



CITY OF FAIRBURN
City Hall
56 Malone Street
Fairburn, GA 30213
January 25, 2010
7:00 P.M.

The Honorable Mayor Mario Avery

The Honorable Ron Alderman
The Honorable Elizabeth Hurst
The Honorable Jean Barkley Russell

The Honorable Alex Heath
The Honorable Marian Johnson
The Honorable Scott Vaughan

City Administrator:
Interim City Clerk:
City Attorney:

Mr. James B. Williams
Mrs. Sylvia Vaughan
Mr. Brad Sears

I. MEETING CALLED TO ORDER:

II. ROLL CALL: All members were present which constituted a quorum.

III. INVOCATION: was provided by Pastor Danita Jones

IV. PLEDGE TO THE FLAG: was recited in unison

V. PUBLIC COMMENTS:

1. Mr. William Tallman, 265 Strickland Street, requested information regarding a farewell celebration for Nancy Faulkner and asked Mayor and Council for a response by the next City Council Meeting.
2. Ms. Roberta Smith, 76 Pearl Street, spoke about the crime reduction in her neighborhood. She stated the Police Chief and his department are doing a good job.
3. Ms. Trinetta Love, 7215 Sliver Leaf Circle, expressed concerns about the lack of support received for the Special Council Appointments requested by Mayor Avery at the January 11, 2010, City Council Meeting.
4. Ms. Katrina Mitchell, 9502 Lakeview Road, spoke as a representative for the I.B.A.L.L. Group, a basketball training program at the Youth Recreation Center. She expressed her concerns regarding termination of the program.

5. Mr. Robert Lewis, 2455 Village Green Drive, spoke on the termination of the I.B.A.L.L. Group Program. He is the President of the Villages of Fairburn Homeowner's Association and several of their members also spoke in favor of the basketball training program. He expressed his support for Mayor Avery and his disappointment for the lack of support shown toward the Mayor for his requested appointees.
6. Rev. Toni Clark, 7050 Magnolia Lane commended Mayor Avery on his position as Mayor and expressed her concerns regarding Duncan Park.
7. Mr. Lawson Sayer, 158 Valley View Drive, thanked the Police Department for reducing the crime on his street and stated they were doing a good job. He expressed his concerns with the negative publicity as a result of the City Council Meeting of January 11, 2010. He offered recommendations regarding policy and procedures for the personnel matter concerning the Police Chief.
8. Ms. Niassan Anderson, 953 Fellowship Road, spoke on the I.B.A.L.L. Group and asked Mayor and Council to address the issue.
9. Mr. Lawrence Byrd, 626 Pinehurst Drive, spoke on behalf of the Downtown Development Authority. He announced a Special Events Volunteer Recruitment Committee Meeting would be held on February 4, 2010 at the Freight Depot at 7:00 p.m.

VI. PRESENTATIONS AND AWARDS: There were not presentations and awards.

VII. ADOPTION OF THE COUNCIL AGENDA:

Council Member Vaughan made a motion to approve the agenda as presented with Council Member Russell providing the second. **The motion carried.**

VIII. APPROVAL OF CITY COUNCIL MINUTES of: Council Meeting of December 14, 2009, Special Called Meeting of January 7, 2010, Special Inauguration Minutes of January 11, 2010. Workshop Minutes of January 14, 2010 and Workshop Minutes of January 19, 2010.

Council Member Hurst made a motion to approve the minutes of December 14, 2009 with one correction on page 1, under the approval of the minutes, they should reflect that she requested the minutes state she asked Attorney Sears if the number of yes and no votes for the alcohol referendum for Sunday sales both should be recorded in the minutes and Attorney Sears answered by saying yes. Council Member Johnson provided the second and **the motion carried.**

Council Member Alderman made a motion to approve the minutes of January 7, 2010 with Council Member Johnson providing the second. **The motion carried.**

Council Member Johnson made a motion to approve the minutes of January 11, 2010 Special Inauguration Meeting with Council Member Russell providing the second. Council Member Hurst made one correction and stated “on Page 2, under Special Council Appointments remove the statement that the first motion failed because it was never voted on.” Council Member Heath asked that the minutes on page 2 under Special Council Appointments reflect that he voted in opposition of the Appointments being tabled. **The motion carried for the approval of the minutes with the proper corrections.**

Council Member Hurst made a motion to approve the Workshop minutes for January 14, 2010 with Council Member Vaughan providing the second. **The motion carried.**

Council Member Hurst made a motion to approve the Workshop minutes of January 19, 2010 with Council Member Russell providing the second. **The motion carried.**

IX. AGENDA ITEMS: (Old Business)

Appointment of the City Clerk

Council Member Hurst made a motion to appoint Brenda James as City Clerk for the City of Fairburn with a starting salary of \$69,900.00 to start within two weeks with Council Member Heath providing the second. **The motion carried with Council Members Russell, Heath, Hurst and Vaughan voting “yes”, and Council Members Alderman and Johnson voting “no”**

Appointment of City Attorney

Council Member Hurst made a motion to appoint the Firm of Turner and Ross, LLC to serve as the City Attorney with a salary of \$135.00 per hour with Council Member Heath providing the second. **Council Members Russell, Heath and Hurst voting yes. Council Members Vaughan, Johnson and Alderman voting no. Mayor Avery broke the tie and voted yes to appoint Turner and Ross as the City Attorney Firm.**

Proposed Replacement of Police Chief

Mayor Avery stated the Police Chief had requested a meeting with the Mayor and Council in Executive Session. However, the Open Meetings Act does not allow Mayor and Council to discuss the type of item the Chief was requesting in a closed meeting. The City Attorney, Brad Sears explained the different options pertaining to an open and closed meeting.

