



CITY OF FAIRBURN  
56 Malone Street SW  
Fairburn, GA 30213

JANUARY 22, 2018  
MINUTES

COUNCIL SESSION

I. MEETING CALLED TO ORDER

Mayor Carr-Hurst called the meeting to order at 7:01 PM at 56 SW Malone Street, Fairburn, GA 30213.

II. Roll Call

1. Mayor Carr-Hurst
2. Mayor Pro Tem Whitmore
3. Councilman Heath
4. Councilman Pallend
5. Councilwoman Portis-Jones
6. Councilman Smallwood

Jennifer Elkins, City Clerk called rolled and stated that all members of Mayor and Council were present.

III. Invocation – Minister Danita Jones

IV. Pledge of Allegiance – In Unison

V. Presentation – none

VI. Public Comments

James Sumners, 112 Shannon Chase Ct., Mr. Sumners' commented on the leak on Fayetteville Rd. that has been going on for over a year now and stated that it is impossible to avoid the big hole, if traffic is coming in the other direction. Further, Mr. Sumners stated that he thought the City should fine the City of Atlanta Water Authority for the problem. Mr. Sumners inquired about IT in Box, if the price of servers were included and would the City own the equipment and back-up data.

Mayor Carr-Hurst stated that the issues raised would be referred to the City Administrator and a prompt response would be forth coming.

VII. Adoption of Council Agenda Items

Mayor Carr-Hurst stated that the items to be placed on the Regular Agenda were items numbers 3, 4, and 7.

**MOTION: Councilman Pallend made a motion Councilman Heath seconded a motion to approve the Council Agenda as items 3, 4, and 7. Motion carried 5-0.**

Mayor Carr-Hurst stated that the items to be placed on the Consent Agenda were item numbers 2, 5, and 6.

**MOTION: Mayor Pro Tem Whitmore made a motion Councilman Smallwood seconded a motion to approve the Consent Agenda item numbers 2, 5, and 6. Motion carried 5-0.**

VIII. Adoption of City Council Minutes  
December 11, 2018  
January 8, 2018

**MOTION: Mayor Pro Tem Whitmore made a motion Councilman Smallwood seconded a motion to approve the Minutes of December 11, 2017. Motion carried 5-0.**

**MOTION: Mayor Pro Tem Whitmore made a motion Councilman Heath seconded a motion to approve the Minutes of January 8, 2018.**

**Discussion: Councilwoman Portis-Jones stated that she had an amendment to the Minutes with the word "Pastor" be added before Charles Ramsey under the Oath of Offices and ask if the program for the meeting be included for the Minutes and that all minutes be marked draft until approved by this body.**

**Motion carried 5-0.**

IX. Agenda Item

1. Mayor and Council Board Appointments

Mayor Hurst – Brenda Cooper

Councilman Smallwood – Larry Portee

Councilwoman Portis Jones – Thomas Cochran

Councilman Heath – Derek Jones

Councilman Pallend – James Sumners

**MOTION: Mayor Pro Tem Whitmore made a motion Councilman Heath seconded a motion to approve the appointments as published with the addition of Councilman Pallend's appointment of James Sumners.**

**MOTION: Mayor Pro Tem Whitmore made a motion Councilman Heath seconded a motion to amend the previous motion to state that the appointments would be effective January 26, 2018.**

**Discussion: Councilwoman Portis-Jones inquired for the records the reason for the delay. Randy Turner, City Attorney, stated that there was a matter pending before the current board and that this would allow them to handle the issue and also allow for time for the new Board members to be trained.**

**Motion carried 5-0.**

2. Task order Collaborative Firm

Mayor Carr-Hurst stated that before the Council was a request for a Task Order with the Collaborative Firm to provide for planning and economic development task and the recommendation was for approval.

Mayor Carr-Hurst stated that the amount of the Task Order was \$164,525.00.

**MOTION: Councilman Heath made a motion Councilwoman Portis-Jones seconded a motion to approve the Task Order No. 1 for the Collaborative Firm, LLC in the amount of \$164,525. Motion carried 5-0.**

3. IT in a Box

David Mims stated that in Council Packets was an Agreement for IT in a Box.

Councilman Heath stated that Mr. Sumners' had brought up a good question as to what would happen to the equipment purchased and the City's data if the contract was cancelled.

Mr. Mims replied that the equipment at the Data Center belong to IT in a Box however any equipment on premise and purchased by the City were City owned assets and all data belongs to the City.

Councilwoman Portis-Jones inquired what the transition process would be if the City and IT in a Box parted ways.

Mr. Mims stated that all data would remain with the City and that IT in a Box would work with the other person to insure a smooth transition.

