

**MINUTES OF THE  
REGULAR COUNCIL MEETING  
CITY OF AUSTELL  
MONDAY, JULY 1, 2013**

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

Absent: Scott Kimbrough  
Denise Soesbee

The regular meeting of the Mayor and the City Council was held on Monday, July 1, 2013 at 7:00 P.M. at City Hall.

Also present were: Carolyn Duncan, City Clerk; Sandra Farmer, Deputy City Clerk; General Administration; 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. Reverend Tim Ridgeway 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. No items were added.

**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 \$2,051.06
- C. Approve Minutes of Regular Council Meeting June 3, 2013

*Ms. Anderson moved to follow the recommendation of Mayor Jerkins to approve the Consent Agenda. Seconded by Ms. Reagan. 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. No one spoke.

Mayor Jerkins stated we have a Boy Scout here tonight and his name is Christopher Morris and he is with Troop 353. He is receiving his Merit Badge and attending the Council Meeting tonight. Mayor Jerkins thanked Christopher for attending the meeting.

**MINUTES OF THE  
REGULAR COUNCIL MEETING  
CITY OF AUSTELL  
MONDAY, JULY 1, 2013  
PAGE 2**

Ms. Causey stated the property on Sanders Drive and Mr. Huckeba was going to try and be here tonight but he wasn't sure he would be here before we started meeting tonight. We do have copies of the deeds and he was going to be here to give you the documents for Mr. Kimbrough. He said he thought might have the deed to that property and he would just turn it over to us and we could take care of it that way. Since he just recently moved he has to go through a lot of boxes to try and locate it. We will ask Mr. Kimbrough to attend to this matter.

**6. GAS SYSTEM REPRESENTATIVE  
JOE JERKINS**

Mayor Jerkins stated he spoke with Mr. Kimbrough who attended the meeting and stated the gas rates were discussed and it was a normal meeting.

**7. FINANCE REPORT  
VIRGINIA REAGAN, 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. Pine Street Lot 18-0140-0-042-0- Code Violation

*Ms. Reagan moved to follow the recommendation of the Police Committee to approve the purchase of the property located on Pine Street from Ms. Juanita Martin for \$2000.00. This purchase will be contingent upon the research completed by the City Attorney, Mr. Scott Kimbrough. Seconded by Mr. Thomas. Motion passed (5-1). Ms. Anderson voted against.*

**MINUTES OF THE  
REGULAR COUNCIL MEETING  
CITY OF AUSTELL  
MONDAY, JULY 1, 2013  
PAGE 3**

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

A. Fire Report

Mr. Thomas turned the meeting over to Chief Williams. Chief Williams stated we had asked due to the loss of life in Arizona for the nineteen firefighter's approval to lower the flag from the Mayor and Council. I asked everyone to pray for the families affected and those who lost their life in the wild land fires.

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

A. No Report

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

A. Community Center and Collar Park Renovation/Repair Projects

Mr. Thomas stated the Parks Committee recommends approval of the following repair/renovation projects at Collar Park.

Community Center

- New Front windows/framing and two new side entry doors \$8,922.00
- New gutters \$3,107.90
- Pressure wash and paint the outside including handrails \$4,265.00
- Re-paint and repair parking lot lights \$ 800.00

Gazebo

- Replace and paint floor.....Repaint all handrails \$4,000.00

The total cost for the project will be \$21,094.90 and will be paid for with SPLOST funds.

**MINUTES OF THE  
REGULAR COUNCIL MEETING  
CITY OF AUSTELL  
MONDAY, JULY 1, 2013  
PAGE 4**

Mayor Jerkins asked if anyone had any questions. Ms. Anderson stated she realized we had problems with the previous floor on the Gazebo and how long do we expect this one to last. Mr. Graham stated this one should last fifteen to twenty years.

*Mr. Thomas moved to follow the recommendation of the Parks Committee to approve the above repairs/renovations. Seconded by Ms. Causey. Motion passed (6-0).*

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

**A. Rezoning Request from Willie F. Moore & Evelyn Moore for property located at the corner of Miller Road and Humphries Hill Road**

Ms. Thomason stated the Department of Community Affairs has received a request from Willie F. and Evelyn Moore to rezone 1.46 acres of property located at the corner of Miller Road and Humphries Hill Road in LL 96, district 18 of the 2<sup>nd</sup> section of Cobb County from Office Services (OS) to Single Family Residential (R-15).

The property is currently undeveloped and Mr. and Mrs. Moore have no plans to develop the property at this time.

The Planning and Zoning Commission voted unanimously (5-0) to recommend the Mayor and Council approve the application on June 18, 2013.

Ms. Thomason stated she would turn this over to Mayor Jerkins for a Public Hearing.

Mayor Jerkins stated he would like to open the Public Hearing on this matter. Mr. Kimbrough, the City Attorney usually does this, but I will conduct the Public Hearing.

Mayor Jerkins asked if anyone signed up in opposition of the Public Hearing. No one did. Mayor Jerkins stated to Mr. and Mrs. Moore they could speak if they would like too. They chose not to speak. Mayor Jerkins stated we need a motion to close the Public Hearing.

