to be transferred from the General fund for excess E-911 expenditures of \$383,381.
6. There are three new funds the City is required to add per our 2006 audit. The Confiscated Assets fund (210), the Hotel/Motel fund (275) and SPLOST fund (325).
7. The SPLOST fund (325) increased the overall budget by \$315,000. These funds can be used for the purchase of 800 MHz radios, D.O.T. projects, and resurfacing projects.

Please review the attached budget and if you have any questions, please do not hesitate to contact me. At this time, I would like to turn the meeting over to Mr. Dupree, City Attorney. Mr. Dupree stated the law requires us to have a reading prior to the vote which will be at the June 4, 2007, meeting and the meeting will be open for discussion or comments. Mayor Jerkins stated the budget includes everything but the new fire truck. A payment of one hundred seven thousand dollars (\$107,000.00) is due in a year and it is not included in this budget. If we don't have enough funds in this year's budget I will have to ask the Council to take the funds from the railroad interest money. Mr. Dupree asked if anyone had any questions. No one did.

Ms. Boyd moved to follow the recommendation to close the hearing for the first reading of the budget. Seconded by Mr. Traylor. Motion passed (5-0).

B. Adjustment – Mayor's Compensation

Ms. Boyd stated the next thing she has is the adjustment for the Mayor's Compensation. (Please see attached Ordinance Adjusting Compensation of Position of Mayor.) The Ordinance has been legally advertised in the Marietta Daily Journal on April 14, 2007; April 26, 2007; and May 3, 2007 and the Douglas County Sentinel on April 20, 2007; April 27, 2007; and May 4, 2007. The Ordinance Adjusting Compensation of Position of Mayor will be effective January 1, 2008.

Ms. Boyd moved to follow the recommendation of the City Council to approve the Ordinance Adjusting Compensation of Position of Mayor. Seconded by Ms. Reagan. Motion passed (5-0).

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MAY 7, 2007
PAGE 4**

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

A. Approval of Associate Solicitor – Todd Hayes

Ms. Anderson stated our solicitor, Leann MacDougall, asked that we certify and approve Todd Hayes to serve as an Assistant Solicitor for the City of Austell.

From time to time Ms. MacDougall needs an assistant to help handle large caseloads, and only attorneys who have been approved by the Mayor and Council are allowed to assist in our Court.

A copy of Mr. Hayes' resume is attached for your information. As Chairman of the General Administration Committee, I request your approval for this additional Solicitor.

Ms. Anderson moved to follow the recommendation of the General Administration Committee to approve the Associate Solicitor Todd Hayes. Seconded by Mr. Thomas. Motion passed (5-0).

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

A. Police Report

B. Code Enforcement Report

C. 911 Upgrade

Ms. Reagan stated part of the 911 upgrade involved in Phase 2 involves the ability to track the latitude and longitude of cell phones calling our 911 system. BellSouth has a one-time charge of \$2,200.00, and a monthly charge of \$190.00 for this service. Information involving communications between Jennifer Vivar, 911 Supervisor, and Tullie Warren, BellSouth ENP, is attached.

The Police Committee requests Council to approve paying these charges, taking the funds from the Communications budget, 52.3200.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MAY 7, 2007
PAGE 5**

Ms. Reagan moved to follow the recommendation of the Police Committee to approve the 911 Upgrade. Seconded by Mr. Thomas. Motion passed (5-0).

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

- A. Fire Report
- B. Unsafe Building Abatement Update/Browning Property
Mr. Thomas moved to follow the recommendation to cancel the Unsafe Building Abatement. Seconded by Ms. Reagan. Motion passed (5-0).

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

- A. Placement of Antennae on City Water Tower
Mr. Traylor stated Austell Natural Gas System has requested to place one (1) antenna on the City’s water tower located at 6084 Humphries Hill Road.

Mr. Traylor moved to follow the recommendation of the Public Works Committee to approve the placement of Antennae on City Water Tower. Seconded by Ms. Reagan. Motion passed (5-0).

- B. Fire Hydrant Meter Rental Fee Increase
Mr. Traylor stated the Public Works Committee would like to recommend increasing the fire hydrant meter rental fee from \$100.00 to \$850.00 (refundable) and the daily rental fee from \$3.00 per day to \$5.00 per day.

Ms. Anderson stated in pre-agenda we discussed the above and did we decide \$3.00 per day or \$5.00 per day. Ms. Boyd stated we agreed on \$5.00 per day.

Mr. Traylor moved to follow the recommendation of the Public Works Committee to approve the fire hydrant meter rental fee. Seconded by Ms. Reagan. Motion passed (5-0).