Council Member Johnson made a motion to table the proposed replacement of the

Police Chief with Council Member Russell providing the second. **The motion carried.**

X. NEW BUSINESS:

APPOINTMENTS FOR 2010

Council Member Johnson made a motion to approve the appointment of Council Member Vaughan as Mayor Pro-Tem for 2010 with Council Member Hurst providing the second. **The motion carried.**

Council Member Alderman made a motion to approve the following appointments for 2010 with Council Member Russell providing the second. **The motion carried.**

City Administrator	Mr. James B. Williams
City Auditor	Post & Associates
City Engineering Consultant	Integrated Science & Engineering
City Landscape Architect	Mr. Rick Sewell
Municipal Court Judge	Collins & Jones, LLC
Indigent Defense Attys	Lisa Cumming & Brandon Cline
Legal Organ	South Fulton Neighbor

Authorization to Submit GA-74/I85 Interchange Modification Report to Georgia Department of Transportation

Council Member Hurst made a motion to authorize the City to submit the GA-74/I85 Interchange Modification Report to the Georgia Department of Transportation with Council Member Russell providing the second. **The motion carried.**

Approve Contract for Pavement Repairs

Council Member Johnson made a motion to approve the contract with Wildcat Striping of Stone Mountain for pavement repairs in the amount of \$8000.00 with Council Member Hurst providing the second. **The motion carried.**

Proposed Contract for Athletic Coordination Services

Council Member Vaughan made a motion to approve the proposed contract for the Athletic Coordination Services for Duncan Park and to hire Mr. James Berry as a contractor for 20 hours a week for 6 months with Council Member Alderman providing the second. **The motion carried.**

The City Administrator requested Council create a new position of Athletic Coordinator. He explained there is currently a moratorium on new employees;

however, this contract would not exceed \$8000.00.

After much discussion, Council Member Vaughan made a motion to create a position of Athletic Coordinator with Council Member Hurst providing the second. **The motion carried.**

XII. COMMENTS FROM MAYOR AND COUNCIL:

Mayor Avery thanked everyone for attending the meeting. He said it is good when Mayor and Council can have a difference of opinion and disagree, without being disagreeable. He said citizens concerns will be addressed.

Council Member Vaughan congratulated Mayor Avery and commended him for doing a good job. He also thanked everyone for attending the meeting and expressed his appreciation for the citizens and their comments.

Council Member Johnson said many comments were made tonight and she wanted to inform the citizens Mayor and Council would respond to them by the next scheduled City Council Meeting.

Council Member Russell commended Mr. Byrd for attending the meeting to announce the Special Events Volunteer Recruitment Committee Meeting to be held, February 4, 2010 at 7:00 p.m. at the Freight Depot. She also expressed her concerns regarding the review of process and procedures by the Mayor and Council. Council Member Russell recognized the new appointees and praised the present employees for their hard work.

Council Member Hurst expressed her appreciation to all in attendance at the meeting and said the citizens are the first priority to the Mayor and Council. She thanked everyone for getting involved in the meetings. Council Member Hurst announced she would be having Open Forum Meetings. She stated these meetings will be held on a quarterly basis, with the first one in March for the purpose of discussing what is happening in the city. She said the date will be announced later and invited everyone to attend. Council Member Hurst expressed how different personalities within the Mayor and Council can work together.

Council Member Heath thanked everyone for coming out tonight. He stated there are many different personalities on the council; however, they must work together for the city to progress and for the citizens. He said if the council is united they can do anything. Council Member Heath stated President Roosevelt said "you can please some of the people some of the time, but you can't please them all the time." He said he applauds the citizens for coming to the meeting and wanting to be involved in the city.

Council Member Alderman said a lot had been said and done, and he felt it was all for the betterment of the City. He also, expressed his support for Mayor Avery

and congratulated him on his new position as Mayor.

City Attorney Brad Sears stated he had enjoyed representing the City of Fairburn and wished the city the very best in the future.

XIII. ADJOURN COUNCIL MEETING:

Council Member Vaughan made a motion to recess into Executive Session to discuss one personnel Matter and one pending litigation with Council Member Alderman providing the second. **The motion carried.**

Council Member Alderman made a motion to reconvene back into the regular meeting with Council Member Vaughan providing the second. **The motion carried.**

Council Member Alderman made a motion to authorize Mayor Avery to execute the affidavit that only matters authorized by law were discussed in Executive Session and no action was taken with Council Member Vaughan providing the second. **The motion carried.**

Council Member Russell made a motion to adjourn the meeting with Council Member Vaughan providing the second. **The motion carried at 9:15 p.m.**

Interim City Clerk, Sylvia Vaughan

City Clerk, Brenda B. James

Mayor Mario Avery