**Mayor Carr-Hurst stated all those in favor say "aye."**

**Mayor Pro Tem Whitmore, Councilman Heath, Councilman Smallwood, Councilman Pallend and Councilwoman Portis-Jones stated Aye.**

**Mayor-Carr Hurst asked for those opposed.**

**No response was given.**

**Motion carried 5-0.**

4. Operating schedule Duncan Park 2018

Chapin Payne, Parks and Recreation Director, stated that in the Agenda Packet was the 2018 Duncan Park season schedule with the exception of the senior pass of \$25.

**MOTION: Councilwoman Portis-Jones made a motion Councilman Heath seconded a motion to approve the 2018 Duncan Park Schedule. Motion carried 5-0.**

**MOTION: Councilwoman Portis-Jones made a motion Councilman Heath seconded a motion to amend the previous motion to include in the 2018 Duncan Park Schedule a senior pass for \$25 per person. Motion carried 5-0.**

X. Council Comments

Councilwoman Portis-Jones wished a Happy New Year to all of those that she had not seen and appreciated being those that were present and look forward to you engaging Mayor and Council for the betterment of the City.

Councilman Pallend stated that he was looking at the clock and had no comments.

Councilman Smallwood stated that he would like to thank the citizens of Fairburn for the opportunity and looked forward to working with everyone and a Bishop of his used to say if you are the smartest person in the room then you need to change rooms and I am among some smartest people and I want to let Fairburn know that you are in some good hands with Fairburn from the attorney, to all Councilmembers and Mayor and all those that have welcomed me aboard this is a topnotch city and I look forward to serving.

Councilman Heath thanked those that voted for him and those that did not vote for him he stated that he would like to earn their respect; it had to be a God thing just so thankful to serve another 4 years, so thankful for a group of individuals that supported him. Councilman Heath stated that his experience with the snow use to be if heavy rain came then his lights would go out and that it would get hot sometime especially in the summer however since Mr. Ridgeway has put those things on the lines he has not had a problem with the electricity at all and it is so nice to know that can go to bed and get good night sleep. Councilman Heath stated that he appreciated the honor of serving and thanked everyone for coming out.

Mayor Pro Tem Whitmore acknowledge Police and Fire Department, Chaplin Pastor Taylor who was present, wanted to let everyone know that we just concluded 4 days of training at Mayor's Day and when you have your public officials take advantage of the training that is afforded us by GMA it let's you know that your money is being well spent each of us attended classes and are coming back with additional knowledge and somethings that we want to look at and what will fit best for the City of Fairburn; the Mayor received an award of the Certificate of Distinction for completing over 204 hours of training. Further, Mayor Pro Tem Whitmore stated that we are "proud of you Mayor." Also, welcome to Mr. Smallwood, looking forward to working with you, IT in a Box we talked to you about year ago and the City of Fairburn is looking forward to what you can do for us.

Mayor Carr-Hurst stated that the City Administrator and she were working diligently toward some of the past and present initiatives for the City, completed last week customer service training for all of our employees and very proud of that. Mayor Carr-Hurst stated that she would like to congratulate and welcome back Councilman Heath, Councilwoman Portis-Jones and congratulations Councilman Smallwood on their election and welcome back Councilman Pallend.

**MOTION: Councilman Heath made a motion Councilman Pallend seconded a motion to adjourn into executive session for litigation matters at 7:33 PM. Motion carried 5-0.**

XI. Executive Session

Mayor Carr-Hurst reconvened the meeting at 7:34 PM.

No action taken.

**MOTION: Councilman Heath made a motion Mayor Pro Tem Whitmore seconded a motion to adjourn Executive Session at 7:46 PM. Motion carried 5-0.**

**MOTION: Mayor Pro Tem Whitmore made a motion Councilman Smallwood seconded a motion to enter into a Settlement and Release Agreement between Lockridge Outdoor Advertising v. City of Fairburn, Georgia, et al., CAFN 2016CV273176, in the Superior Court of Fulton County, State of Georgia; and Lockridge Outdoor Advertising v. City of Fairburn, Georgia, et al., CAFN 1:16-cv-02422, in the U.S. District Court of the Northern District of Georgia. Motion carried 5-0.**

**MOTOIN: Councilman Heath made a motion Mayor Pro Tem Whitmore seconded a motion to enter into a Settlement and Release Agreement with Georgia Tree Company v. City of Fairburn, CAFN 16EV005130, in the State Court of Fulton County, State of Georgia. Motion carried 5-0.**

XII. Adjournment

**MOTION: Councilman Heath made a motion Mayor Pro Tem Whitmore seconded a motion to adjourn the meeting at 7:47 PM. Motion carried 5-0.**

Respectfully submitted,

---

Jennifer Elkins, City Clerk

---

Elizabeth Carr-Hurst, Mayor