

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, JULY 3, 2006**

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

Absent: Scott Kimbrough –Attorney
Rachel Yarbrough
Chief Tim Williams

The regular meeting of the Mayor and Austell City Council was held on July 3, 2006, at 7:00 P.M. at City Hall.

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

1. CALL TO ORDER

Mayor Jerkins called the meeting to order. Randy Bowens 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. Boyd stated she would like to add 13D – Request for Stipulation Changes on Austell Road. Mr. Traylor stated he would like to add 11C – Information Only - Meter Reading Handheld Device Upgrade.

Mr. Traylor moved to follow the recommendation of Mayor Jerkins to add the items to the agenda. Seconded by Mr. Thomas. 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 \$2,212.44
- C. Approve Minutes of Regular Meeting June 5, 2006

Mr. Green 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

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, JULY 3, 2006
PAGE 2**

**6. GAS SYSTEM REPRESENTATIVE
JOE JERKINS**

Mayor Jerkins stated the regular scheduled meeting took place.

**7. FINANCE DEPARTMENT
BEVERLY JAMES BOYD, CHAIRPERSON
Rachel Yarbrough, Acting Finance Director**

A. Financial Report

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

A. Health Insurance Recommendation

Ms. Anderson stated the General Administration Committee has a Health Insurance recommendation. As you know, we changed insurance carriers last year from Cobb County to SBS (Strategic Benefit Solutions, Inc.) Broker Group. This year we have worked with two insurance brokers and they have quoted rates with comparable coverage.

Because of current quality care plan and our claims experience, unfortunately, this year we will have an increase of 14%. If Mayor and Council approves, this means the cost to the City of Austell would be \$81,865.56 annually for the renewal for its single employees. The new rates will become effective August 1, 2006.

RENEWAL RATES AS FOLLOWS:

HMO	CURRENT	RENEWAL	\$ INCREASE	% INCREASE
Employee	\$303.67	\$346.18	\$42.51	14 %
Employee + 1	\$728.78	\$830.81	\$102.03	14 %
Family	\$756.12	\$861.98	\$105.86	14%
PPO	CURRENT	RENEWAL	\$ INCREASE	% INCREASE
Employee	\$368.91	\$420.56	\$51.65	14%
Employee + 1	\$885.40	\$1,009.36	\$123.96	14%
Family	\$919.64	\$1,048.39	\$128.75	14%

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, JULY 3, 2006
PAGE 3**

Blue Cross and Blue Shield will continue to be our carrier and there will be no interruption in doctor services. All services will remain the same.

The General Administration Committee recommends placing our insurance with SBS (Strategic Benefit Solutions, Inc.) Broker Group.

Ms. Anderson moved to follow the recommendation of the General Administration Committee to approve placing our insurance with SBS (Strategic Benefit Solutions, Inc.) Broker Group. Seconded by Ms. Boyd. Motion passed (6-0).

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

- A. Police Report
- B. Code Enforcement Report

**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. City Ordinance Revisions
Mr. Traylor stated to please see the attached sheets 11A – pages 1-7 for Ordinance Revisions.

Mr. Traylor moved to follow the recommendation of the Public Works Committee to approve the City Ordinance Revisions. Seconded by Ms. Reagan. Motion passed (6-0).

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, JULY 3, 2006
PAGE 4**

B. Floodplain Management and Prevention Ordinance Revision

Mr. Traylor stated the current Floodplain Management and Prevention Ordinance, adopted March 1, 2004, and was modeled after the Metropolitan North Georgia Water Planning District's ordinance. Numerous revisions were necessary for this ordinance to be approved by the Federal Emergency Management Agency, which administers the voluntary Federal National Flood Insurance Program. To bring this ordinance into further compliance with the new digital mapping, more revisions were necessary.

Mr. Traylor moved to follow the recommendation of the Public Works Committee to adopt the attached Floodplain Management and Prevention Ordinance as presented. Seconded by Ms. Reagan. Motion passed (6-0).

C. Meter Reading Handheld Device Upgrade

Mr. Traylor stated effective December 31, 2006; maintenance support for our current meter reading handheld devices will be discontinued due to the age of the equipment. As a result, it will be necessary to upgrade our equipment. Our vendor, Kendall Metering Systems and Solution, has provided a quotation, attached, in the amount of \$7,850.00. This cost includes the trade-in of our existing equipment and there will be no cost for setup, installation and training.

Funds for this upgrade will come from the Water Division (505/4440), account number 54.2500 (Other Equipment) in the amount of \$7,850.00. This amount is available in the Fiscal Year 2006 budget.

12. PARKS DEPARTMENT

RANDY GREEN, CHAIRPERSON

Jim Graham, Director

A. No Report

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, JULY 3, 2006
PAGE 5**

13. COMMUNITY DEVELOPMENT

**BEVERLY JAMES BOYD, CHAIRPERSON
Jim Graham, Director**

A. Rezoning Request

Ms. Boyd stated the Community Development Department has received a request from Comfort Properties to rezone approximately .30 acres located at 2838 Broad Street (corner of Vine Street) in LL 25 of the 18th District of Section 2nd of Cobb County, from R-10-Residential to RA 6 – Residential. Comfort Properties is proposing to build a 1300 square foot single family residence.