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MAY 7, 2007
PAGE 6**

C. Surplus Sale

Mr. Traylor stated the Public Works Committee recommends the surplus of items currently owned by the City of Austell. A complete list of items will be available Monday, May 7, 2007.

The surplus auction will be held at the City of Austell Threadmill Complex on Saturday, June 9, 2007, beginning at 9:00 AM. A public notice will be placed in the Marietta Daily Journal for two (2) weeks listing the items to be surplus. Ms. Reagan asked why the council didn't have a list. Mr. Traylor stated VIN numbers were being verified at this time and the list would be ready later.

Mr. Traylor moved to follow the recommendation of the Public Works Committee to approve the Surplus Sale. Seconded by Mr. Thomas. Motion passed (5-0).

D. 2007 Annual Water Quality Report

Mr. Traylor stated attached for your review is the annual water quality report for year ending 2006 that will be distributed to all water customers, as well as those residents living in mobile home parks, apartments, etc. that do not receive a water bill.

This report must be distributed prior to July 1 of each year. The estimated cost of printing and mailing will be \$2,500.00. Funding will come from the Water Department (505/4440); account number 52.3400 (Printing and Binding) for printing.

Mr. Traylor moved to follow the recommendation of the Public Works Committee to approve the 2007 Annual Water Quality Report. Seconded by Mr. Thomas. Motion passed (5-0).

E. National Public Works Week – May 20, 2007

Mr. Traylor stated the week of May 20, 2007, through May 26, 2007, is National Public Works Week throughout the United States. The theme for this year is "Public Works: Moving Life Forward". Since public works projects are vital to the growth and quality of life in Austell, this year's theme clearly promotes our efforts as public works professionals.

Attached is a Proclamation proclaiming the week of May 20, 2007, as National Public Works Week.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MAY 7, 2007
PAGE 7**

Mr. Traylor moved to follow the recommendation of the Public Works Department to approve the National Public Works Week. Seconded by Mr. Thomas. Motion passed (5-0).

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

A. Austell Baseball Association Contract Renewal

Mayor Jerkins stated Mr. Green is absent but we did discuss this at pre-agenda meeting. The Parks Committee recommends the approval of the renewal of the contract agreement between the City of Austell and Austell Baseball Association for 2007.

Ms. Boyd moved to follow the recommendation of the Parks Committee to accept the Austell Baseball Association Contract Renewal. Seconded by Mr. Traylor. Motion passed (4-0). (1) - Against.

Mayor Jerkins asked if anyone had any questions. Ms. Anderson stated, yes, she had a question. I understand that the Austell Baseball Association will rent out a field to another baseball team for practice time. I am wondering if this is still the routine and how much are they charging. Mr. Graham stated he was not aware of this going on. Ms. Boyd asked Ms. Anderson if she was sure they were charging rent. Ms. Anderson stated, yes, I am sure. Ms. Anderson stated she was just curious. My other question is, has anyone gone over the finances for the tournaments and do we have an assigned person to review this and where the money is allocated. Mr. Graham stated, according to the contract, if I am not mistaken, it does require a financial statement from the Baseball Association. We do give them a little time after registration to make sure all the participants have registered. All their financial statements are to be submitted to my office. We may have to remind them every now and then but they do comply with our rules.

Mayor Jerkins stated, on the renting of the field you mentioned Powder Springs, GA and if we are doing this we certainly need to be collecting the money. Ms. Anderson stated the Association used to charge for the use of the practice fields and they may not be doing this any longer. I was just curious.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, MAY 7, 2007
PAGE 8**

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

A. No Report

14. CITY ATTORNEY – DUPREE, KING & KIMBROUGH

A. No Report

15. MAYOR'S REPORT

A. CMA MEETING

DATE: May 8, 2007
TIME: 6:30 P.M.
LOCATION: Smyrna City Hall

B. Austell – Douglas County Agreement

Mayor Jerkins stated Douglas County had called him today and informed him of a meeting on Tuesday, May 15, 2007, to approve the sales tax they are putting on. They said September 18, 2007, or about this date, which is SPLOST and the biggest portion of this is going to build a jail. What they want to do on the Intergovernmental Agreement is based on the 2000 census we have out. I am asking the council to vote and approve the signing of the necessary documents for the agreement.

Ms. Boyd moved to follow the recommendation of Mayor Jerkins to sign the necessary documents for Douglas County SPLOST on September 18, 2007, based on the 2000 census due to the fact we have Douglas County residents living in Austell, GA. Seconded by Mr. Thomas. Motion passed (5-0).

16. ADJOURN

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