



CITY OF FAIRBURN
CITY HALL
56 Malone Street
Fairburn, GA 30213
September 10, 2018
7:00 PM

***The Honorable Mayor Elizabeth Carr-Hurst,
Presiding***

The Honorable Mayor Pro-Tem James Whitmore
The Honorable Alex Heath
The Honorable Pat Pallend

The Honorable Linda J. Davis
The Honorable Hattie Portis-Jones
The Honorable Ulysses Smallwood

Donna M. Gayden
Keshia McCullough
Randy Turner

City Administrator
City Clerk
City Attorney

- I. Meeting Called to Order: The Honorable Mayor Carr-Hurst
The meeting was called to order at 7:00 PM by Mayor Carr-Hurst.
- II. Roll Call: Keshia McCullough, City Clerk
Roll call was taken by City Clerk Keshia McCullough and all members were present.
- III. Invocation: Pastor Danita Jones
In His Great Name Ministries
- IV. Pledge of Allegiance: In Unison
- V. Presentations:
 1. **Parks and Recreation** Chapin Payne
Parks and Recreation Director Chapin Payne recognized the 2018 Georgia Recreation & Park Association Field State Champions from the Fairburn Youth Track & Field team. The State Champions are Kaylin Jackson, Jaylen Hardy, Dylan Mason, William Wilcox, Larry Maxwell, Jude Adderlay and Karrington Jackson.
 2. **Police Department** Chief Stoney Mathis
Chief Mathis recognized several employees and residents from the Solstice apartment complex for their efforts in saving a child from drowning. Chief Mathis presented Shantae Harris, Patricia Taylor, Stephanie Brown and Mark Nieman with certificates and challenge coins.

VI. Public Comments: Thirty (30) minutes shall be available for public comments. Each speaker shall be limited to three (3) minutes; however, a speaker may transfer his or her three (3) minutes to another speaker, but no speaker shall be permitted to speak for more than (6) minutes; further in the event more than ten (10) speakers desire to speak, each speaker shall be limited to two (2) minutes and no speaker may speak more than four (4) minutes. Issues raised at this time are generally referred to the City Administrator for review. Responses will be provided at a later date.

1. Pastor Danita Jones stated that great things are happening in Fairburn. She said that she is so proud to see the houses coming down in the Lightning Community and that problems are being eliminated. She also thanked Harvey Stokes for his contribution to the City and making it feel safer for the citizens.
2. Mary Johnson stated that she and her husband have been living in the City for 32 years and that they see and appreciate the change. She commended the City staff for picking up the litter and making her feel safe while she is walking in the mornings. Mrs. Johnson spoke on the speeders on Rivertown Road. She suggested that police officers are assigned to that street on a regular basis to slow down the drivers. Lastly, Mrs. Johnson inquired about plans to extend the sidewalk up to Waterboy Road.
3. Michael Johnson commended the Mayor and Council on the changes that have been made in the City. He suggested that cameras should be put up on Rivertown Road to slow down the speeding drivers. To conclude, he thanked the Parks and Recreation Director, Chapin Payne, for all the great work that she does.

VII. Adoption of the Council Agenda: Council Members
Mayor Pro Tem Whitmore made the motion to adopt the Council Agenda with the addition of agenda item #15.5 and Councilman Heath provided the second.

Motion carried 6-0

VIII. Approval of Consent Agenda Items: Council Members
Councilman Heath made the motion to approve the consent agenda items #6, 8-14 with Councilwoman Davis providing the second.

Motion carried 6-0

IX. Approval of July 23, 2018 Minutes: Council Members
Councilman Smallwood made the motion to approve the July 23, 2018 minutes with Mayor Pro Tem Whitmore providing the second.

Motion carried 6-0

Councilwoman Portis-Jones made a motion to add agenda item #15.5-Settlement of Auto Sales LLC and Fulmer Auto Sales litigation with Mayor Pro Tem Whitmore providing the second.

X. Public Hearing:

3. Office of the City Administrator

Donna Gayden

Mayor Pro Tem Whitmore made the motion to open the Public Hearing with Councilman Heath providing the second. The motion carried. Budget Consultant, Rodrique Taylor discussed the proposed budget. Mr. Taylor stated that the budget did increase from the previous year due to capital expenditures, professional services and routine maintenance. The City is anticipating that the 2017-2018 budget will have excess to carry forward into the new 2018-2019 budget. Additionally, the increase is primarily in the General Fund and the Enterprise Fund should remain the same.