*Mr. Thomas moved to follow the recommendation of Mayor Jerkins to close the Public Hearing. Seconded by Ms. Causey. Motion passed (6-0).*

**MINUTES OF THE  
REGULAR COUNCIL MEETING  
CITY OF AUSTELL  
MONDAY, JULY 1, 2013  
PAGE 5**

*Ms. Thomason moved to follow the recommendation of the Community Affairs Department to approve the request from Willie F. and Evelyn Moore to rezone 1.46 acres of property located at the corner of Miller Road and Humphries Hill Road in LL 96, district 18 of the 2<sup>nd</sup> section of Cobb County from Office Services (OS) to Single Family Residential (R-15) Seconded by Ms. Causey. Motion passed (6-0).*

**B. Move City Museum from Community Center to Threadmill Complex**

Ms. Thomason stated the Community Affairs Committee recommends approval of moving the City museum from the back room of the Community Center to the Threadmill Complex.

The relocation and reorganization of inventory would encourage and prompt daily visitation by this community, surrounding communities, out of town visitors and student groups.

*Ms. Thomason moved to follow the recommendation of the Community Affairs Department to use the highly visible, long vacant suite, formally the front office of the Georgia State Bank. Seconded by Ms. Reagan. Motion passed (6-0).*

**14. ATTORNEY, DUPREE & KIMBROUGH**

**A. Election Ordinance**

Mayor Jerkins stated this Election Ordinance is to amend the Code of Ordinance for Cobb County to take over our election this year. They will be in charge of all election services this year.

*Ms. Reagan moved to follow the recommendation to amend the Election Ordinance so that Cobb County will be in charge of all election services. Seconded by Ms. Causey. Motion passed (6-0).*

**15. MAYOR'S REPORT**

**A. CMA MEETING**

NO MEETING

TIME:

LOCATION:

**B. Reappointment of Gas Board Directors – Hank Floyd**

Dennis Perrin

Grant Rainwater

Mayor Jerkins stated we need a motion for the reappointment of Gas Board Directors.

**MINUTES OF THE  
REGULAR COUNCIL MEETING  
CITY OF AUSTELL  
MONDAY, JULY 1, 2013  
PAGE 6**

*Mr. Thomas moved to follow the recommendation to reappoint Hank Floyd, Dennis Perrin and Grant Rainwater as the Gas Board Directors. Seconded by Ms. Reagan. Motion passed (6-0).*

Mayor Jerkins asked if anyone had any questions. Ms. Thomason asked since the last Committee meeting has anything been done about Fabou Enterprises, Inc. as far as if they have come up with a plan. Mr. Graham stated he thought Chief Starrett was going to do that and our recommendation was twenty percent (20%) and show them what to do. Ms. Thomason asked Chief Starrett if anything had been done. Chief Starrett stated he was waiting for something in writing before he could do anything. Mayor Jerkins stated it would be in the minutes of the Committee meeting. Carolyn Duncan stated the minutes were taped and Pat Medlin has the tape. Chief Starrett stated he needed it documented before he could do anything. Ms. Thomason stated she didn't know if Mr. Kimbrough needed to write something after the decision was made. Mr. Graham stated our Ordinance allows us to do this. Mayor Jerkins stated we need to put something in writing so it can be put on record. Mr. Standard stated this is like a blanket not just for Fabou it is for every business. Mr. Graham stated, that's right it's for all businesses. Mr. Standard asked if the Ordinance needed to be amended. Mr. Graham stated no, it does not need to be amended and also it is a case by case thing. We will type up something to cover all of this and give to Chief Starrett. Ms. Causey asked about the business on Board Street does this mean the same for them because they always put out so much merchandise out on the whole street. Mr. Graham stated are you talking about Country Junk on Broad Street. Ms. Causey stated yes. Ms. Thomason stated once you type this memo you should be able to give to any business right? Mr. Graham stated no, it has to be case by case. I will have to go out and measure the square footage and tell them how much they are allowed. I can do it this week and then I can get Code Enforcement to allow for the same thing with other businesses to make sure they are under compliance and no ADA problems. Mr. Standard stated or with Central Business District is that separate? Mr. Graham stated you can't block the sidewalk for pedestrians or handicapped people. Ms. Causey stated I think we need to do both businesses instead of just Fabou. Mr. Graham stated he would go down there and measure the space. Mr. Standard stated we should make it obvious to them because if we write them a citation they will get a lawyer and go to court or say they are. We have to make sure we are doing the same thing with everyone because they love to go to court. Ms. Thomason stated this answers her question. Ms. Thomason stated the only other question I have is over on Eastside the car repair place they are parking their cars on both sides of the building. Chief Starrett stated we have given him thirty days to move all cars.

**MINUTES OF THE  
REGULAR COUNCIL MEETING  
CITY OF AUSTELL  
MONDAY, JULY 1, 2013  
PAGE 7**

Chief Starrett stated he was moving his business but I don't know the date he is moving but it has been a couple of weeks ago that I spoke with him. We have given him thirty days and everything has to be gone or he will be cited for it. He told me it is a one man operation and that he is moving but every time I go down through there it is worse. He did get a business license but then he started parking all the cars everywhere. Ms. Thomason stated he also has those campers parked down behind there. Ms. Causey stated I also found out today the temporary tags anyone has on any of these lots after talking with the tag office a temporary tag is not any good unless it has a sticker on it that is actually printed from the tag office. Chief Starrett stated the car lots have those and the businesses put those on there. Ms. Causey stated but the tag office says unless it has a sticker on the car it is not any good except for thirty (30) days. Ms. Reagan asked are you talking about drive out tags. Ms. Causey stated yes, a temporary drive out tag. Chief Starrett stated a car dealer tag they can have also. Ms. Causey stated that is the red tag, right. Chief Starrett stated, yes it is. Mayor Jerkins asked if anyone had anything else. No one did.

**16. ADJOURN**

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