

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, JUNE 5, 2006**

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

The regular meeting of the Mayor and Austell City Council was held on June 5, 2006, at 7:00 P.M. at City Hall.

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

1. CALL TO ORDER

Mayor Jerkins called the meeting to order. Reverend Richard Broom, First United Methodist Church, gave the Invocation. Mayor Jerkins led the Pledge of Allegiance and then asked if any member of the City Council would like to add items to the agenda. Ms. Reagan stated she would like to add 9E. Law Publication Magazine. Ms. Boyd added 13B. Stonebrook Subdivision Stipulations.

Mayor Jerkins stated a reception was held for Chief Tim Williams at 5:30 P.M. this evening. Mayor Jerkins asked Chief Williams to come forward and receive his plaque and pin for twenty-five (25) years of service to the City. Mayor Jerkins and Mr. Scott Thomas presented plaque and pin to Chief Williams and thanked him for his efforts and dedication to 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 \$848.69
- C. Approve Minutes of Regular Meeting May 1, 2006
- D. Special Called Meeting 05-22-06

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

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4. EXCEPTION TO CONSENT AGENDA

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

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

7. FINANCE DEPARTMENT

BEVERLY JAMES BOYD, CHAIRPERSON

Rachel Yarbrough, Acting Finance Director

A. Financial Report

B. Budget – 2nd Reading

Ms. Boyd stated the proposed Budget for the fiscal year 2007 has been distributed for your review. It includes the General Fund, Emergency 911 Fund, Municipal Building Fund, and the Water Fund. There is an \$889,343 increase in the combined budgets of these funds over the previous year. The following list includes the primary reasons for the increase.

1. The new Veterans Memorial Highway Sanitary Sewer line is budgeted at a cost of \$978,605. This includes approximately \$270,000 budgeted, but unspent, in fiscal year 2006. The remaining amount will be paid from reserves from previous years.
2. Liability insurance premiums have increased by \$76,786 and the workers' compensation insurance has increased by \$68,571.
3. \$40,000 has been budgeted for the Water Department to begin replacing water meters. The cost will be approximately \$100 per meter.
4. The pay scale has been adjusted to increase the minimum and maximum hourly rates for all departments. The beginning hourly pay is budgeted as follows: General - \$11.72; Communications - \$11.56; Police - \$14.47; and Fire - \$11.03.

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Therefore, several employees will receive pay raises to meet this threshold at a cost of \$15,693. In addition, the budget includes a Citywide 3% cost-of-living raise at a cost of approximately \$101,000.

5. A new position has been budgeted for E-911 at an annual salary of \$24,875.00.
6. Utility expenses for the Threadmill have increased and therefore are budgeted at \$344,000 for the upcoming year.
7. The E-911 department has budgeted \$51,000 for new equipment which will allow them to accept wireless calls. In return, the City will begin collecting wireless fees from all cell phone customers within the City.
8. Bond and capital lease payments of \$936,469 have been budgeted in the following departments.

Water - \$200,000

Parks - \$ 35,849

Fire - \$102,130

Police - \$ 35,000

Threadmill - \$563,490

9. The General Fund has budgeted transfers to E-911 of \$389,708 and Threadmill of \$95,388. The Water Fund has budgeted a transfer to the Threadmill for \$164,333.

Ms. Boyd stated the recommendation from the Finance Committee to adopt the proposed Budget with the following revisions in the Water Fund.

Those revisions that I am asking you to approve are a reduction where we estimated a proposal and where we revised and our savings will be \$113,391 in reduction in use of the prior year reserves.

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It is my recommendation we approve this and now, at this time, I will turn the hearing over to our City Attorney, Mr. Kimbrough, on the Budget 2nd reading.

