



CITY OF FAIRBURN
CITY HALL
56 Malone Street
Fairburn, GA 30213
May 14, 2018
7:00 PM

REGULAR MINUTES

The Honorable Mayor Elizabeth Carr-Hurst, Presiding

The Honorable Alex Heath
The Honorable Pat Pallend
The Honorable Hattie Portis-Jones

The Honorable Ulysses Smallwood
The Honorable Mayor Pro-Tem James Whitmore

Ms. Donna M. Gayden
Ms. Shana Moss
Ms. Valerie Ross

City Administrator
Interim City Clerk
City Attorney

I. Meeting Called to Order:

The Honorable Mayor Carr-Hurst
Mayor Carr-Hurst called the meeting to order at 7:00 PM at 56 Malone St. Fairburn, GA 30213.

II. Roll Call:

Interim City Clerk

Mayor Elizabeth Carr-Hurst
Councilman Alex Heath
Councilman Pat Pallend
Councilwoman Hattie Portis-Jones
Councilman Ulysses Smallwood
Mayor Pro-Tem James Whitmore

Shana Moss, Interim City Clerk, stated all members of Mayor and Council were present and there was a quorum.

III. Invocation:

Pastor Gary Taylor
Open Word Christian Ministries

IV. Pledge of Allegiance:

In Unison

V. Presentation:

Fairburn Fire Department

Fire Chief John D Reed, Jr.

1. Chief John D. Reed, Jr., Fairburn Fire Chief, presented Pastor Taylor, Open Word Ministries, with a Chaplain Badge and uniform honoring his service to the City's Fire Department and the families of the fallen.

VI. Public Comments:

1. Mr. Bobby Wolf, Assistant Eagle Scout volunteer, stated he is running for Fulton County judge to serve. Mr. Wolfe asked everyone to vote for him. He is uniquely qualified and a graduate of Leadership Atlanta, class of 2014. He has experience and he operates an efficient courtroom.
2. Mr. Danny Allen, Chaplain of the local VFW, announced the Memorial Day Service that will be held on Monday, May 28th at 9:00 a.m. at Holly Hills Cemetery. Mr. Allen further stated they are enjoying Duncan Park and the park is on the move and providing great entertainment for children and families.

VII. Adoption of the Council Agenda:

Councilmembers

Mayor Pro-Tem Whitmore made a motion to adopt the council agenda and Councilman Heath seconded the motion.

Motion carried 5-0

VIII. Adoption of Consent Agenda Items

Councilmembers

Councilman Pallend made a motion to adopt consent agenda items #4, #6, #7 (Moreland and Altobelli) and #8. Councilman Smallwood seconded the motion.

Motion carried 5-0

IX. Adoption of City Council Minutes:

Councilmembers

City Administrator Gayden, asked for an extension of the April 23, 2018 minutes. They will be presented at the June 11th, 2018 CCM. Councilman Heath made a motion to approve the extension and Mayor Pro-Tem Whitmore seconded the motion.

Motion carried 5-0

X. Public Hearings:

Mayor Pro-Tem Whitmore made a motion to open the Battery Source Public Hearing and Councilman Heath seconded the motion.

Motion carried 5-0

1. Planning and Zoning

Ms. Kimberly Mitchell

Rezoning 18RZ-002-Battery Source

Kimberly Mitchell, Junior Planner, stated the applicant Mr. Ross Glass, is requesting to rezone 1.034 acres from PD (Planned Development) to remove the condition that prohibits Major Group 55 and Major Group 75 uses in the area designated as commercial in Ordinance No. 98-07. Staff's recommendation is denial.

Fairburn residents, Ms. Rhonda Appleby and Ms. Ellen Samuels both spoke in opposition of the Battery Source and asked Mayor and Council to deny due to heavy traffic in the area.

MOTION: Mayor Pro-Tem Whitmore made a motion to deny the request and Councilwoman Portis-Jones seconded the motion. Motion carried 5-0

Mayor Pro-Tem Whitmore made a motion to open the Text Amendment Hearing and Councilman Heath seconded the motion. Motion carried 5-0

2. Planning and Zoning

Ms. Kimberly Mitchell

Consideration and action on Ordinance 80-90(e)(10) Text Amendment 18TA-001-Highway 74 Overlay District Site Development Standards Gasoline Service Stations.

