



**CITY OF FAIRBURN**  
**City Council Meeting Minutes**  
**City Hall**  
**56 Malone Street**  
**Fairburn, GA 30213**  
**April 8, 2013**  
**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:  
City Clerk:  
City Attorney:

Mr. Tom B. Barber  
Mrs. Brenda B. James  
Mr. Randy Turner

- I. MEETING CALLED TO ORDER: By Honorable Mario Avery.**
- II. ROLL CALL:** All Members of Council were present which constituted a quorum.
- III. INVOCATION:** Provided by Council Member Heath.
- IV. PLEDEGE OF ALLEGIANCE:** Recited in unison.
- V. PUBLIC COMMENTS:**
  1. Andrew Whitmore, 25 Somerset Hills, Fairburn, GA. Homeowners Association President and Vice President of the Executive Board, represented the Parks at Durham Lakes. He spoke on the reduction of the 255 lots in the new Brookhaven Community. He said he spoke with the City Administrator and the City Engineer and was not informed about the plat reduction. He said the plat was approved in May 2008 and some of the plats are now being taken away. He asked who gets to benefit from this project and why would the City negotiate with investors. He asked why the Homeowners Association should get an Attorney when they have a legal document stating there are 255 lots at the time of purchase of the investors. He said he find it appalling that the City would use density as a reason to reduce the lots without communicating with the Homeowners Association. He said there are 255 lots and the average cost per lot is \$10,574.00 which is a total of 2.6 million dollars. He asked the City to

consider working with the Homeowners Association.

2. Horace Cooper, 880 Buckingham Cove, Fairburn, GA. thanked Sergeant Bazydlo and the Chief of Police for assisting them with the Herron Woods Community. He said Herron Woods has gang members who have moved into the community and they are coming into Durham Lakes and the Parks at Durham Lakes. He asked for assistance from the Mayor and Council and the Fulton County Commissioner to rectify the issue.
3. Lorre Daniel, 16 W. Campbellton Street, Fairburn GA. announced the opening of her new business, Southern Cosmopolitan Baking Company located behind Oz Restaurant at 16 W. Campbellton Street, Fairburn GA. She said they are looking forward to working with everyone and being a part of the community.

#### **VI. ADOPTION OF THE AGENDA:**

Council Member Vaughan made a motion to adopt the Agenda placing items 1, 2 and 3 on Consent Agenda with Council Member Heath providing the second. **The motion carried.**

#### **VII. APPROVAL OF CONSENT ITEMS:**

Council Member Alderman made a motion to approve Consent Items 1, 2 and 3 with Council Member Hurst providing the second. **The motion carried.**

1. Approval of the Merchant Services Agreement with Flagship Merchant Services.
2. Approval of the Task Order TCF2013.02 - Ada Transition Plan with the Collaborative Firm in the amount of \$16,900.00.
3. Approval of the Resolution Establishing a Forty-Five (45) Day Extension of the Moratorium adopted on January 28, 2013 relating to Chapter 80, Article XII Sign Regulations.

#### **VIII. APPROVAL OF THE MINUTES:** Council Minutes of March 25, 2013

Council Member Alderman made a motion to approve the Minutes of March 25, 2013 with Council Member Hurst providing the second. **The motion carried.**

#### **IX. MAYOR AND COUNCIL COMMENTS:**

Council Member Alderman spoke about soliciting in his neighborhood and on Fayetteville Road. He said he appreciates the good work of Sergeant Bazydlo

and the Police Department. He said if anyone has the same problem in their neighborhoods to please inform their neighbors and notify the Police Department.

Council Member Heath had no comments.

Council Member Hurst had no comments.

Council Member Russell had no comments.

Council Member Johnson invited everyone to come see her garden. She said she planted over 250 tulips.

Council Member Vaughan had no comments.

Mayor Avery announced that anyone who is interested in registering for the Fairburn Festival can go on the City's Website for information. He commended Officer Bazydlo for doing an outstanding job with the neighborhood watch program and for the great information he distributed. He announced that today is Chief Hood's birthday. He also said today is also Council Member Hurst mothers birthday.

Council Member Alderman made a motion to go into Executive Session at 7:20 p.m. to discuss a pending litigation and real estate matter with Council Member Russell providing the second. **The motion carried.**

**X. EXECUTIVE SESSION:**

Council Member Heath made a motion to come out of Executive Session with Council Member Russell providing the second. **The motion carried.**

**XI. ADJOURN COUNCIL MEETING:**

Council Member Alderman made a motion to adjourn the Council Meeting at 8:20 p.m. with Council Member Russell providing the second. **The motion carried.**

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Brenda B. James City Clerk

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Mario Avery, Mayor