Mr. Kimbrough stated at this time we will call for a public hearing for the Budget on the 2nd reading which has just been described by Ms. Boyd. Mr. Kimbrough asked if anyone was present that would like to speak in reference to the Budget. No one spoke. Ms. Boyd stated, hearing none I move we close the hearing. Mr. Kimbrough stated, hearing no questions or comments from the council or members of the public we will now close the public hearing for the Budget for the City of Austell for the upcoming fiscal year.

Ms. Boyd moved to follow the recommendation of the Finance Committee to approve the 2007 Budget. Seconded by Ms. Reagan. Motion passed (6-0).

C. AML Maintenance Contract

Ms. Boyd stated the City has received a proposal from AML for an annual maintenance contract for the phone system. A copy of the proposal is included for your review. As part of the agreement, AML will support the City's phone system for an annual fee of \$3,020. This amount has been budgeted in the General Fund under line item 1565/52.3200, Communications.

Ms. Boyd moved to follow the recommendation of the Finance Committee to accept the AML contract for one year, with the right to cancel with a thirty (30) day notice. Seconded by Ms. Reagan. Motion passed (6-0).

8. GENERAL ADMINISTRATION

**KIRSTEN ANDERSON, CHAIRPERSON
Carolyn Duncan, Director**

A. No Report

9. POLICE DEPARTMENT

**VIRGINIA REAGAN, CHAIRPERSON
Bob Starrett, Police Chief**

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A. Police Report

B. Code Enforcement Report

C. Vehicle Donation

Ms. Reagan stated Norfolk Southern Railroad has given us a 2000 Ford Crown Vic Patrol Car equipped with emergency equipment for Patrol use.

Ms. Reagan moved to follow the recommendation of the Police Committee to approve accepting this vehicle. Seconded by Mr. Green. Motion passed (6-0).

D. Caribbean American Paradise Buffet – Privilege License

Ms. Reagan stated the City has received an application from Phillip Douglas for the business of Caribbean American Paradise Buffet located at 6205 Veterans Memorial Highway, for a Privilege License for consumption on premises for malt beverages and wine. A background check on Mr. Douglas revealed no disqualifying information.

Ms. Reagan moved to follow the recommendation of the Police Committee to approve this request subject to paying the FDS fees. A copy of the application is attached. Seconded by Ms. Boyd. Motion passed (6-0).

E. Law Publication Magazine

Ms. Reagan stated we need approval from the Council for Chief Starrett to solicit donations for this magazine. Seconded by Ms. Boyd. Motion passed (6-0).

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. Garage Bay Doors Replacement

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Mr. Traylor stated it is the recommendation of the Public Works Committee to approve the replacement of garage bay doors at the Public Works maintenance facility with no chain hoist steel section doors.

Two (2) bids have been received and are as follows:

Quality Door Service	\$6,494.00
Metro Garage Door, Inc.	\$8,650.00

Mr. Traylor moved to follow the recommendation of the Public Works Committee to approve the lowest bidder, Quality Door Service in the amount of \$6,494.00. Funding in the amount is available and will come from the fiscal year 2006 budget. Seconded by Ms. Reagan. Motion passed (6-0).

B. Waiver of Sewer Development Fees for Virginia A. Reagan

Mr. Traylor stated in exchange for a water line easement from Virginia A. Reagan, it is the recommendation of the Public Works Committee to waive sewer development fees for a portion of property located at 5861 Hutcheson Drive. In exchange for the easement, the City would install one (1) sewer tap for use by the owner on Hutcheson Drive. Additionally, the City would waive its fee of \$1,000.00 and will submit a payment of \$1,200.00 to Cobb County Water System.

Mr. Traylor moved to follow the recommendation of the Public Works Committee to approve the Waiver of Sewer Development Fees for Virginia A. Reagan. Seconded by Mr. Thomas. Motion passed (5-1) Ms. Reagan abstained.