Kimberly Mitchell, Junior Planner, stated staff has been reviewing certain parts of the Ordinance and recognized this section was not as clear. As a result, staff will rewrite the section to clarify the intent of the Ordinance.

MOTION: Councilman Pallend made a motion to approve Text Amendment 18TA-001-Highway 74 and Councilman Smallwood seconded the motion.

Motion carried: 5-0

3. Planning and Zoning

Ms. Kimberly Mitchell

Rezoning 18RZ-001-SCP Acquisition Concurrent Variances 18CV-004 & 18CV-005.

Kimberly Mitchell, Junior Planner, stated the applicant, Mr. Will Cassidy, South City Partners, is requesting to rezone the subject property from C-2 (General Commercial District) and RM-8 (Multi-family Residential District) to RM-36 (Multifamily Residential District) to allow the development of 280 multi-family units with two concurrent variances. Staff is recommending the Approval Conditional of the rezoning with two concurrent variances. Mr. Cassidy has also constructed Solstice Apartments, located at 1100 Oakley Industrial Boulevard.

MOTION: Councilman Heath made a motion to approve the rezoning with conditions and Mayor Pro-Tem Whitmore seconded the motion.

Motion carried: 5-0

XI. Agenda Items:

4. Utilities

Mr. Tom Ridgway

For Council to authorize the Mayor to execute an Amendment to the MEAG Power Sales Contract, as approved by the MEAG Power Board of Directors.

Mr. Ridgway stated, with this amendment, MEAG will save \$100,00. The amount will be divided by the 54 participants who makes up MEAG and Fairburn will receive a small share, which will be used for upgrades.

MOTION: Councilman Pallend made a motion to approve the Consent Agenda and Councilman Smallwood seconded the motion.

Motion carried: 5-0

5. Parks and Recreation

Ms. Chapin Payne

For Mayor and Council to review and approve the contract for Mental Fitness, 21st Century Learning, Inc., afterschool and summer camp program starting May 24, 2018.

This item was withdrawn from the agenda and will be presented later.

6. Police Department

Interim Chief Anthony Bazydlo

Requesting approval to utilize seized funds for the purchase of two (2) Ford Explorer Vehicles.

Interim Chief Bazydlo, stated the police department has \$ 61,000 in Federal Seized Funds, and \$22,000 in State Seized Funds to use for the purchase of these vehicles.

MOTION: Councilman Pallend made a motion to approve the Consent Agenda and Councilman Smallwood seconded the motion.

Motion carried: 5-0

7. Engineering

Mr. Lester Thompson

Approval of Contract and Task Order Number 1 with Moreland Altobelli for Professional Engineering Services.

Mr. Thompson stated, the approval of the Contract with Moreland Altobelli for Professional Engineering Services and the associated Task Order Number 1 will provide the city the necessary support to review site development plans, hydrology reports, traffic studies and to conduct other associated tasks as required. Staff recommends approving the contract and Proposed Task Order Number 1 for an amount not to exceed \$ 20,000.

MOTION: Councilman Pallend made a motion to approve the Consent Agenda and Councilman Smallwood seconded the motion.

Motion carried: 5-0

Engineering

Mr. Lester Thompson

Approval of Condemnation or Reduction in Scope at Parcel 5 of the Downtown LCI Project.

Mr. Thompson stated condemnation is being considered at one parcel (Parcel 5, Wiley & Howard Properties, LLC) because the owner, Chris Wiley, is having problems obtaining the tenant's consent which is required for closing the lease, S.J. Collins Enterprises, LLC (Steve Collins). As such, we are left with two options; pursue condemnation or revise the plans to stay within the existing right-of-way with our improvements. The sidewalk is used for public use, and the tenant is not cooperative.