Councilman Heath inquired about which budget year would the funds for the new Fire Station and Police Station would be taken out of. Mr. Taylor stated that the building of the Fire Station would cover more than one (1) fiscal year. Councilman Heath also inquired about the donated property from the Bedford school. City Administrator Donna Gayden confirmed that the Bedford school donated 1.5-2 acres. City Attorney gave a point of information and stated the Bedford School is offering a long-term 50-year lease on that property for \$1 per year.

Councilwoman Davis asked what portion of the budget has been allocated to the Fire Station for this 2018-2019 budget year and what were some of the increases in the revenue area to change from \$15,363,000 to 16,599,00. Mr. Taylor said that the amount allocated for this budget year is \$531,000. Additionally, he stated the tax revenue increased by \$465,000, licensing and permitting for \$311,000, \$60,000 for fines and forfeitures, \$205,000 for charges and services, \$2850 for miscellaneous revenue, and \$436,000 other finance sources.

Councilwoman Portis-Jones thanked the staff for the process and for providing them with detailed information. She questioned what expenses in the budget were not spent to allow excess in the upcoming budget. City Administrator Donna Gayden stated that it was a combination of revenues and expenditures because in the previous budget, revenues were forecasted lower than expenditures.

Mayor Pro Tem Whitmore wanted to confirm the Fire Station payments and period of time for completion. City Administrator Donna Gayden stated that there may be some modifications done to the existing plans. Additionally, there was a bond that was issued that will be added to the amount of this fiscal year to get as much work done as possible. Mayor Pro Tem asked to verify that there would be no loan taken out for the Fire Station. Ms. Gayden confirmed.

Councilman Heath asked if the \$40,000 increase in the hotel/motel tax was projected or actual. Rodrique Taylor stated that it is projected and it's actual.

There were no speakers in favor of the budget.

James Sumners spoke in opposition to the budget. He stated that the budget nor the public hearing was not posted on the City's website or calendar. Additionally, he stated that it also was not listed in the Announcements section in the South Fulton Neighbor.

City Administrator Donna Gayden stated that the budget was posted in the South Fulton Neighbor twice and is scheduled to be posted a third time soon. She also stated the budget posting says that the budget is available at City Hall.

Mayor Pro Tem James Whitmore made the motion to close the public hearing with Councilwoman Davis providing the second.

XI. Agenda Items:

4. **Office of the Mayor** Mayor Elizabeth Carr-Hurst
Mayor Carr-Hurst officiated the official swearing-in of Stoney Mathis and Keshia McCullough. Mr. Mathis took an Oath of office as a Police Chief and Ms. McCullough took an Oath of office as a City Clerk.
5. **Office of the City Administrator** Donna Gayden
City Administrator Donna Gayden stated that the millage rate did not change and that it is still 8.1. She also stated that it was advertised with the budget, however, it cannot be adopted until September 24, 2018.
6. **Office of the City Administrator** Donna Gayden
Councilman Heath made the motion to approve this consent agenda item with Councilwoman Davis providing the second.
Motion carried 6-0
7. **Office of the City Clerk** Keshia McCullough
City Clerk Keshia McCullough requested approval of the contract for the CivicClerk Agenda Management Software for the City Clerk's Office in the Amount of \$5,425. Councilman Pallend made the motion to approve with Councilman Smallwood providing the second.
Motion carried 6-0
8. **Utilities** Tom Ridgway
Approval of Mayor and Council to authorize MEAG Power to make available to other participants any of Fairburn's excess capacity for reserves should they need it at \$2.43/kW for calendar year 2019. Councilman Heath made the motion to approve this consent agenda item with Councilwoman Davis providing the second.
Motion carried 6-0

9. **Utilities**

Tom Ridgway

Approval of a Task Order with Integrated Science and Engineering in the amount of \$10,500 to perform impaired waters sampling for the 2018-2019 monitoring period. Councilman Heath made the motion to approve this consent agenda item with Councilwoman Davis providing the second.

Motion carried 6-0

10. **Utilities**

Tom Ridgway

Approval to enter into a vendor agreement with Georgia Department of Family and Children Services (DFACS) to be able to accept low income Home Energy Assistance Program payments during the federal fiscal year of 2019. Councilman Heath made the motion to approve this consent agenda item with Councilwoman Davis providing the second.