Ms. Boyd asked Mayor Jerkins if he would explain this waiver. Mayor Jerkins stated back several years ago they took some of Ms. Reagan's property. Because of the rock there she gave them a good portion of the property at that time. Then later they ran a water line across her property and did not get an easement. We will need an easement for the water line and Ms. Reagan will give us that and in return we will give her the sewer tap on.

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

A. No Report

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13. COMMUNITY DEVELOPMENT

BEVERLY JAMES BOYD, CHAIRPERSON

Jim Graham, Director

A. Planning & Zoning / Variance Board New Appointments and Reappointments

Ms. Boyd stated the Community Development Committee would like to recommend approval of 1 new Planning and Zoning Board member, 2 new Variance Board members and the reappointment of those with expired terms of service.

PLANNING AND ZONING BOARD:

<u>Member</u>	<u>Ward</u>	<u>Term</u>	<u>Expiration</u>
Don Foster	Ward 1, Post 5	2 years (reappointment)	May 31, 2008
George Beavers	Ward 4, Post 3	2 years (reappointment)	May 31, 2008
Diane Evans	Ward 3, Post	2 years (new member)	May 31, 2008

VARIANCE BOARD:

Valerie Anderson	Ward 1	2 years (new member)	May 31, 2008
Ersa King	Ward 4	2 years (reappointment)	May 31, 2008
Ollie Clemmons	Ward 3	2 years (new member)	May 31, 2008

Ms. Boyd moved to follow the recommendation of the Community Development Committee to approve the Planning & Zoning/Variance Board New Appointments and Reappointments. Seconded by Mr. Traylor. Motion passed (6-0).

B. Revisions to Stonebrook Subdivision Stipulations

Ms. Boyd stated the Community Development Committee would like to recommend approval of the attached revisions to the stipulations that were adopted for Stonebrook Subdivision at the August 1, 2005, hearing with the exception of item 6.

The water tables will remain on all the houses except the ones mentioned in item 1 that are to be built along the railroad right-of-way and the junkyard.

The stipulations have been reduced on these houses because of the decreased value of these lots due to the close proximity to the concrete plant, the railway and junkyard. It is only a slight revision.

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We received a letter from the developer and we had put a minimum of eighteen (1800) hundred square feet to twenty-two (2200) hundred square feet on twenty-five percent (25%) of the houses. They are asking to reduce minimum square footage to seventeen hundred (1700) to twenty-one hundred (2100) square feet on 25% (46) of the lots located near the Southern Railway right-of-way and junkyard at the rear of the development. All the other stipulations will remain. He is also moving forward and adding a swim/tennis community to the subdivision. It is going to be a nice subdivision. The builder is present if you have any questions.

Ms. Boyd moved to follow the recommendation of the Community Development Committee to approve and reduce minimum square footage to seventeen hundred (1,700) to twenty-one hundred (2,100) square footage on twenty-five percent (25%) or (46) forty-six lots adjacent to the railroad track, cement block house and the junkyard at the rear of the development. Twenty-five percent (25%) of the homes to be a minimum of eighteen hundred square foot. Fifty percent (50%) of the homes to be a minimum of twenty-two hundred (2,200) square foot. All fronts have to have brick, stucco and/or stone with hardi-plank type accents. All homes to have hardi-plank type siding. Seconded by Ms. Reagan. Motion passed (6-0).

14. CITY ATTORNEY – DUPREE, KING & KIMBROUGH

A. No Report

**15. MAYOR'S REPORT
A. CMA MEETING**

**DATE: JUNE 13, 2006
TIME: 6:30 P.M.
LOCATION: ACWORTH/SUMMER COOKOUT**

B. City Vehicle Policy

Mayor Jerkins stated the Vehicle Policy has previously been discussed in the pre-agenda meeting. Mayor Jerkins stated we need a motion made on this.

Ms. Reagan moved to follow the recommendation of Mayor Jerkins to approve the City Vehicle Policy. Seconded by Mr. Traylor. Motion passed (5-1). Ms. Boyd voted against.

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16. ADJOURN

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