MOTION: Mayor Pro-Tem Whitmore made a motion to approve condemnation and Councilman Heath seconded the motion. Councilwoman Portis-Jones Opposed. Motion carried: 4-1

This item was added to the amended agenda; therefore, it does not qualify for consent agenda.

8. Code Enforcement City Administrator Donna M. Gayden
Extension of the Intergovernmental Agreement for the Provision of Animal Control services between Fulton County, Georgia and Fairburn, Georgia.

Ms. Gayden asked Mayor and Council to approve the Intergovernmental Agreement for the Provision of Animal Control services with Fulton County for another 2 months while signatures are obtained for both the IGAs and the overall contract with the County.

Mayor Carr-Hurst stated she and City Administrator Ms. Gayden had attended a meeting regarding animal control and the massive cost. The City of Fairburn is currently paying \$ 145,033.33 for services and the City of South Fulton is paying \$300,000.00. Mayor Carr-Hurst further stated, "there should be some boundaries for the cities."

MOTION: Councilman Pallend made a motion to approve the Consent Agenda and Councilman Smallwood seconded the motion.

Motion carried: 5-0

9. Office of the City Administrator City Administrator Donna M. Gayden

Ms. Gayden stated the previous City Clerk, Ms. Jennifer Elkins, rendered her resignation. The city has contacted GMA (Georgia Municipal Association) about an Interim Clerk and the job announcement will be posted for a permanent City Clerk. Ms. Gayden is asking Mayor's and Council's approval to appoint Shana T. Moss as Interim Clerk between 30 and 60 days. Ms. Gayden further stated as City Administrator she has the authority to appoint a Deputy City Clerk; she is appointing Ms. Jessica Davis.

This item was added to the amended agenda; therefore, it does not qualify as a Consent Agenda.

MOTION: Councilman Heath made a motion to approve Interim City Clerk and Deputy City Clerk and Councilman Smallwood seconded the motion.

Motion carried: 5-0

XII. Council Comments:

Councilmembers

1. Councilman Smallwood commented that Georgia Cities Weeks was a blast. He thanked Ms. Chapin Payne and Dr. D'Avante' Parks for their hard work. He further thanked Mayor Carr-Hurst and Ms. Gayden for coming to his school to read and interact with the students and Mayor Pro-Tem Whitmore and Councilwoman Portis-Jones for going to his wife's school.
2. Mayor Pro-Tem Whitmore thanked the staff who helped to make this an enjoyable Cities Week. He enjoyed reading and meeting the students.
3. Mayor Carr-Hurst stated, Councilman Heath, Ms. Gayden, and herself were headed to Vegas to pitch the City of Fairburn. They'll distribute flash drives to potential business owners. Mayor Carr-Hurst proceeded to say, the city is now a member of the Aerotropolis Coalition and has received some valuable information from Mr. Shannon James, Aerotropolis Chairman of the Board. Mayor Carr-Hurst acknowledged Ms. Rhonda Appleby, who works with the City of East Point in Economic Development and thanked Ms. Appleby for the inclusion of Fairburn.

Mayor Carr-Hurst further offered kudos to Councilman Pat Pallend for assisting with Economic Development leads. City leaders had a big meeting with GDOT regarding the Highway 74 corridor. The Mayors of Tyrone and Peachtree City were also present. GDOT has said their funding has been capped and want the cities to pay, Fairburn has been asked to pay \$6 million. GDOT will have another meeting in 60-120 days with the 74 Corridor partners. The city has been in communication with GDOT regarding the traffic light at Oakley and Highway 74. GDOT is considering adding an additional turning lane. GDOT specifications state if you have two turning lanes, you cannot get additional turning time. Mayor Carr-Hurst said these are some of the major things she has been doing since her 100 days in office.

XIII. Executive Session

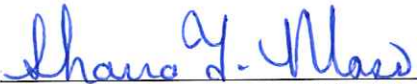
None

XIV. Adjourn:

Councilmembers

With no further business of the city, motion to adjourn at 8:08 p.n. was made by Mayor Pro-Tem Whitmore and Councilman Heath seconded the motion.


Elizabeth Carr Hurst, Mayor


Shana T. Moss, Interim City Clerk