Motion carried 6-0

11. **Engineering**

Lester Thompson

Approval of Task Order #5 with Moreland Altobelli for Construction Management Services on the 2018 LMIG/TSPLOST project. Councilman Heath made the motion to approve this consent agenda item with Councilwoman Davis providing the second.

Motion carried 6-0

12. **Engineering**

Lester Thompson

Approval of the LMIG/TSPLOST Road Improvement Contract award with Baldwin Paving Company, Inc. for an amount of \$2,289,810.12. Councilman Heath made the motion to approve this consent agenda item with Councilwoman Davis providing the second.

Motion carried 6-0

13. **Engineering**

Lester Thompson

Approval of condemnation at Parcel 2 (Hudson Plaza, LLC/CVS) on the Downtown LCI Streetscape Project. Councilman Heath made the motion to approve this consent agenda item with Councilwoman Davis providing the second.

Motion carried 6-0

14. **Engineering**

Lester Thompson

Approval of the Intergovernmental Agreement (IGA) with the South Fulton Community Improvement District (CID) to provide supplemental funding for the Oakley Industrial Boulevard and Bohannon Road Full-Depth Reclamation Project. Councilman Heath made the motion to approve this consent agenda item with Councilwoman Davis providing the second.

Motion carried 6-0

15. **Fire Department**

Interim Chief Cornelius Robinson

Approval of the designation of the Fairburn Fire Departments as "Baby Safe Haven" locations. **This item was pulled from the agenda.**

15.5 Legal

City Attorney Randy Turner

Authorization of settlement for Auto Sales LLC and Fulmer Auto Sales litigation. City Attorney Randy Turner stated that this is a settlement for automobile dealers who are seeking to collect overpayment of sales tax in Fulton County. City of Fairburn's portion would cost approximately \$130. Councilman Pallend made the motion authorize the City Attorney to agree to the settlement of their claims in the approximate amounts of \$80 and \$52 outlined by the City Attorney with Mayor Pro Tem Whitmore providing the second.

Motion carried 6-0

16. Council Comments:

Council Members

Councilwoman Portis-Jones thanked Mr. and Mrs. Johnson for speaking out about the speeding on Rivertown Road and that she looks forward to something being done about that. She also asked for prayers for Mr. Larry Vierling's family (his wife Sandy and their children) due to his recent passing. Additionally, she would like prayers for Thomas and Rita Cochran for the loss of their daughter Tiffany Chevron Prevo-Youngblood.

Councilman Smallwood stated that it is looking good in the City Hall. He also said that he loves what Chapin Payne is doing in the City for the kids.

Councilman Heath welcomed the new Chief to the Police Department and he also thanked the City Clerk. He gave kudos to all the Department Heads and stated that it is important to let people know you appreciate them.

Mayor Pro Tem Whitmore said thank you to Chief Mathis and the City Clerk. He spoke on how he attended the Team Work Awards with Chief Robinson and thanked him for the invite. He stated that he is happy to have the Mayor back and that she had travel mercies from overseas. He gave kudos to staff and said that they were very accommodating.

Mayor Carr-Hurst thanked Mr. Brown for the invitation to the Silent Hero Awards at the Georgia Aquarium on Saturday night. She also thanked Chief Mathis for being a part of the Fairburn family.

17. Executive Session*-(1) Personnel

City Attorney

Councilman Heath made the motion to adjourn into Executive Session for one (1) personnel item with Councilwoman Davis providing the second. **Motion carried.** Councilman Pallend made the motion to reconvene back into regular session with Councilman Davis providing the second. **Motion carried.**

Mayor Pro Tem Whitmore motioned to accept the resignation of City Administrator Donna Gayden, effective immediately, September 10, 2018, and that Ms. Gayden shall continue to receive her salary, health and retirement benefits for 3 months. Councilwoman Davis provided the second.

Motion carried 6-0

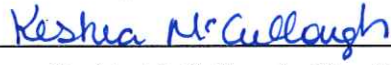
18. Adjournment

Council Members

Mayor Pro Tem Whitmore made the motion to adjourn the meeting with Councilwoman Davis providing the second. The meeting was adjourned at 9:35 PM.



Elizabeth Carr-Hurst, Mayor



Keshia McCullough, City Clerk