

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
THREADMILL COMPLEX
MONDAY, SEPTEMBER 13, 2021**

Present:

Mayor Ollie Clemons
Valerie Anderson
Melanie Elder
Devon Myrick
Sandra Leverette
Randy Green
Marlin Lamar

Absent: Denise Lowe and Bo Garrison

Also, present: Rachel Yarbrough, Assistant Finance Director; Mike Hays, Assistant Public Works Director; Brandon Merritt, Fire Chief; Bob Starrett, Police Chief, Darrell Weaver, Community Affairs Director and Elizabeth Young, City Clerk (virtual)

1. CALL TO ORDER

Mayor Clemons called the meeting to order, gave the invocation & led the Pledge of Allegiance. Mayor Clemons asked if anyone had 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 a Meeting.)

2. CONSENT AGENDA

- A. Approve Bills
- B. Approve Legal Bills - \$4,097.50
- C. Approve Minutes of Regular Council Meeting August 2, 2021

Mrs. Anderson moved to follow the recommendation of Mayor Clemons to approve the Consent Agenda. Seconded by Mrs. Leverette. Motion passed. (6-0)

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

**6. GAS SYSTEM REPRESENTATIVE
OLLIE CLEMONS, MAYOR**

Mayor Clemons stated that Mr. Kimbrough attended the gas board meeting, and everything is going well & getting ready for winter.

7. FINANCE DEPARTMENT

VALERIE ANDERSON, CHAIRPERSON

Denise Lowe, Finance Director

A. Financial Report

B. 2020-21 Budget Revisions

The purpose is to adjust 2020-21 budget amounts to reflect actual fiscal year activity. According to, O.C.G.A. §36-81-3 (d) (3) "The governing authority of a local government may amend the legal level of control to establish a more detailed level of budgetary control at any time during the budget period."

Over the course of the 2020-21 Fiscal year, adjustments needed to be made after all final journal entries and reconciliations were completed. As a result, the attached budget revisions need to be considered so the City is in compliance with state law. These adjustments are grouped together to explain the reasoning behind the change.

Budgets for CDBG, CARES, and LCI grant activity are also included.

Mrs. Anderson moved to follow the recommendation of Mayor Clemons to approve the 2020-21 Budget Revisions. Seconded by Ms. Elder. Motion passed. (6-0)

8. GENERAL ADMINISTRATION

MELANIE ELDER, CHAIRPERSON

Elizabeth Young, Director

A. No Report

9. POLICE DEPARTMENT

RANDY GREEN, CHAIRPERSON

Bob Starrett, Police Chief

A. Police Report

B. License Hearing-Afro Caribbean Restaurant

Due to recent information, a hearing concerning the privilege license for Afro Caribbean Restaurant has been scheduled in front of Mayor & Council. The owner, Emmanuel B. Ojongmboh has been given a notice to appear. Notice attached.

Mr. Green turned the meeting over to Attorney Kimbrough for a public hearing. Mr. Kimbrough swore in who would be speaking. Chief Merritt, Lt. Brent Worsham, & Officer William Gunby spoke regarding issues they had incurred over the last several

months. Mr. William Tiku, attorney for King Caribbean's owner, Emmanuel B. Ojongmboh, spoke on King Caribbean's behalf.

Mrs. Anderson moved to follow the recommendation of Mr. Kimbrough to close the public hearing. Seconded by Mr. Green. Motion passed. (6-0)

Mr. Green made a motion to revoke King Caribbean's Privilege License & Business License for 1 year. Seconded by Mrs. Anderson. Motion passed. (5-1)

C. Code of Ordinances-Fine Structure

Upon examination of recently added Code of Ordinances violations, a fine structure was not specified for the below violations. Captain Henson has worked with the City Clerk's office & made the following recommendations for the proposed fines.

<u>Offence (Violation)</u>	<u>Fine</u>	
30-2 Disorderly Conduct	1 st Offence	\$295
	2 nd Offence	\$438
	3 rd Offence	\$724
30-8 Shoplifting by Taking	1 st Offence	\$295
	2 nd Offence	\$438
	3 rd Offence	\$724
30-9 Defecating or Urinating on Public Property	1 st Offence	\$295
	2 nd Offence	\$438
	3 rd Offence	\$724

Mr. Green moved to follow the recommendation of Mayor Clemons to approve the fine structure. Seconded by Mrs. Anderson. Motion passed. (6-0)

10. FIRE DEPARTMENT

MARLIN LAMAR, CHAIRPERSON

Brandon Merritt, Fire Chief

A. Fire Report

11. PUBLIC WORKS DEPARTMENT

SANDRA LEVERETTE, CHAIRPERSON

Bo Garrison, Director

A. No Report

12. PARKS DEPARTMENT

DEVON MYRICK, CHAIRPERSON

Darrell Weaver, Director

A. No Report

13. COMMUNITY AFFAIRS

VALERIE ANDERSON, CHAIRPERSON

Darrell Weaver, Director

A. Code Enforcement Report

B. Rezone 2938 Humphries Hill from R-15 to General Commercial (GC)

The Community Affairs Department received an application from Tunbol International LLC to rezone the property located at 2938 Humphries Hill Road in LL 93 of the 18th district of Cobb County from Residential (R-15) to General Commercial, for the purpose of a mailing and shipping service. The Planning & Zoning Board voted (4-0) to approve the rezoning. Mrs. Anderson turned it over to Attorney Kimbrough for a public hearing. Mr. Kimbrough swore in the applicant, Akeem Akanbi. Several questions were asked of Mr. Akanbi regarding parking issues and this being in a residential area.

Mrs. Anderson moved to follow the recommendation of Mr. Kimbrough to close the public hearing. Seconded by Mr. Myrick. Motion passed. (6-0)

Mrs. Anderson made a motion to deny the rezoning application. Seconded by Ms. Elder. Motion passed. (6-0)

14. ATTORNEY, DUPREE & KIMBROUGH

A. No Report

15. MAYOR'S REPORT

A. No Report

16. ADJOURN

Mr. Myrick moved to follow the recommendation of Mayor Clemons to adjourn the meeting. Seconded by Mr. Green. Motion passed. (6-0)

Dollie B. Clemons Jr.
Mayor

Elizabeth Young
Attest

October 6, 2021
Date