Legal ads were placed in the Marietta Daily Journal on Friday, June 9, 2006, and June 16, 2006.

Ms. Boyd stated, at this time she would like to turn the meeting over to Mayor Jerkins for a public hearing. Mayor Jerkins stated he would like to open the public hearing and asked if anyone had signed up in opposition for the hearing. No one had signed up for opposition. Mayor Jerkins asked who the representative would be for Comfort Properties. Mr. Tate was sworn in by Mayor Jerkins. Mr. Tate stated Mr. Preuss came to Tate Engineering and asked them to survey the property at Broad Street and Vine Street. I did the research and realized the property was all in one block with two homes on the property. Mr. Preuss asked if another home could be built on this property. I then went to Mr. Graham and asked him and Mr. Graham told me I would have to go before Mayor and Council and he didn't see any problem with it. Ms. Boyd asked what the square footage was on the lot. Mr. Tate stated the total square footage was 0.30 acres for both acres. Ms. Boyd asked what the proposed setbacks would be. Mr. Tate stated, it would be five (5 ft.) feet on the sides, twenty-five (25 ft.) feet on the front and thirty (30 ft.) on the back. Ms. Boyd asked if the thirteen hundred (1300) square feet would include a carport or garage. Mr. Tate stated, no, it would not. Ms. Boyd asked if his plans would include a carport or garage. Mr. Tate stated no, it would not. Ms. Boyd stated she had no more questions. Mayor Jerkins stated this was almost seven (7) houses per acre. Mayor Jerkins asked if anyone had any questions. No one did. Mayor Jerkins stated he would like to close the public hearing.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, JULY 3, 2006
PAGE 6**

Ms. Boyd stated when the Community Development Department received the request, her concern was the size and he has confirmed my concern. The stipulations we have put on houses in reference to the two car garages and two car driveways and because we have had many problems in the past with residents putting their lawn mowers, etc. just anywhere, I do not feel it is in the best interest of the City to give Comfort Properties approval.

Ms. Boyd moved to follow the recommendation to deny the request from Comfort Properties to rezone approximately .30 acres located at 2838 Broad Street (corner of Vine Street) in LL 25 of the 18th District of Section 2nd of Cobb County, from R-10-Residential to RA 6 – Residential. Seconded by Ms. Reagan. Motion passed (6-0).

B. CDBG Park Project Update

Ms. Boyd stated the City was awarded \$32,580.00 in Community Development Block Grant (CDBG) funding for 2006. These funds will be used for a newly designed ADA compatible playground area at Collar Park in the area between City Hall and the Community Center. A list of the new equipment to be purchased for the project is attached and will also include a tetherball unit and a volleyball court.

Future plans are to build a covered park pavilion and a new restroom facility that will be designed and built by the Parks Department. This project will be funded through Parks and has been budgeted under site improvements.

Ms. Boyd moved to follow the recommendation to accept the Community Development Block Grant (CDBG) funding for 2006. Seconded by Mr. Traylor. Motion passed (6-0).

C. Comprehensive Plan Update Resolution

Ms. Boyd stated the Community Development Committee recommends approval and the adoption of the Resolution authorizing the transmittal of the Community Assessment and Participation Sections of the 2007 update to the ARC and to the Georgia Department of Community Affairs.

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, JULY 3, 2006
PAGE 7**

Ms. Boyd moved to follow the recommendation of the Community Development Committee to approve and adopt the Resolution and give Mayor Jerkins approval to sign. Seconded by Mr. Thomas. Motion passed (6-0).

D. Request for Stipulation Change

Ms. Boyd stated on April 2, 2001, Mayor Jerkins and Council approved Mr. Siddiqui's request to rezone his property at 5296 Austell Powder Springs Road from Residential to General Commercial with stipulations to the uses of the property.

Mr. Siddiqui now wants to use the property for auto body repair, car wash and minor mechanic work. He is requesting that item I be taken off the list of uses that were not permitted by Mayor and Council.

Ms. Boyd stated she would like to bring everyone up to date. Back in 2001 we had a request and we gave everyone a copy of the stipulations and we went over each one of the stipulations and everyone agreed to the zoning.

Ms. Boyd moved to follow to deny this request for stipulation changes. Seconded by Mr. Thomas. Motion passed (6-0).

14. CITY ATTORNEY – DUPREE, KING & KIMBROUGH

A. Sign Ordinance Lawsuit

Mayor Jerkins stated there was an Executive Session Meeting and it was to settle the proposed Sign Ordinance.

Ms. Boyd moved to follow the recommendation to deny the Sign Ordinance. Seconded by Mr. Green. Motion passed (6-0).

B. Class Action Lawsuit – Hotel/Motel Tax

Mayor Jerkins stated Mr. Kimbrough had explained the Class Action Lawsuit and we need a motion or decision on this.

Ms. Boyd moved to follow the recommendation of Mayor Jerkins not to join Cobb County in the Class Action Lawsuit – Hotel/Motel Tax. We do not have any Motel/Hotel Tax revenue in the city so I asked we deny the request. Seconded by Mr. Thomas. Motion passed (6-0).

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, JULY 3, 2006
PAGE 8**

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

**NO MEETING
SUMMER BREAK**

16. ADJOURN

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